

**MINUTES OF MEETING HELD JUNE 10, 2024**

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday June 10, 2024, at 6:01 p.m. with the following present: Council Members David Burdine, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Patrick Hunley, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Mayor Alan Keck, and City Clerk Nick Bradley. Absent: Tom Eastham, Brian Dalton, and City Attorney John Adams.

Mr. Mitchell made a motion to approve the minutes of the regular meeting of May 13, 2024. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

Mr. Daughetee made a motion to approve the appointment of Josh Wesley as the Chief of the Somerset Police Department. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

First reading was given the following Ordinance Number 24-12: **GIVING PUBLIC NOTICE AND APPROVING THE CITY OF SOMERSET'S WASTEWATER PRETREATMENT PROGRAM MODIFICATIONS IN REGARDS TO LOCAL LIMITS AND AMENDING ORDINANCES 91-27, 09-04, 11-18, AND 19-02.**

Ord 24-12

ORDINANCE NO. 24-12

AN ORDINANCE TO GIVE PUBLIC NOTICE AND APPROVING THE CITY OF SOMERSET'S WASTEWATER PRE-TREATMENT PROGRAM MODIFICATIONS IN REGARDS TO LOCAL LIMITS AND AMENDING ORDINANCES 91-27, 09-04, 11-18, AND 19-02

WHEREAS, THE KENTUCKY DIVISION OF WATER CONSIDERS THE CITY'S MODIFICATIONS TO THE PRE-TREATMENT PROGRAM TO BE COMPLETE AND READY FOR PUBLIC NOTICE AND APPROVAL BY THE CITY COUNCIL AND

WHEREAS, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS (40 CFR 401) REQUIRES THAT PUBLIC NOTICE BE GIVEN BY THE CITY AS TO SAID MODIFICATIONS PURSUANT TO KRS 42A AND KRS 42B, BY AND THROUGH ORDINANCE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY

(I) That modification to the acceptable pollutant levels for the City's Pretreatment Program is hereby approved and adopted by the City of Somerset by and through the Common Council

(II) That said modifications were approved by the Kentucky Division of Water upon a review by said agency of the modified limits submitted by the City of Somerset. Further, the Division of Water states in their approval letter of May 9th, 2024 attached hereto as Exhibit 'A' and incorporated in full herein by reference, that the modifications will provide adequate protection of water quality, wastewater treatment plant operation, and water quality for the City of Somerset as defined in 401 KAR 45-100.

(III) If any part of this ordinance is deemed by a court of competent jurisdiction to be unenforceable, or unconstitutional, the remaining provisions of this ordinance shall continue in full force and effect

(IV) Any Ordinance in conflict with this Ordinance or any policies in conflict with the ones outlined herein are hereby repealed in so far as the same are in conflict herewith

(V) This Ordinance shall be in full force and effect upon passage, approval, and publication according to law and upon the expiration of the public notice period provided that the Division of Water, nor the City of Somerset receive comments from the public

FIRST READING: June 10, 2024



WASTEWATER PUMP STATION AT 134 NORTH RICHARDSON DRIVE. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

RESOLUTION 24-17  
OF  
SOMERSET CITY COUNCIL

WHEREAS, the City of Somerset has the need to make improvements to its wastewater system in order to continue to provide the necessary services to its community and at this time needs to install a new pump station in the area of 134 North Richardson Drive;

WHEREAS, the City Council sees the need to upgrade and/or install a wastewater system;

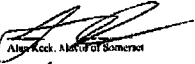

WHEREAS, a real property parcel has been identified and the owner has agreed to sell said property for the necessary improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Somerset City Council finds acquiring the property for the placement of a new wastewater pump station, a proper in purpose and act;

RESOLVED FURTHER, that the Mayor of Somerset is hereby authorized, directed and empowered to negotiate, and execute, for and on behalf of the City and in its name, all documents required in connection with the purchase of the property, including but not limited to purchase agreements and closing documents, and such results of action plans; and

RESOLVED FURTHER, that any actions taken by Mayor to purchase said property are hereby adopted, ratified, confirmed and approved as the acts and deeds of the City of Somerset.

Monitored and Voted Successfully on the 10<sup>th</sup> day of June 2024 as printed and executed by the officers below

  
Mayor, City of Somerset  
  
Nick Hurd, City Clerk



Mr. Mitchell made a motion to approve the following Ordinance Number 24-07: ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHEMENTS TO THE ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE OF 1611 EAST MT. VERNON ST. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

ORDINANCE NUMBER 2407

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSOLIDATED PROPERTY AS DESCRIBED HEREIN AND IN ATTACHMENTS TO THIS INSTRUMENT, ATTACHMENTS INCORPORATED BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS YET UNFILED, AND THE PROPERTY OWNERS HAVE WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE, AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND

WHEREAS THIS DOCUMENT WAS SENT TO THE JUDGE EXECUTIVE AND COUNTY ATTORNEY FOR NOTICE AND COUNSEL AFTER THE FIRST READING AS NOTED UNDER 23 REGULAR SESSION SENATE, BILL 341, AND

WHEREAS THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY

SECTION 2 THE LANDOWNER IS PROVIDING TO THE CITY'S PLANNING AND ZONING BOARD FOR A RECOMBINATION BY THE BOARD READING, THE LAND WILL BE IN ITS CURRENT USE AS IMPROVED

SECTION 3 NOTICE TO PUBLIC AND CITY RESIDENTS WAS GIVEN AFTER THE FIRST READING AND 45 DAYS BEFORE THE SECOND READING THE PROPERTY OWNER SLEEPS CITY UTILITIES RATES AND EXPRESSING THE CLAIM ABOUT THE FIRST ANNEXATION THE ORDINANCE CONSTITUTE VALID REQUIREMENTS FOR ANNEXATION BEFORE JULY 1, 2024, PURSUANT TO 23 REGULAR SESSION SENATE, BILL 341

SECTION 4 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSES AND UPON PUBLICATION BY LAW

THIRD READING APRIL 8, 2024

SECOND READING (NO) 20 APRIL MAY 25, 2024 JUNE 10, 2024

APPROVED: [Signature] MAYOR CITY OF SOMERSET, KY

ATTEST: [Signature] CITY CLERK

SECTION 1 THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS BE HEREIN AND HEREON HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS EXCEPT A ONE TRACT TO BE ANNEXED SHOWN ON AN ANNEXATION MAP FILED IN THE CITY OF SOMERSET ORDINANCE 2407 BY ME AND SURVEYING, DATED 03/27/24 SAID AND HAVING PVA 101468834107051101 AND ADDRESS 101 LANSIE VERNON STREET, SOMERSET, KY 40381 THE PROPERTY FORMERLY KNOWN AS "MANSION CLASS SHOP" AND CURRENTLY THE "NEW BRAND DENTAL LAB"

Somerset DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION Planning & Zoning Commission

ANNEXATION REQUEST FORM

I, Brian Helton (initially request annexation)

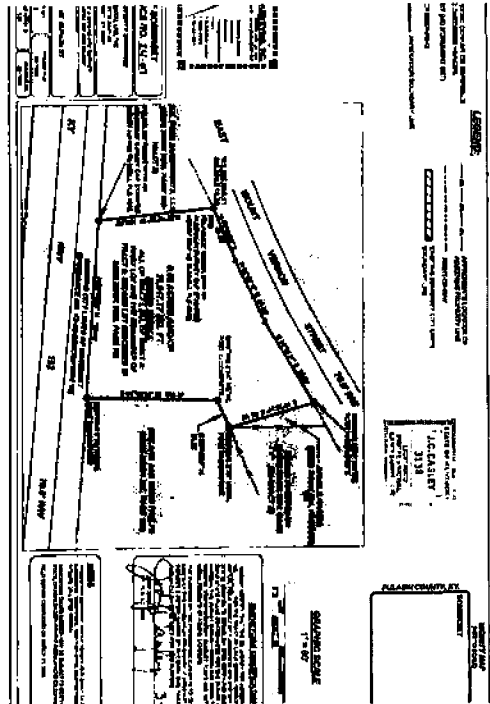
of my property located at 101 E. Mt. Vernon Street

into the City of Somerset

I do request that the 60-day waiting period be waived

I do request that this property be annexed

3-28-24



The property at 1611 E. Mt. Vernon St.,  
Somerset KY 42501, formerly known as the  
Sears Glass Shop, will be the future home of  
Basil Dental Lab Inc.

Brian Helton CDT

*Brian Helton*

City of Somerset, KY. Annexation Ordinance No. 24-07

**DESCRIPTION**

A certain tract of parcel of land lying on the north side of Kentucky Highway 192 and the south side of East Mount Vernon Street in Somerset, Kentucky, County of Pulaski and more particularly described as follows:

All bearings shown herein were correlated to said main Kentucky SPC (1600) Single Azim, per GPS observations as observed March 14<sup>th</sup>, 2024.

ENCLOSURE at a found 1/8" metal with an aluminum survey cap stamped Henry Wayne Russell PLS 4248 situated on the south 70.0' right-of-way of East Mount Vernon Street (formerly Highway 101), said metal being a corner to C.N. Ford Investments, Ltd. (deed book 1026, page 338) tract 11 and having a Kentucky single Azim State Plane Coordination of N 37°04'19.11", E 126.221.221' from the south right-of-way of East Mount Vernon Street the following (1) corner N 66°30'01" W a distance of 54.69' to a point where a N 67°01'11" W a distance of 64.59' to a point where a N 74°42'11" W a distance of 90.81' to a found 2"x4" metal post in concrete being a corner to Arnold Harris (deed book 055, page 022) tract with Harris, S 16°33'31" W a distance of 84.55' to a found 2"x4" metal post in concrete being a corner to Arnold Harris, Leslie Pauline (deed book 044, page 046) tract 111 and William Lee Doris Plaine (deed book 119, page 147) tracts with Plaine the following (2) corner N 66°15'27" W a distance of 72.24' to a found 2"x4" metal post in concrete where a N 74°01'11" W a distance of 111.12' to a found 2"x4" metal post in concrete situated on the south 70.0' right-of-way of Kentucky Highway 192 thereon with the north right-of-way of Kentucky Highway 192, N 41°44'04" W a distance of 153.67' to a found 1/2" metal wall on almost a survey cap stamped Henry Wayne Russell PLS 4248 being a corner to C.N. Ford Investments, Ltd. where with C.N. Ford Investments, Ltd. N 09°42'42" W a distance of 109.74' to the POINT OF BEGINNING having an area of 0.48 acres 39,847.79 sq. ft., according to a field survey completed on March 14<sup>th</sup>, 2024 and is found under the direct supervision of Andy Daigley PLS 1130, with J.C. Land Surveying, Inc.

Above described annexation is subject to all easements, covenants, right of ways, comments, and conditions of record or that may exist.

*Andy Daigley*

3-27-24

Date

Henry Wayne Russell  
PLS 4248  
J.C. LAND SURVEYING, INC.  
1113  
1611 E. Mt. Vernon St.  
Somerset, KY 42501

**Kentucky** Pulaski County, KY PVA



Parcel ID	Address	Parcel Address	Acres	Value	Lot Size	Price	Status	Code
007-2-00	1611 E Mt Vernon St	1611 E Mt Vernon St	0.48	\$174,000	109,740	\$362,500	1	0
007-2-00	1611 E Mt Vernon St	1611 E Mt Vernon St	0.48	\$174,000	109,740	\$362,500	1	0

Parcel: 007-2-00  
Address: 1611 E Mt Vernon St  
Parcel Address: 1611 E Mt Vernon St  
Acres: 0.48  
Value: \$174,000  
Lot Size: 109,740  
Price: \$362,500  
Status: 1  
Code: 0

Parcel: 007-2-00  
Address: 1611 E Mt Vernon St  
Parcel Address: 1611 E Mt Vernon St  
Acres: 0.48  
Value: \$174,000  
Lot Size: 109,740  
Price: \$362,500  
Status: 1  
Code: 0

Parcel: 007-2-00  
Address: 1611 E Mt Vernon St  
Parcel Address: 1611 E Mt Vernon St  
Acres: 0.48  
Value: \$174,000  
Lot Size: 109,740  
Price: \$362,500  
Status: 1  
Code: 0

Mr. Mitchell made a motion to approve the following Ordinance Number 24-10: ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHEMENTS TO THE ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE OF AREAS

AROUND THE PITMAN CREEK WASTEWATER PLANT”. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

ORD. 24-10

**ORDINANCE NUMBER 24-10**

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSOLIDATION THE PROPERTIES DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE ATTACHMENTS INCORPORATED IN FULL BY REFERENCE THEREIN AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETE, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER, AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND

WHEREAS, THIS DOCUMENT WAS SENT TO THE JUDGE EXECUTIVE AND CHIEF ATTORNEY OF PULASKI COUNTY AFTER THE FIRST READING AS NOTICED UNDER 23 REV. KY. STAT. SENATE BILL 141; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY

SECTION 1 THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERETO AND BELOW ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS

EXHIBIT A TWO TRACTS TOTALING 20.11 (20.11 AND 7.79) ACRES SHOWN ON ANNEXATION MAP TITLED CITY OF SOMERSET ORDINANCE 24-10 BY JO LAND SURVEYING, DATED 12-25-24, SAID LAND KNOWN AS "AR148 IN AND AROUND THE PITMAN CREEK WASTEWATER PLANT"

SECTION THE LAND WILL BE IN ITS CURRENT USE AS IMPROVED

SECTION 1 NOTICE TO PULASKI COUNTY FISCAL COURT WAS GIVEN AT THE FIRST READING AND 45 DAYS BEFORE THE SECOND READING. THE PROPERTY OWNER SETS CITY UTILITY RATES AND EXPRESSING THE LEGAL RIGHT TO CROSS ANNEXATION. THE FOREGOING CONSTITUTE VALID REQUIREMENTS FOR ANNEXATION BEFORE JULY 1, 2024, PURSUANT TO 23 REV. KY. STAT. SENATE BILL 141

SECTION 4 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING APRIL 22 2024

SECOND READING (NOT BEFORE JUNE 7TH 2024) JUNE 10 2024

APPROVED:   
ALAN K. ORR, MAYOR  
CITY OF SOMERSET, KY

ATTEST:   
NICK BRADLEY, CITY CLERK



DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission
101 East Howard Street
P.O. Box 199
Somerset, KY 40387
Phone: (606) 438-1373
Fax: (606) 437-8888
www.somersetky.gov

ANNEXATION REQUEST FORM

I, City of Somerset, formally request annexation

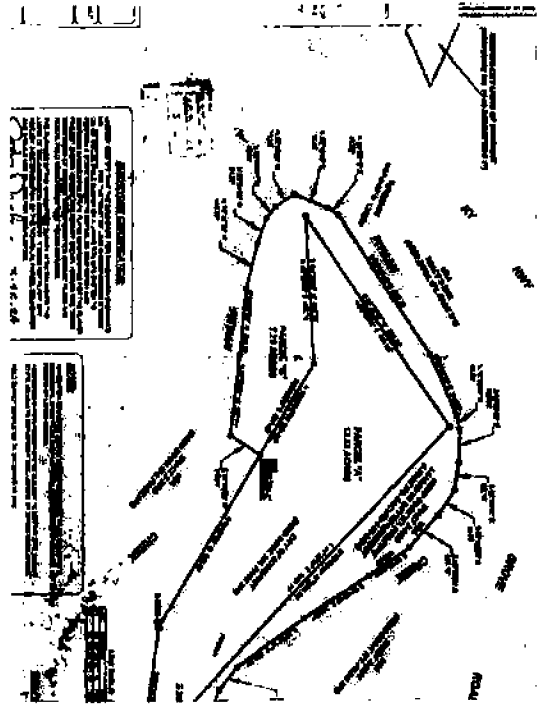
of my property located at 475 Pitman Creek Rd

into the City of Somerset

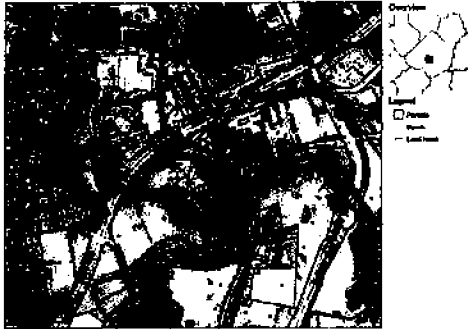
I also request that the 60-day waiting period be waived

I also request that the property be zoned

Signature Date



Kentucky Pulaski County, KY PVA



Parcel ID: 0411151
Class: 011-100-01 Property
County: 11
Acres: 7.6

Map Description: 213 ACCORDIAN DRIVE RD
Sheet 706 to be used in legal documents

Date created: 3/19/2014
Last Date Modified: 02/27/2019 10:42:00 AM
Created by: J. S. [unclear]

City of Somerset, KY, Annexation Ordinance No.

DESCRIPTION-PARCEL "B"

A certain tract or parcel of land lying on the west side of Pitman Creek Road in Somerset, Kentucky, County of Pulaski and lying on the waters of Pitman Creek and more particularly described as follows:

All bearings shown herein were correlated to Grid North Kentucky 83° (1800) State Zone, per GSA observations as observed on December 17, 2022.

BEGINNING at a point located in the line of United States of America (deed book 171, page 278 Tract 2-2633), said point bears N 46°40'28" W a distance of 3,285.99' to a point which is a corner to the existing City Limits of Somerset, (Ordinance No. 27-03 Description 21) and point, having a Kentucky Single State Plane Coordinates of P: 3,641,767.01, E: 3,258,124.20; thence following Tract 2-2633 and along a fence line listed to the City of Somerset (Issue No. 08062-2-21-0181) the following: (28) points: S 34°08'56" W a distance of 113.76' to a point; Thence N 87°01'41" W a distance of 257.71' to a point; Thence N 84°08'56" W a distance of 210.92' to a point; Thence N 78°55'53" W a distance of 143.05' to a point; Thence N 69°54'02" W a distance of 84.31' to a point; Thence N 49°47'57" W a distance of 43.15' to a point; Thence N 32°32'26" W a distance of 71.25' to a point; Thence S 22°16'49" E a distance of 122.40' to a point; Thence N 31°55'15" E a distance of 41.78' to a point; Thence N 56°30'48" E a distance of 227.43' to a point; Thence N 68°33'22" W a distance of 214.29' to a point; Thence N 78°58'49" W a distance of 41.28' to a point; Thence S 84°23'49" W a distance of 106.82' to a point; Thence S 80°53'43" E a distance of 90.15' to a point; Thence N 13°50'28" W a distance of 91.05' to a point; Thence S 48°10'05" E a distance of 139.18' to a point; Thence S 31°23'42" W a distance of 115.06' to a point; Thence S 22°43'09" E a distance of 246.34' to a point; Thence S 33°22'14" E a distance of 261.34' to a point; Thence S 10°10'22" E a distance of 91.78' to a point; Thence S 72°40'40" E a distance of 71.91' to a point; Thence S 88°23'01" E a distance of 86.88' to a point; Thence N 39°02'28" E a distance of 34.38' to a point; Thence S 25°10'28" E a distance of 56.09' to a point located in the line of the City of Somerset (deed book 305, page 382); Thence with the City of Somerset, the following (3) corners: S 64°58'27" W a distance of 143.03' to a found 3" brass cap in concrete sleeve stamped 2-2633-4; Thence N 61°35'02" W a distance of 1,261.70' to a found 5/8" rebar with an orange plastic survey cap stamped PLS 3630 A.D.V.; Thence S 81°30'16" W a distance of 896.15' to a found 3/8" rebar with an orange plastic survey cap stamped PLS 3630 A.D.V.; Thence E 84°13'45" W a distance of 462.78' to a point; Thence S 28°07'25" W a distance of 131.10' to the POINT OF BEGINNING, having on each of 7.79 acres, according to a field survey completed on December 05, 2022 and performed under the direct supervision of Judy DeJary PLZ 3130, with JD Land Surveying, Inc.

Above described annexation is subject to all assessments, exceptions, right-of-way, covenants, and restrictions of record by the map apply.

Judy DeJary 3-25-24
Judy C. DeJary Date



**AN ORDINANCE OF THE CITY OF BOWERSBY, KENTUCKY PROMOTING PUBLIC HEALTH IN THE REQUIREMENT OF CERTIFICATION OF RECOVERY RESIDENCES PROVIDING TREATMENT FOR ALCOHOL AND OTHER DRUG ABUSE**

WHEREAS, the City of Bowersby (City) acknowledges the need for effective recovery residences to address drug and alcohol abuse as part of a comprehensive public health strategy in the City; and

WHEREAS, the lack of minimum operating standards or regulations relating to recovery residences, recovery homes, sober living residences, alcohol (AOD) drug, and other substance use treatment for unmet individuals have created an environment for a proliferation of such facilities to take advantage of persons in need of such recovery services; and

WHEREAS, some recovery residences currently exist within the City of Bowersby, and with by occupants or family members, neighbors, law enforcement and the public recovery community; and

WHEREAS, overcrowding in a recovery residence has caused a fire in the City of Bowersby; and

WHEREAS, Section 15B of the Kentucky Code of Regulations (KCR) is the only regulatory authority for the Kentucky General Assembly (KGA); and the same has been amended to be for the purpose of a public purpose and the General Assembly has duly enacted KRC 15B (KRC) governing recovery homes and the "Recovery Rule" authority to close to protect the health, safety, morals, or general welfare of the people; and

WHEREAS, the Kentucky General Assembly has amended KRC 222.222 (KRC) to 222.210 effective July 29, 2024, providing for a comprehensive program for recovery residences and specifically providing in KRC 222.210 a local government authority to regulate the use of recovery

**NOW THEREFORE BE IT ENACTED BY THE GOVERNING BODY OF THE CITY OF BOWERSBY AS FOLLOWS:**

**A. DEFINITIONS** as used in this Ordinance shall have the following meaning:

- (1) "Cabinet" means the Kentucky Cabinet as established by law;
- (2) "Certifying organization" means:
  - (a) The Kentucky Recovery Housing Network;
  - (b) The National Alliance for Recovery Residences;
  - (c) Oxford House, Inc.; and
  - (d) Any other organization that develops and implements or is associated with such programs regarding recovery standards for the operation of recovery residences that meet the requirements and approved by the Cabinet for health and safety purposes;
- (3) "Local government" means a city, county, independent government, or consolidated government that is authorized to regulate the use of recovery
- (4) "Medication for addiction treatment" means the use of pharmaceuticals approved by the United States Food and Drug Administration for the treatment of substance use disorders in combination with counseling and other behavioral health services to provide a whole patient approach to the treatment of substance use disorders.

Disability Act, Pub. L. No. 101-336, or the Fair Housing Act, Pub. L. No. 100-430, and

b. Allowing with a religious institution that is organized under 26 U.S.C. sec. 501(c)(3) for charitable religious purposes, unless the recovery residence accepts Medicare or Medicaid funds.

(7) "Individualizing subsection (1) of this section:

- (a) A recovery residence operating without certification from certifying organization on July 1, 2024, shall be permitted to continue to operate until October 1, 2024, if the recovery residence provides the City with proof that it initiated a certification process with a certifying organization prior to August 1, 2024; and
- (b) A recovery residence that ceases to begin operating after July 1, 2024, may be permitted by the City to operate for a period of not more than three (3) months if the recovery residence provides the City with proof that it has initiated a certification process with a certifying organization.

**C. POWERS AND DUTIES OF THE CITY:**

- (1) The City shall:
  - (a) Require certified recovery residences to provide proof of certification at least annually;
  - (b) Require certified recovery residences to notify the City of any change in their certification status, including but not limited to a suspension or revocation of certification by a certifying organization;
  - (c) Require separate proof of certification for each recovery residence owned or operated by an individual or entity in the City;
  - (d) Post on its website the name, telephone number, and location by local jurisdiction of each certified recovery residence and shall update the list at least quarterly;
  - (e) Post on its website the name of each certifying organization approved by the City; and
  - (f) Notify the Cabinet of receipt of proof of certification from a recovery residence within thirty (30) days of receipt of proof of certification; and
  - (g) Require certified recovery residences to obtain and maintain a City Business License.
- (2) The City may:
  - (a) In lieu of posting the information required by subsection (1)(f) of this section in its website, post a link to another website that aggregates information on certified recovery residences or other information providers; and
  - (b) Promulgate administrative regulations or policies to carry out the provisions of this Ordinance by Executive Order approved by the City Attorney to carry out the provisions of this Ordinance.
- (3) The Recovery Residences Compliance Official to the City Code Enforcement Board may hereby exercise the authority and legal standing necessary to initiate appropriate local action to compel a recovery residence that is operating in violation of this Ordinance to cease operating.

(5) "Recovery residence" means any premises, place, or building that:

- (a) Holds itself out as a recovery residence, recovery home, sober living residence, alcohol (AOD) drug, and other substance use treatment for unmet individuals, and any other facility called or identified in any way that provides substance use treatment through admission from participating substance users;
  - (b) Provides a housing arrangement for a group of unrelated individuals who are recovering from substance use (including, but not limited to, persons who are recovering from a substance use disorder and their children, including peers to peer supervision models); and
  - (c) Is not licensed or otherwise approved by the Cabinet or any other agency of state government to provide any medical, mental, behavioral health, or substance use treatment services for which a license or other approval is required under state law.
- (4) "Recovery support services"
- (a) Means a service that is not primarily focused on recovery from substance use disorders and includes but is not limited to medical and self-help coaching, recovery coaching, spiritual coaching, group support, meal assistance in achieving and retaining public employment; and
  - (b) Does not include a medical, mental, behavioral health, or other substance use treatment service for which a license or other approval is required under state law.

**B. CERTIFICATIONS REQUIRED**

- (1) (a) Effective July 1, 2024, no individual or entity of all, except as provided in subsection (2) of this section, establish, operate, or maintain a recovery residence or recovery home unless being residence alcohol, drug, and other substance use treatment for unmet individuals, and any other facility called or identified in any way that provides substance use treatment through admission from participating substance users, unless the residence is approved by a certifying organization to operate a recovery residence, recovery home, sober living residence, alcohol (AOD) drug, and other substance use treatment services for which a license or other approval is required under state law. From initiating substance use treatment for unmet individuals (recovery homes) from participating substance users unless that individual or entity has:
  - 1. Been certified by a certifying organization; and
  - 2. Provided proof of certification to a certifying organization to the City in a form and manner prescribed by the City.
- (b) The provisions of the subsection shall not apply to:
  - 1. A recovery residence that is recognized as a part of the Recovery Residences Program administered by the Kentucky Housing Corporation; or
  - 2. A recovery residence that is:
    - a. Owned or operated by an entity that is exempt, in part or in whole, pursuant to 42 U.S.C. sec. 3607 or 12187 from compliance with the Americans with Disabilities Act, Pub. L. No. 100-430.

**D. REQUIREMENTS FOR RECOVERY RESIDENCES:**

- (1) A recovery residence shall:
  - (a) Clearly disclose the following by inclusion in any advertising and by posting such a notice in a conspicuous location inside the residence:
    - 1. Notice that the recovery residence is not a treatment facility;
    - 2. A list of services offered by the recovery residence; and
    - 3. If the recovery residence is exempt from certification pursuant to B (1)(b) herein, notice that the recovery residence is exempt from certification requirements.
  - (b) Require residents to abstain from the use of alcohol, illicit drugs, and other intoxicating substances;
  - (c) Require residents to participate in recovery support services including through a peer-to-peer supervision model; and
  - (d) Allow individuals who are receiving medication for addiction treatment to continue to receive such treatment while residing in the recovery residence as directed by a licensed prescriber.
- (2) A recovery residence shall not, except as permitted under paragraph (b) of subsection (3) of this section, directly provide any medical or clinical services including on-site medication administration.
- (3) (a) The requirement that medication abstain from the use of intoxicating substances established by subsection (1)(b) of this section shall not apply to any legally prescribed medication when used by a resident as directed by a licensed prescriber.
  - (b) Subsection (1)(b) of this section shall not apply to any recovery residence owned or operated by an entity that is exempt, in part or in whole, pursuant to 42 U.S.C. sec. 3607 or 12187 from compliance with the Americans with Disabilities Act, Pub. L. No. 101-336, or the Fair Housing Act, Pub. L. No. 100-430.
- (c) The prohibition on the provision of medical and clinical services established in subsection (2) of this section shall not apply to:
  - 1. The self-administration of prescribed medications by a resident as directed by a licensed prescriber within the scope of practice;
  - 2. Verification of abstinence from the use of alcohol, illicit drugs, and other intoxicating substances; or
  - 3. The provision of medical and clinical services including telehealth services and other telemedicine services to an individual residing in a recovery residence by a licensed medical or behavioral health provider provided that:
    - a. The licensed provider is not employed or contracted by the recovery residence;



**ORDINANCE NO. 24-11**  
**Recovery Residence Certification Summary**  
**May 13, 2024**

1. **Purpose:** To follow state legislation passed last year that recognizes recovery residences are vital to address the drug crisis but the lack of regulation has created an atmosphere for predatory operators to take advantage of persons in need of recovery.
2. **Requires certification for each Recovery Residence in Somerset that it is operated pursuant to minimum standards by an approved organization that develops and administers professional certification programs.** Currently, the most commonly recognized certification is by the National Alliance for Recovery Residences (NARR).
3. **NARR was established in 2011 by a group of organizations and individuals with vast experience in recovery housing from across the country for the purpose of developing and maintaining a national standard for all levels of recovery housing in which skills vital for sustaining recovery are learned and practiced in a home – also called “sober homes.”** These standards include Administrative Operations, Physical Environment, Recovery Support, Good Neighbor and a Code of Ethics. Domains that involve 10 principles, 31 standards and their individual rules.
4. **The NARR national standards are certified by state agencies.** In Kentucky the Kentucky Recovery Housing Network is an authorized certifying organization. Each certification requires an on-site inspection and includes compliance with all other City regulations e.g. Fire Safety Code, Building Code, Property Maintenance Code, Business License and Zoning Codes.
5. **Exercises the option in state law to enforce this regulatory scheme on a local level. Provides for the appointment of a Recovery Residence Compliance Officer and enforcement mechanism against property owners utilizing the current Code Enforcement Board.**
6. **An informational session on the new Ordinance for property owners, operators and interested parties is scheduled for \_\_\_\_\_ on \_\_\_\_\_ at the \_\_\_\_\_.**

First reading was given the following Ordinance Number 24-13: **ADOPTING THE CITY OF SOMERSET, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025 ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS OF THE CITY OF SOMERSET, KENTUCKY.**





**Exhibit B – Service Rates  
Supporting the 2024-2025  
City of Somerset Budget Ordinance**

**SANITATION RATES**

**Small Business (Non-Dumpsters)**  
 1 Can Per Week - 1 1/2 Yards (\$25)  
 2 Cans Per Week - 2 1/2 Yards (\$35)  
 3 Cans Per Week - 4 Yards (\$45) Name as a Solid Dumpster - 1000 Gallons (1000 Gallons Per Week) Per Square Yd)

**4yd. Cyl. and Hrdl Dumpsters 4 Yard \$45 Each Dump\***  
 6 Yard \$115 Each Dump  
 (each 1 dump charge per month)

**Roll Off Dumpsters\***  
 10yd \$300 Over 8 Tons Plus 45 Extra Per Ton Over  
 20yd \$450 Over 8 Tons Plus 45 Extra Per Ton Over  
 30yd \$600 Over 10 Tons Plus 45 Extra Per Ton Over  
 40yd \$750 Over 12 Tons Plus 45 Extra Per Ton Over  
 (each 1 dump charge per month)

**Compactors (Non-Contracted Locations)\***  
 \$700 Each Dump

**Residential Customers**  
 \$18.00 Per Month for 2014-2015 with the following additional fee for up to 1000 Gallons 2015-2020  
 - \$71.50 Per Month

\* Large Volume Users may contract for other rates based upon volume in other considerations.

**Exhibit B – Service Rates  
Supporting the 2024-2025  
City of Somerset Budget Ordinance**

**WASTEWATER RATES**

<b>CITY RESIDENTIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	311.00	\$4.92
<b>CITY COMMERCIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$15.15	\$5.00
<b>CITY INDUSTRIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$75.00	\$6.00
<b>COUNTY RESIDENTIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$5.76	\$5.91
<b>COUNTY COMMERCIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$11.04	\$11.00
<b>COUNTY INDUSTRIAL</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$33.90	\$11.00
<b>GLAUBURNIA NON-PROFIT/EDUCATION</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$15.15	\$5.00
<b>PERMISSION</b>		
VOLUME	MINIMUM	RATE
11.8 OVER	\$9.21	\$6.75

**Exhibit B - Service Rates  
Supporting the 2024-2025  
City of Somerset Budget Ordinance**

**WATER RATES**

<b>CITY RESIDENTIAL &amp; COMMERCIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$9.77
1001 AND ABOVE GALLONS USED PER MONTH	\$ .36
<b>CITY INDUSTRIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$9.77
1001 AND ABOVE GALLONS USED PER MONTH	\$ .36
<b>CITY GOVERNMENT/NON-PROFIT/EDUCATION CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$9.77
1001 AND ABOVE GALLONS USED PER MONTH	\$ .36
<b>COUNTY RESIDENTIAL &amp; COMMERCIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$16.95
1001 AND ABOVE GALLONS USED PER MONTH	\$ .65
<b>COUNTY INDUSTRIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$16.95
1001 AND ABOVE GALLONS USED PER MONTH	\$ .65
<b>COUNTY GOVERNMENT/NON-PROFIT/EDUCATION CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$16.95
1001 AND ABOVE GALLONS USED PER MONTH	\$ .65
<b>PERMISSION RESIDENTIAL &amp; COMMERCIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$13.33
1001 AND ABOVE GALLONS USED PER MONTH	\$ .53
<b>PERMISSION INDUSTRIAL CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$13.33
1001 AND ABOVE GALLONS USED PER MONTH	\$ .53
<b>PERMISSION GOVERNMENT/NON-PROFIT/EDUCATION CUSTOMERS</b>	
FIRST 1000 GALLONS USED PER MONTH	\$13.33
1001 AND ABOVE GALLONS USED PER MONTH	\$ .53

Mr. Daughette made a motion to approve a tax refund for Rufino Sr. & Valentina Benetiz and for Darlene Hendricks Haponik for 2022 & 2023 in the amount of \$113.10. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine,

Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

Mr. J. Eastham made a motion to appoint Erica Bartley to the Somerset Housing Authority Board. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, and Ms. Bullock.

There being no further business the meeting was adjourned at 7:20 p.m.

APPROVED:  \_\_\_\_\_  
MAYOR

ATTEST:  \_\_\_\_\_  
CITY CLERK