

ORDINANCE NO. ____:2019

**AN ORDINANCE ADOPTING AN INTER-LOCAL COOPERATIVE
AGREEMENT BETWEEN ROWAN COUNTY, KENTUCKY AND
THE CITY OF MOREHEAD, KENTUCKY TO ESTABLISH A JOINT
RECREATION, TOURIST AND CONVENTION COMMISSION PURSUANT TO
KRS 91A.350, 91A.360 AND 91A.390**

WHEREAS, Rowan County, Kentucky and the City of Morehead, Kentucky desire to establish a joint Recreation, Tourist and Convention Commission to aid in the promotion of convention and tourist activity in the County of Rowan and City of Morehead;

WHEREAS, the parties agree that by working jointly they can further the tourist opportunities which will benefit the citizens of both the County and City;

NOW, THEREFORE, BE IT ORDAINED by the Board of City Council of the City of Morehead, Kentucky that the Interlocal Cooperative Agreement between Rowan County, Kentucky, and the City of Morehead, Kentucky establishing a Joint Recreation, Tourist and Convention Commission, a copy of which is attached hereto is approved and adopted in full.

INTRODUCED, SECONDED, AND GIVEN FIRST READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this 23rd day of July 2019.

INTRODUCED, SECONDED AND GIVEN SECOND READING at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this 12th day of August 2019.

APPROVED:

ATTESTED:

LAURA WHITE-BROWN, MAYOR

CRISSY CUNNINGHAM, CITY CLERK

**INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN THE COUNTY OF ROWAN AND THE
CITY OF MOREHEAD TO ESTABLISH
A JOINT RECREATION, TOURIST AND CONVENTION COMMISSION
PURSUANT TO KRS 91A.350, 91A.360 AND 91A.390**

This Interlocal Agreement made and entered into this ____ day of _____ 2019, by and between the County of Rowan, by and through its authorized agent, Harry Clark, Judge Executive, (hereinafter referred to as "County"), and the City of Morehead, by and through its authorized agent, Laura White-Brown, Mayor, (hereinafter referred to as "City").

WITNESSETH

WHEREAS, the County and City each wish to establish a joint Recreation, Tourist and Convention Commission as authorized by KRS 91A.350, 91A.360, and 91A.390, to aid in the promotion of convention and tourist activity in the County of Rowan and City of Morehead;

WHEREAS, the County and City understand that growth of the County and City depends in part on a community with varied and diverse tourist opportunities;

WHEREAS, the County and City agree that by working jointly they can further the tourist opportunities in the County and the City;

WHEREAS, the provisions of KRS 65.210 et seq. authorize public agencies of the Commonwealth and of the United States to execute Interlocal agreements for the purpose of the joint exercise of powers, privileges and authority conferred upon them by law and to share revenues and to accept donations from any source to finance the cost of such joint or cooperative action;

NOW, THEREFORE, IT IS AGREED to by and between the County of Rowan and the City of Morehead as follows:

1. Within 30 days after the approval of this agreement by the Department of Local Government, the County and the City will each enact an Ordinance to establish a joint recreation, tourist and convention commission pursuant to the Kentucky Revised Statutes which will be known as the Morehead-Rowan County Recreation, Tourist and Convention Commission.

2. The Commission shall have the purpose, duties and powers set forth in KRS 91A.350, 91A.360 and 91A.390, which provide the purpose of said Commission is to promote convention and tourist activity in the City and the County.

3. The Commission shall be subject to and shall comply with all the provisions set forth in KRS 91A.350, 91A.360 and 91A.390 and any additional provisions as set forth in this agreement or hereinafter enacted by the Kentucky Legislature and signed into law.

4. Pursuant to KRS 91A.360 the Commission will be composed of seven (7) members to be appointed in accordance with the method used to establish the commission. Members of the commission established by joint action of the City and the County shall be appointed, jointly by the Mayor of the City and the Judge Executive of the County.

5. It is agreed that to provide funding for the operation of the Commission, the City will contribute transient room tax and restaurant tax proceeds and that the County will levy a 3% transient room tax in accordance with the KRS and contribute said proceeds to the Commission. Said amounts shall be paid monthly to the Commission.

6. Title to the Conference Center property and all other property, both real and personal currently owned and used by the City of Morehead Recreation, Tourist and Convention Commission shall remain the property of the City of Morehead. Further, it is agreed that any property acquired in the future for use by the Joint Commission inside City Limits shall also be deemed the property of the City of Morehead, any property acquired in the future use by the Joint Commission outside city limits shall be deemed property of the County.

7. All existing debt of the Morehead Recreation, Tourist and Convention shall be assigned to the joint recreation tourist and convention commission through the execution of an assignment and assumption of debt instrument provided by bond counsel and the financial institutions.

8. The Commission, as a public agency, is to comply with the laws of the Commonwealth of Kentucky regarding Open Records and Open Meetings.

9. The books and financial records of the Commission shall be audited annually by an independent auditor who shall make a report to the Commission, the City and the County.

10. It is agreed that this agreement shall continue in effect and be binding upon the County and the City until termination as provided herein or by law. This Agreement may be terminated by mutual agreement of the parties. Further any party may withdraw from this Agreement by giving at least three (3) months notice to the other party and sending to the other party a copy of said Ordinance authorizing termination.

DATED this ____ day of _____ 2019.

County of Rowan

City of Morehead

By: Harry Clark, Judge Executive

By: Laura White –Brown, Mayor

COMMONWEALTH OF KENTUCKY

SS

COUNTY OF ROWAN

Subscribed and sworn to before me by Harry Clark, Judge Executive on behalf of the County of Rowan this ____ day of _____ 2019.

My Commission expires: _____

Notary Public

Notary Number: _____

COMMONWEALTH OF KENTUCKY

SS

COUNTY OF ROWAN

Subscribed and sworn to before me by Laura White-Brown, Mayor on behalf of the City of Morehead this ____ day of _____ 2019.

My Commission expires: _____

Notary Public

Notary Number: _____

PREPARED BY:

Joyce Planck Stevens
City Attorney
314 Bridge Street
Morehead, KY 40351

Cecil Watkins
Rowan County Attorney
700 West Main Street
Morehead, KY 40351

**CERTIFICATE OF APPROVAL
DEPARTMENT OF LOCAL GOVERNMENT
COMMONWEALTH OF KENTUCKY**

The undersigned as of the ____ day of _____ 2019, hereby certifies that the Commissioner for the Department of Local Government of the Commonwealth of Kentucky, has on the ____ day of _____ 2019, been presented with a true and exact copy of the Interlocal Cooperative Agreement dated _____ between the County of Rowan and the City of Morehead and after reviewing the terms and conditions and agreements contained therein, thereby certifies that said Agreement is compatible with the laws of this Commonwealth and that it does in all respects meet the conditions set forth in the Interlocal Cooperation Act, KRS 65.210-65.300.