

MINUTES OF MEETING HELD MAY 22, 2006

The Common Council of the City of Somerset, Kentucky met in regular session on Monday, May 22, 2006 at 7:00 p.m. with the following present: Mayor JP Wiles. Council Members: Jerry Girdler, Charlie New, John Minton, Jim Mitchell, Jerry Burnett, Tim Rutherford, Joann Norfleet, Clarence Floyd, Jerry Wheeldon, and Mark Beasley. City Attorney Joe Travis and City Clerk David Godsey. Absent: Council Members Donna Hunley, and Fonda Crawford.

Mr. Burnett moved to approve the water park employee's handbook, approval of discount admission rates after 4:00 pm, and early closure due to low attendance. Mr. Floyd seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon and Mr. Beasley.

Bill Lowery, manager of the Gas Department addressed the Council regarding the gas rates. Mr. Lowery asked the Council for guidance or suggestions in how they felt prices could be lowered. Mr. Lowery asked the Council if they would like him to lock in rates for next year at \$10.14. No Council Members wished to lock in rates or to speak.

Mr. Floyd moved to approve the following Resolution approving leasing one (1) roll off truck for the sanitation department for one (1) year from Worldwide Equipment. The amount not to exceed \$10,000. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Girdler, Mr. New, Mr. Minton, Mr. Mitchell, Mr. Burnett, Mr. Rutherford, Mrs. Norfleet, Mr. Floyd, Mr. Wheeldon and Mr. Beasley.

RESOLUTION NO. 06-05

A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A PROJECT AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE.

WHEREAS, the governing body of the City of Somerset, Kentucky (the "Lessee") has the power, pursuant to Section 65.940 of the Kentucky Revised Statutes to enter into one or more lease agreements with or without the option to purchase in order to provide for the use of property for public purposes;

WHEREAS, the governing body of the Lessee (the "Governing Body") has previously determined, and hereby further determines, that the Lessee is in need of the Project, as defined in the Lease;

WHEREAS, the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee and the Kentucky Area Development Districts Financing Trust (the "Lessor") enter into a Lease Agreement (the "Lease") for the leasing by the Lessee from the Lessor of the Project;

NOW THEREFORE, BE IT ORDERED AND RESOLVED BY THE COUNSEL OF THE CITY OF SOMERSET, COMMONWEALTH OF KENTUCKY:

Section 1. Recitals and Authorization. The Lessee hereby approves the Lease Agreement (the "Lease") and all Collateral Documents, as defined in the Lease, each in substantially the form presented to this Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease and all representations, certifications and other matters contained in the Closing Memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The Mayor and City Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. Purpose. The City plans to use the proceeds of the lease to purchase one (1) truck from Worldwide Equipment for use by the City.

Section 3. Investment of Funds. Ross, Sinclair & Associates, LLC, as Program Administrator, is hereby authorized to direct the Trustee to invest funds on deposit under the Lease in such manner, subject to all legal limitations, as will, in the Program Administrator's judgement, produce the most favorable financial result for the Lessee.

Section 4. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. Sunsetting Law. This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 6. Conflicts. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 7. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.

INTRODUCED, SECONDED AND ADOPTED, at a duly convened meeting of the Governing Body, held on _____, signed by the Mayor of the Lessee, attested by the City Clerk, filed and indexed as provided by law.

By: _____

Title: Mayor

ATTEST:

By: _____

Title: City Clerk

Officer Jeff Girdler spoke regarding a new Neighborhood Watch Program in Cardinal Hills Subdivision.

There being no further business the meeting adjourned.

APPROVED _____
MAYOR

ATTEST: _____
CITY CLERK