

ORDINANCE NO. 07-09

AN ORDINANCE RELATING TO THE GRANT OF A NON-EXCLUSIVE FRANCHISE TO USE THE PUBLIC RIGHTS OF WAY OF THE COUNTY OF MARSHALL FOR THE OPERATION AND MAINTENANCE OF A COMMUNICATIONS AND/OR MULTICHANNEL VIDEO PROGRAMMING SYSTEM(S).

WHEREAS, in Ordinance Number 0 -7-08, the Fiscal Court of Marshall County created a non-exclusive franchise to use the public rights of way of the County of Marshall for purposes of providing communications services and/or multichannel video programming services and ordered that this franchise be bid according to applicable law and specifications as set forth in a proposed Franchise Agreement; and,

WHEREAS, an invitation for bids was properly advertised and bids were opened at 9:00 a.m. on 12/18, 2007 and

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

1. A bid received from West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc. was found by the County of Marshall to be the best offered.
2. The County of Marshall, in reaching that determination, considered the technical, managerial and financial qualifications of West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc., to perform the obligations under the Franchise Agreement, and found them to be sufficient.

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3. The bid as submitted by West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc., for the Franchise Agreement relating to the non-exclusive franchise to use the public rights of way of the County of Marshall for purposes of providing communications services and/or multichannel video programming services is therefore hereby approved.

4. The County Judge/Executive of the County of Marshall is hereby authorized and directed to execute this Franchise Agreement with West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc.

5. All prior County Ordinances or parts thereof in conflict herewith are hereby repealed.

6. This Ordinance is adopted by the Fiscal County of the County of Marshall pursuant to KRS 67.075; 67.076; 67.077, et seq., in that it was introduced on Dec 18, 2007, and given final reading on JAN. 3, 2008 and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: January 3, 2008
APPROVED: Mike Miller
Marshall County Judge/Executive
ATTEST: Don Decker
Marshall County Clerk