

**AN ORDINANCE OF THE GARRARD
FISCAL COURT REPEALING PREVIOUS
ORDINANCES AND ESTABLISHING A
SYSTEM FOR FINANCIAL SUPPORT OF
BLUEGRASS 911 COMMUNICATIONS**

WHEREAS, the Garrard County Fiscal Court is responsible for promoting public safety and the general welfare of the citizens of Garrard County, Kentucky, and

WHEREAS, the operation of a 911 or emergency communications system is one of the most critical of all public services, indispensable and necessary for the safety of the citizens of Garrard County and ensuring prompt responses to emergencies, and

WHEREAS, the Garrard Fiscal Court, pursuant to KRS 65.760 , by interlocal governmental agreement with Lincoln County, created Bluegrass 911 Communications, a public safety answering point (PSAP), with both counties being obligated to fund the cost of operation, and

WHEREAS, there currently is a system for financial support based upon a charge on “land line” phones in Garrard County, Kentucky, collected by a telephone utility and distributed directly into the account of Bluegrass 911, an account solely for the administration and operation of that PSAP.

WHEREAS, technology advancements have resulted in the current financial system for support of 911 emergency communications unfairly placing the burden of supporting the system on a disproportionately small segment of the citizens of Garrard County, Kentucky, and

WHEREAS, Kentucky Revised Statute (KRS) 65.760 (3) is a specific provision wherein the General Assembly expressly permits local governments to fund 911 emergency telephone services by the imposition of service fees, more particularly: “The funds required ... to establish and operate 911

emergency telephone service ... may be obtained through the levy of any ... fee not in conflict with the Constitution and Statutes of this state,” and

WHEREAS, the Garrard County Fiscal Court believes that distributing the burden among the citizens through a service fee on water meters is more equitable; that it bears a reasonable relationship to the benefit received, and requires more persons to support the system than a “land line” phone fee.

WHEREAS, there are two water distributions systems in Garrard County, the City of Lancaster Water Utility and the Garrard County Water Association, Inc., providing essential water service to the citizens of Garrard County.

WHEREAS, Garrard County wishes to also engage the water entities collection services for the collection the County’s 911 service funding fee, for fair and reasonable compensation; more particularly, to collect a 911 service fee from the utilities’ water service subscription customers and to distribute the collected funds to Bluegrass 911, while retaining a fee.

WHEREAS, The City of Lancaster Water Utility and the Garrard County Water Association are willing to perform this public service.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Garrard County Fiscal Court that there is established, imposed and implemented a monthly service fee on active water meters provided to occupied households and businesses in Garrard County, Kentucky, calculated at \$4.00 per month per active residential and commercial water meters. An active water meter is defined as any water meter that is producing revenue.

IT IS FURTHER ORDAINED that every water company, water association or other entity operating a water distribution system in Garrard County, Kentucky shall collect the herein established service fee and remit amounts so collected, on not less than a quarterly basis, to Bluegrass 911

Communications and shall be permitted to withhold 6 % of these monies for the administration of this service fee.

IT IS FURTHER ORDAINED that this Ordinance shall take effect April 1, 2019.

IT IS FURTHER ORDAINED that Garrard County Ordinance No. 0-01-08-18-3, dated September 11, 2017, is hereby repealed.

ADOPTED by the Garrard County Fiscal Court on this the __ day of ____, 2018.

John Wilson
GARRARD COUNTY JUDGE EXECUTIVE

ATTEST:

Kevin Montgomery
GARRARD COUNTY FISCAL COURT CLERK