

## **ORDINANCE 2008-10**

**AN ORDINANCE TO CREATE A COUNTY CEMETERY BOARD THAT MAY APPLY TO THE GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT FOR GRANTS TO RESTORE AND MAINTAIN NONPROFIT CEMETERIES THAT DO NOT RECEIVE PERPETUALCARE FUNDS PURSUANT TO KRS 367.952.**

**WHEREAS**, there are cemeteries within Hopkins County which fall into the category of neglect and disrepair; and

**WHEREAS**, it is deemed advisable and necessary to create and authorize a County Cemetery Board to adopt certain rules and regulations being approved by the Hopkins County Fiscal Court relating to said cemetery services as anticipated y KRS 67.680., et seq.,

**NOW THEREFORE, BE IT HEREBY ORDAINED BY THE FISCAL COURT OF THE COUNTY OF HOPKINS, OF THE COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

### **SECTION 1**

There is hereby created Hopkins County Cemetery Board, pursuant to KRS 67.680, et seq., which shall have all the powers and duties set out in KRS 67.680, et seq., or anticipated therein.

### **SECTION 2**

The county cemetery boards shall meet three (3) times annually in space provided by the fiscal court and shall have five (5) volunteer members with no more than three (3) representing the same political party. Members shall be appointed by the county judge/executive with approval of the fiscal court, shall have lived in the county for at least one (1) year prior to appointment, and shall have demonstrated an interest in cemetery preservation, genealogy, local history, or a related area.

### **SECTION 3**

The Board shall consist of one member appointed for a one year term, one member appointed for a two year term, one member appointed for a three year term and two members appointed for four year terms. Upon expiration of these initial terms their replacements shall serve a four year term. There is no limit to repeated terms of service.

### **SECTION 4**

The County Cemetery Board shall receive and administer, in

accordance with the law and any lawfully enacted or propounded regulations, the county cemetery fund identified in KRS 67.682(1) and shall have all rights and duties with respect to accumulating, administering and accounting for same set out on or anticipated by law or properly propounded regulations.

### **SECTION 5**

The Cemetery Board's powers and duties shall include but not be limited to:

- Initial cleanup (explain how the cleanup will take place);
- Landscaping (include only permanent plantings and list any landscaping material that will be used or planted); Fencing repair or replacement (describe improvements and type of fencing materials that will be used);
- Interior and access roads repair or replacement (describe type of improvements and materials that will be used and enclose written permission of right-of-ways and easements from owner of property to carry out the work);
- Conservation Easements Acquisition (including, but not limited to, purchase costs and legal services);
- Signage (describe the purpose of the signs and their location and the material to be used);
- Tombstone repairs, re-setting and cleaning (explain the procedures to be followed and the supplies that will be used and a qualified person is to provide services, include the documentation of that professional);
- Maintenance of the cemetery (mowing and monthly cleanup will be allowed at \$25.00 a month for a maximum of 6 months);
- Equipment rental (such as GIS system to mark boundaries, bush hogs, mowers, tractors, chain saws, weed eaters, and any other equipment that would be used for cleanup, enclose both estimates from local rental companies with the lower bid used for the work.

### **SECTION 6**

If any clause, provision or section of this Ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

Upon Motion by Magistrate Welch and second by Magistrate Riggs the Ordinance was approved for its first reading on the 18<sup>th</sup> day of November, 2008. Whereupon the vote was called, and on roll call, the vote stood:

Magistrate Karol Welch	Yes
Magistrate Bill Groves	Yes
Magistrate Tim Riggs	Yes
Magistrate Larry Wilson	Yes
Magistrate Larry Rogers	Yes
Magistrate Mike Duncan	Yes
Magistrate Wesley Lynn	Absent
Judge/Exec. Donald E. Carroll	Yes

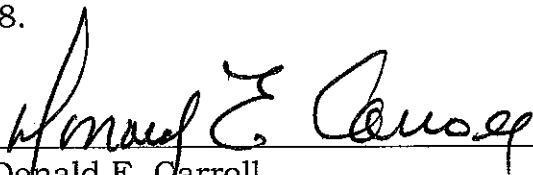
Following proper notice for a public hearing and following the public hearing, and upon second reading of the Ordinance, the Ordinance was introduced and adopted:

Whereupon it was moved by Magistrate Rogers and Magistrate Welch that the Ordinance be duly adopted, and on roll call, the vote stood.

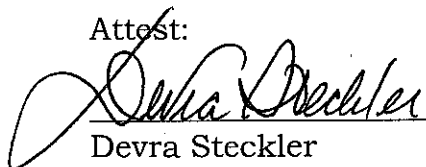
Magistrate Karol Welch	Yes
Magistrate Bill Groves	Yes
Magistrate Tim Riggs	Yes
Magistrate Larry Wilson	Yes
Magistrate Larry Rogers	Yes
Magistrate Mike Duncan	Yes
Magistrate Wesley Lynn	Yes
Judge/Exec. Donald E. Carroll	Yes

Whereupon, Hopkins County Judge/Executive Donald E. Carroll declared this Ordinance adopted on its second reading, affixing his signature and the date thereto, and declared the same be recorded.

This 2nd day of December, 2008.

  
Donald E. Carroll  
Hopkins County Judge/Executive

Attest:

  
Devra Steckler  
Hopkins County Clerk