

MINUTES OF MEETING HELD MAY 09, 2005

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, May 09, 2005 at 7:00 p.m. with the following present: Mayor JP Wiles. Council Members: Jerry Girdler, Charlie New, Donna Hunley, John Minton, Fonda Crawford, Jerry Burnett, Tim Rutherford, Joanne Norfleet, Clarence Floyd, Jerry Wheeldon, and Mark Beasley. City Attorney Dan Yeast and City Clerk David Godsey. Absent: Council Member Jim Mitchell.

Mayor Wiles introduced the new City of Somerset Engineer Mr. Reece Patterson.

Mr. New moved to approve a request for a fire works show to be held at East Somerset Baptist Church on July 2nd or 4th depending on weather. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Mr. Burnett moved to approve the minutes of the last regular meeting held on April 25, 2005 and the reports be approved as delivered. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Mr. Wheeldon moved to approve all department bills. Mrs. Norfleet seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Mr. Beasley moved to approve the donation of a \$100.00 savings bond for Somerset High Schools Project Graduation. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

Mr. Beasley moved to approve the purchase of property by the Southern Kentucky Economic Development Corporation (SKED) for the Intermodel park in the amount of \$500,000 for the property and an additional \$40,000 to reimburse the foundation for clearing the property to meet the conditions set forth by the Fish and Wildlife Service. Mr. New seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

SKED
A Regional Growth Organization
April 25, 2005

RECEIVED
4-27-05

Mr. Carol Estes
Executive Director
Somerset-Pulaski County Development Foundation
P.O. Drawer 450
Somerset, KY 42501

Dear Carol:

I am pleased to inform you that the Federal Highway Administration and Kentucky Transportation Cabinet has formally notified the Southern Kentucky Economic Development Corporation (SKED) that the proposed site for the Intermodal Park has completed the applicable environmental requirements pursuant to the National Environmental Policy Act of 1969 (NEPA). With this approval, SKED can begin the property acquisition process.

Prior to its acquisition, the Kentucky Transportation Cabinet requires that the current property owner provide to the Cabinet the following information on each parcel to be acquired:

1. An accurate description and plat delineating the shape and location of the property
2. The total size of the property
3. The current owner of the property
4. A listing of improvements on the property
5. The type of title to be acquired by the recipient (SKED)
6. Name and telephone number of a local contact person
7. Legal description
8. Property boundary survey

Please forward these materials to my office for review and approval by the Kentucky Transportation Cabinet.

Upon concurrence and approval by the Kentucky Transportation Cabinet, the SKED hereby agrees to purchase the proposed site for the sum of \$340,000.00 (five-hundred forty thousand dollars). This sum includes the purchase price of the property, \$300,000, and \$40,000 (forty-thousand dollars) to reimburse the Foundation for clearing the property to meet the conditions set forth by the Fish and Wildlife Service in a letter dated January 21, 2003. A copy of the contract to clear the proposed Intermodal Park site should be included with the above materials.

In accordance with the Resolution adopted May 5, 2004 by the Somerset-Pulaski County Development Foundation, Inc., enclosed hereto, the Foundation shall provide to SKED its required \$500,000 (five-hundred thousand) Development Grant (b) on or before the date SKED formally acquires the proposed Intermodal Park site. Further, the Foundation shall remit to SKED on or before December 31, 2005, a \$100,000 (one-hundred thousand) grant (c), the first of five payments, in further the Park's overall development.

Once the property acquisition phase has been completed, SKED will immediately begin the final design and construction phase. The construction phase is expected to take approximately fifteen months to complete.

If you have any questions or require any additional information to honor this request, please contact me at 606.677.6100.

Sincerely,
Greg Jones
Greg Jones
Executive Director

C: Mr. Brent Sweger, Kentucky Transportation Cabinet

C-03205386
C-03142460

AGREEMENT BETWEEN
THE KENTUCKY TRANSPORTATION CABINET
AND
SOUTHERN KENTUCKY ECONOMIC DEVELOPMENT CORPORATION
SOUTHERN KENTUCKY INTERMODAL TRANSPORTATION PARK
\$5,000,000

The CABINET shall: (1) Review all appraisal reports to ensure proper appraisal practice and procedures as well as compliance with state and Federal laws and regulations; (2) Approve final value conclusion by the Director, Division of Right of Way and Utilities

The RECIPIENT shall provide to the CABINET the following information on each parcel to be acquired:

- An accurate description and plat delineating the shape and location of the property
- The total size of the property (and area to be acquired, if applicable)
- The current owner of the property
- A listing of improvements on the property
- The type of title to be acquired by the RECIPIENT
- If partial acquisitions, the type of restrictions and/or improvements to be put on the property including a draft easement of conservation activities
- Name and telephone number of a local contact person
- Legal description
- Property boundary survey

Should the acquisition of land result in the displacement of a tenant-occupant, such displacement shall be subject to the requirements of the URA, as set out in implementing regulations 49 CFR Part 24. A displaced tenant shall be eligible for moving expenses and any other relocation expenses for which they might qualify.

In all acquisitions, concurrence must be obtained through the CABINET's Division of Right of Way and Utilities prior to the formal hiring of any appraiser and all appraisals shall meet

LIFE IN BALANCE
A Five Year, Five Year Plan

CERTIFIED COPY OF RESOLUTION OF THE
SOMERSET-PULASKI COUNTY DEVELOPMENT FOUNDATION, INC.

At a regular meeting of the Board of Directors of the Somerset-Pulaski County Development Foundation, Inc. held on May 14, 2004 a motion was made and seconded that the following resolution be passed, and it was duly passed:

Wherefore, it appears that an Intermodal Transportation Park will be located in this area and that it is possible that it may be determined that Pulaski County is the appropriate location for such Intermodal Transportation Park and further:

That the location of the park in Pulaski County would greatly serve the industries presently located in Pulaski County and would also be extremely important for the logging of future industries in Pulaski County and would generally benefit the citizens of Pulaski County by creating employment and economic advantages.

Now therefore, be it resolved, that in the event it is determined that Pulaski County is the appropriate place for the location of the Intermodal Park,

That this organization will make every effort to see that the responsibilities to be borne by the community in which the Intermodal Park is located will be met by the governmental entities located in Pulaski County which include, but are not limited to:

- a) Establishing the approved area for the location of the Intermodal Transportation Park as a Development Area and designating 100% of increments generated by the Park and collected for the City of Somerset and Pulaski County for the express purpose of maintaining the infrastructure required to operate the facility, such as roads, rail lines, water and sewer service, electrical and other essential infrastructure improvements for a period of twenty (20) years as allowed by KRS 65.680 to 65.699
- b) Awarding the Southern Kentucky Economic Development Corporation a one time \$300,000 Development Grant to be used with \$7,000,000 in federal funding for the construction of the project, which funding will be used for site improvement, infrastructure installation, warehousing and bulk transfer buildings and equipment necessary to operate the Park; or such funding may be used to serve as local matching funds to secure additional state or federal grants from agencies such as the Economic Development Administration or Appalachian Regional Commission. This local funding would be provided during the calendar year 2004 if in fact Pulaski County was chosen as the location for the Intermodal Park.
- c) Awarding a \$100,000 grant to Southern Kentucky Economic Development Corporation annually for a period of five (5) years beginning in 2005 and continuing through 2009 for the express purpose of supporting the development and operations of the Intermodal Facility. This funding will be used to educate existing manufacturing companies on the benefits of Intermodal transportation, recruit and attract new industry to utilize the facility, develop a national marketing campaign to attract new business users and for other activities as necessary to support the overall project's operations.

I hereby certify that the above Resolution was duly passed at a meeting of the Somerset-Pulaski County Development Foundation, Inc. held on the 14th day of May, 2004 at which a quorum was present and said resolution was passed by the majority as required by the bylaws of the corporation.

Michael R. ...
Michael R. ...
Somerset-Pulaski County Development Foundation, Inc.

Mr. New moved to approve the following Resolution regarding the maintenance and ownership of roadway segment affected by the reconstruction of KY 1577 / KY 1247. Mr. Beasley seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mrs. Hunley, Mr. Minton, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon, and Mr. Beasley.

RESOLUTION

FOR MAINTENANCE AND OWNERSHIP

OF

ROADWAY SEGMENT AFFECTED BY RECONSTRUCTION OF

KY. 1577/KY. 1247

WHEREAS, an existing route, known as Ky. 1577/Ky. 1247, is currently under contract for reconstruction, and completion of this route will result in changes to the state and city road systems,

NOW THEREFORE, upon completion of the reconstructed Ky. 1577/Ky. 1247, the City of Somerset agrees to accept the assignment and conveyance of ownership interest and maintain or cause to maintain the following facilities:

Old South Richardson Drive - From the Junction of the reconstructed Ky. 2303 - South Richardson Drive Rt. Approx. Sta. 71+85, extending East, a distance of approximately 0.03 miles (See Exhibits B-2 & B-3).

Old South Main Street - From the Junction of the Jackaboro Street, extending north and west, a distance of approximately 0.08 miles (See Exhibit B-6).

Jackaboro Street - From the Junction with reconstructed Ky. 2302, extending south to the intersection with Sherman Avenue, a distance of approximately 0.474 miles (See Exhibit B-7).

ADDITIONALLY THEREFORE, upon completion of the reconstructed Ky. 1577/Ky. 1247, the City of Somerset also agrees to re-accept ownership and maintain or cause to maintain the following facilities:

Freeman Street - From the Junction of the reconstructed Ky. 1577 Rt. Sta. 25+50, extending East to a junction with Hope Way, a distance of approximately 0.06 miles (See Exhibit B-4).

Deerl Whitaker Lane - From the Junction of the reconstructed Ky. 1247 Rt. Sta. 55+64.01, extending East to a junction with existing Deerl Whitaker Lane, a distance of approximately 0.02 miles (See Exhibit B-1).

Bourne Avenue West - From the Junction of the reconstructed Ky. 2302-Murphy Avenue Rt. Sta. 10+96.57, extending West to a junction with Old South Main Street, a distance of approximately 0.05 miles (See Exhibits B-5 & B-6).

Bourne Avenue East - From the Junction of the reconstructed Ky. 2302-Murphy Avenue Lt. Sta. 10+96.57, extending East to a junction with

existing Bourne Avenue, a distance of approximately 0.03 miles (See Exhibit B-5).

Griffin Avenue East - From the Junction of the reconstructed Ky. 2302-Murphy Avenue Lt. Sta. 13+83.14, extending East to a junction with existing Griffin Avenue, a distance of approximately 0.06 miles (See Exhibit B-5).

We understand that Kentucky Transportation Cabinet Official Orders and quitclaim deeds will be issued for the assignments and transfers of maintenance responsibility and ownership interest of the facilities upon our acceptance of this agreement and at the completion of the aforementioned Ky. 1577/Ky. 1247.

J.P. Wiles, Mayor of Somerset

Date

Monticello Street									
8-300.00									
	Seg. Station	End Station	Approx. Length (Feet)	Approx. Length (Miles)	Existing or New Segment	Length		Length	
						New Segments (miles)	Existing Segments (miles)	New Segments (miles)	Existing Segments (miles)
1	Freeman Street	80+04.90	84+88.80	455.02	0.08	N		0.09	
2	Deerl Whitaker Lane	01+51.68	06+79.50	124.92	0.02	N		0.02	
3	Old South Richardson Drive	00+00.00	01+89.00	189.00	0.03	N		0.03	
4	Griffin Avenue east	82+30.00	83+83.00	206.00	0.04	N		0.06	
5	Bourne Avenue West	99+30.00	102+37.00	257.00	0.05	N		0.05	
6	Bourne Avenue East	102+70.00	104+19.00	149.00	0.03	N		0.03	
7	Old South Main Street	50+95.00	50+94.50	408.50	0.08	N		0.08	
8	Jackaboro Street (from Ky. 2302 to Old Ky. 1247 (South Main Street))			0.045	N		0.045		
9	Jackaboro Street (from Old Ky. 1247 (South Main Street) to Sherman Avenue)			0.429	N		0.429		
Sub Totals:						0.584	0.25		
Total Mileage:						0.834			

Mrs. Hunley moved to put in the 2005-2006 budget an allocation to hire an attorney to represent the legislative branch of the Somerset City Council. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. New, Mrs. Hunley, Mrs. Crawford, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, and Mr. Wheeldon. Voting "Nay": Mr. Girdler, Mr. Minton, and Mr. Beasley.

There being no further business the meeting adjourned.

ATTEST:


CITY CLERK

APPROVED 
MAYOR