

WOODFORD COUNTY BOARD OF EDUCATION
AGENDA ITEM

viii D +
ITEM #: 11B DATE: December 11, 2023

TOPIC/TITLE: Gas Easement Revision

PRESENTER: Shane Smtih

ORIGIN:

- TOPIC PRESENTED FOR INFORMATION ONLY (No board action required.)
 ACTION REQUESTED AT THIS MEETING
 ITEM IS ON THE CONSENT AGENDA FOR APPROVAL
 ACTION REQUESTED AT FUTURE MEETING: (DATE)
 BOARD REVIEW REQUIRED BY
- STATE OR FEDERAL LAW OR REGULATION
 BOARD OF EDUCATION POLICY
 OTHER:

PREVIOUS REVIEW, DISCUSSION OR ACTION:

- NO PREVIOUS BOARD REVIEW, DISCUSSION OR ACTION
 PREVIOUS REVIEW OR ACTION
- DATE:
 ACTION:

BACKGROUND INFORMATION:

Revision to the gas line easement for the high school project. A reversion clause has been added by the Board attorney's. A waiver of appraisal has also been added by the attorney.

SUMMARY OF MAJOR ELEMENTS:

IMPACT ON RESOURCES:

TIMETABLE FOR FURTHER REVIEW OR ACTION:

SUPERINTENDENT'S RECOMMENDATION: Recommended Not Recommended



A RESOLUTION of the Woodford County Board of Education

**Waiver of appraisal requirement from the Kentucky Board of Education under 702 KAR 4:090
Section 2 Disposition by Easement (2(c))**

WHEREAS, the Woodford County Board of Education (WCBE) is seeking a waiver from the Kentucky Board of Education (KBE) pursuant to KRS 156.160(2); and

WHEREAS, the Columbia Gas of Kentucky, Inc., a Kentucky corporation (Columbia Gas) is seeking to acquire an easement on certain real property owned by the Board of Education of Woodford County and/or the Woodford County School District Finance Corporation (collectively WCBE) and serving as the campus of Woodford County High School, located on Frankfort Street, for the purpose of installing a gas pipeline; and

WHEREAS, in order to determine the fair market value for disposition by easement, 702 KAR 4:090 Section 2.2(c) requires proposed easement agreements to include “an appraisal from a certified general real property appraiser commissioned by the school district”; and

WHEREAS, implementation of the appraisal requirement will cause unnecessary hardship and expense to WCBE. Because the proposed gas line benefits Woodford County residents beyond Woodford County High School, and the underground utility will not interfere with the surface of the property, it is excessive to require the WCBE to pay for an appraisal; and

WHEREAS, if the appraisal requirement is waived, construction can commence and will lessen the disruptions for the upcoming school year. Securing a certified appraisal will delay the project start date and disrupt Woodford County High School.

NOW, THEREFORE: Be it resolved by the Woodford County Board of Education:

On a Motion by _____, seconded by _____,
the Board hereby **RESOLVES** as follows:

By majority vote, the Board hereby seeks a waiver of the appraisal requirement under 702 KAR 4:090 Section 2.2(c) and this Resolution is being submitted to the Kentucky Department of Education as notice of this action.

Adopted by the Board this _____ day of _____, 2023.

Attested by _____, Chair of the Board.