

MARSHALL COUNTY FISCAL COURT

Ordinance #02-05

AN ORDINANCE CREATING AND ESTABLISHING THE MARSHALL COUNTY-CALVERT CITY RIVERPORT AUTHORITY AND PROVIDING FOR THE APPOINTMENT OF MEMBERS THEREOF AND DELEGATING POWERS THERETO.

WHEREAS, the Fiscal Court of the County of Marshall, Kentucky finds and declares that it is to the best interest of the public to promote and develop river navigation facilities, river transportation, Riverport facilities, and to attract industrial or commercial operations in connection therewith, and;

WHEREAS, the City Council of the City of Calvert City, Kentucky in contemplating and expecting to pass a Resolution joining it with the Fiscal Court of the County of Marshall in creating a joint Riverport Authority, and;

WHEREAS, KRS 65.5 10 et seq. Provide for a city and county, with approval of the Kentucky Transportation Cabinet, Office of the Secretary, acting jointly to create a Riverport Authority to accomplish the foregoing purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF MARSHALL, KENTUCKY:

Section 1: There is hereby created and established, pursuant to KRS 65.510 et seq. "Marshall County-Calvert City Riverport Authority".

Section 2: Said Riverport Authority shall be composed of eight (8) members, three (3) of whom shall be appointed by the Judge/Executive of Marshall County and three (3) of whom shall be appointed by the Mayor of Calvert City and in addition the Judge/Executive may appoint himself or a member of the Fiscal Court as one (1) additional member of the authority and the Mayor may appoint himself or a member of the city legislative body as one (1) additional member of the authority for a term of two (2) years, provided that such persons may not serve on the authority after the expiration of their terms as an elected official. Of the initial appointments by the said County Judge/Executive and said Mayor, members shall be as follows: two members for two (2) years, two members for three (3) years, and two members for four (4) years.

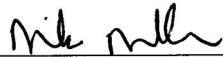
Section 3: Appointments by the County Judge/Executive shall be with the approval of the Fiscal Court.

Section 4: All members appointed shall reside within Marshall County. No Riverport Authority member shall hold any official office with the City of Calvert City, or the County of Marshall, with the exception of the provisions of Section 2 of this Ordinance.

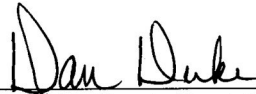
Section 5: The Marshall County-Calvert City Riverport Authority herein established shall have all the powers, functions, and duties authorized by the Kentucky revised Statutes, and in addition thereto, the County of Marshall, Kentucky hereby delegates such other powers to the Riverport Authority, which are necessary in carrying out its operations and activities.

Section 6: Each section, paragraph, or provision of this Ordinance is hereby declared to be separate from every other section, paragraph or provision herein and should any section, paragraph, or provision hereof be held invalid at any time it shall have no effect upon the validity of every other remaining section, paragraph or provision hereof.

Section 7: This Ordinance having been read for the first time in open session of the Marshall County Fiscal Court on Tuesday, September 17, 2002; second reading in open session of the Marshall County Fiscal Court on Tuesday, October 8, 2002; published in the October 16, 2002 edition of the Tribune Courier; said Ordinance shall be in full force and effect upon signature, recordation and publication.



Mike Miller, County Judge/Executive



Dan Duke, County Court Clerk