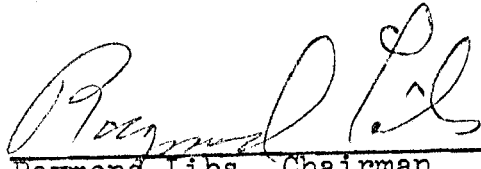
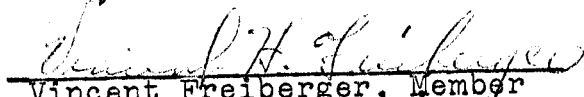


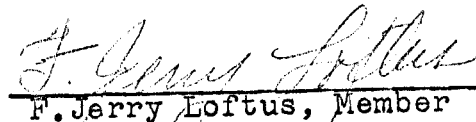
WHEREAS, that the Interlocal Cooperation Agreement Relating to Kentuckiana Regional Planning and Development Agency, to be entered into by and between the Jefferson Area Development District and the Falls of the Ohio Metropolitan Council of Governments, a copy of which said Agreement is attached hereto, made a part hereto, made a part hereof and marked as an Exhibit, is hereby submitted for approval.

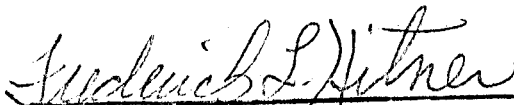
BE IT RESOLVED, that the attached copy marked Exhibit A is hereby approved and that Raymond Libs is hereby authorized to execute said Agreement in the name of this Board of County Commissioners of Floyd County, Indiana.


Raymond Libs, Chairman


Vincent Freiburger, Member

Attest:


F. Jerry Loftus, Member


County Auditor

INTERLOCAL AGREEMENT RELATING TO
THE KENTUCKIANA
REGIONAL PLANNING AND DEVELOPMENT AGENCY

This Agreement, made and entered into as of this _____ day of _____, 1973, by and between the following named governmental units of the Commonwealth of Kentucky and the State of Indiana, to-wit: Charlestown, Indiana; Clark County, Indiana; Clarksville, Indiana; Floyd County, Indiana; Jeffersonville, Indiana; New Albany, Indiana; Bullitt County, Kentucky; Henry County, Kentucky; Jefferson County, Kentucky; Jeffersontown, Kentucky; Louisville, Kentucky; Oldham County, Kentucky; Shelby County, Kentucky; Shively, Kentucky; Spencer County, Kentucky; St. Matthews, Kentucky; Trimble County, Kentucky.

(All hereinafter referred to as "Parties") WITNESSETH THAT:

Whereas, The Kentucky General Assembly has enacted bills, known as KRS 65.210 to 65.300 and cited as the Interlocal Cooperation Act, AND KRS 147 A relating to "Area Development Districts," and the Indiana General Assembly has passed acts entitled "An Act Concerning Interlocal Cooperation of Public Agencies," found in Indiana Code Title 18, Article 5, Chapter 1, and cited as the Interlocal Cooperation Act, and also Indiana Code Title 18, Article 7, Chapter 5.5, concerning multi-county planning commissions, which were adopted to permit local governmental units to make the most efficient use of their powers by enabling them

to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, social, population and other factors influencing the needs and development of local communities, and

Whereas, the aforementioned ACTS provide that political subdivisions of another state may take advantage of the legislation,

Now Therefore, the Parties hereto do mutually agree to join together in an interstate, regional, planning and development organization in a cooperative manner pursuant to the provisions of these Acts, and do further agree as follows, to-wit:

1. DURATION

This Agreement is to remain in full force and effect for an initial period of one year, but shall automatically renew itself from year to year thereafter unless any party shall notify all other parties by registered mail not less than thirty days prior to the expiration of either the initial term or any renewal term hereunder, or unless terminated sooner as is provided in paragraph Number 5 below.

2. ORGANIZATION, COMPOSITION AND NATURE

These parties are also parties in a CHARTER that provides for the creation of the Kentuckiana Regional Planning and Development Agency that contains the organization,

composition and nature of this Agreement. A copy of said CHARTER is attached hereto.

3. PURPOSE

The purpose of the Agreement is contained in said CHARTER.

4. FINANCES

The method of finances of this Agreement is contained in said CHARTER.

5. TERMINATION

(a.) This Agreement may be terminated by mutual agreement of the Parties, and any Party may withdraw from this Agreement by giving six months notice to all other Parties of its intention to so withdraw, and sending to all other Parties a copy of an Ordinance authorizing the withdrawal from this Agreement.

(b) The execution of this Agreement and consummation of the new AGENCY shall operate as a termination and revocation of the "Interlocal Cooperation Agreement Relating to the Falls of the Ohio Metropolitan Area Metropolitan Council of Governments," dated May 24, 1972, except that the COG shall continue as a contractual party until such time as a "Public Agency" or other legal status is established and existing contracts with state and federal agencies have been appropriately amended for assumption by the AGENCY.

6. MISCELLANEOUS

(a.) This Agreement must be ratified by Ordinances of

each of the local governmental units that are Parties hereto.

(b.) This Agreement must be approved by the Attorneys General of the State of Indiana and the Commonwealth of Kentucky.

(c.) The final Agreement must be recorded with the Records of the Indiana member counties and with the Secretary of State of the State of Indiana, and a certified copy shall be filed with the County Clerk of the Kentucky member counties and with the Secretary of State of the Commonwealth of Kentucky.

IN WITNESS WHEREOF, The Parties hereto, after all legal and proper conditions precedent have been complied with, have caused their names to be subscribed by their authorized officers on the date and year first above written.

Authorized officers:

MAYOR
City of Charlestown, Indiana

PRESIDENT, BOARD OF COMMISSIONERS
Clark County, Indiana

PRESIDENT OF TOWN BOARD
Town of Clarksville, Indiana

Authorized Officers continued:

PRESIDENT, BOARD OF COMMISSIONERS
Floyd County, Indiana

MAYOR
City of Jeffersonville, Indiana

MAYOR
City of New Albany, Indiana

COUNTY JUDGE
Bullitt County, Kentucky

COUNTY JUDGE
Henry County, Kentucky

COUNTY JUDGE
Jefferson County, Kentucky

MAYOR
Jeffersontown, Kentucky

MAYOR
City of Louisville, Kentucky

COUNTY JUDGE
Oldham County, Kentucky

Authorized Officers continued:

COUNTY JUDGE
Shelby County, Kentucky

MAYOR
City of Shively, Kentucky

COUNTY JUDGE
Spencer County, Kentucky

MAYOR
City of St. Matthews, Kentucky

COUNTY JUDGE
Trimble County, Kentucky

KENTUCKIANA REGIONAL
PLANNING AND DEVELOPMENT
AGENCY

THIS CHARTER is made and entered into this _____ day of _____, 1973, by and between:

Charlestown, Indiana; Clark County, Indiana; Clarksville, Indiana; Floyd County, Indiana; Jeffersonville, Indiana; New Albany, Indiana; Bullitt County, Kentucky; Henry County, Kentucky; Jefferson County, Kentucky; Jeffersontown, Kentucky; Louisville, Kentucky; Oldham County, Kentucky; Shelby County, Kentucky; Shively, Kentucky; Spencer County, Kentucky; St. Matthews, Kentucky; Trimble County, Kentucky.

WHEREAS, the parties to this compact, units of local government within the KENTUCKIANA REGION, bear a common responsibility and share a common desire to coordinate the activities of their respective governmental units, in order to handle efficiently and effectively numerous problems resulting from rapid growth and change within the Region, and to promote orderly development; the said units of local government do hereby join together in a compact of voluntary cooperation, and for that purpose they do establish a regional planning and development organization, hereinafter referred to as the AGENCY, and do make these articles:

NOW THEREFORE, it is agreed as follows:

I. NATURE OF THE COMPACT

This compact is intended to promote the coordination of functions and programs between two or more units of local government through formal and informal arrangements which are voluntary and jointly operated, but within existing political structures. All members, units of local government within the REGION, enter into this compact within the framework of the following two controlling principles.

- A. A recognition of the primacy of the legal and governmental status of all member units, and that nothing contained in this compact shall authorize the AGENCY to intervene in matters which are deemed by any member unit as a matter of a local nature and clearly totally within the local jurisdiction of the member unit so claiming, unless a such potentially affected member unit shall consent to its consideration.
- B. Since the AGENCY is being established to facilitate and not to supplant or replace the local planning process, the AGENCY shall be authorized to act only in reference to those matters of a regional character, that is, matters

clearly transcending in substantive impact the boundaries of at least two member units and matters with substantive impact upon only one member unit when said single member unit so requests the AGENCY.

II. PURPOSE OF THE COMPACT

- A. To carry on a continuing comprehensive planning and development program which supplements and coordinates but does not duplicate the programs of the member units, nor work in contravention of any program of any member unit which has substantive impact only on such a member unit.
- B. To study such regional governmental problems common to two or more members as is deemed appropriate, including but not limited to matters affecting health, safety, welfare, education, economic conditions, social, environmental and regional development, and to sponsor joint coordinated planning programs at the request of two or more member units.
- C. To promote cooperative arrangements and coordinate action among members; and to set regional policies and priorities in cooperation with the planning bodies of member units and the member units themselves.

- D. To make recommendations for review and action to the members and other public agencies which perform functions within the region, affecting the area;
- E. To serve as a clearinghouse and forum for the mutual benefit of the members and other interested parties, and for information and solutions concerning common problems, and concerning federal, state and local services available to assist in the solution of those problems.

III. FUNCTIONS AND POWERS

- A. The AGENCY may discuss any questions or any matters within the scope of its stated purposes, and make recommendations for action to the governmental units involved in any such questions or matters.
- B. Members and non-members, governmental units and quasi-governmental agencies or citizens of the Region may bring matters involving intergovernmental cooperation to the attention of the AGENCY for discussion and possible recommendation.
- C. The AGENCY may request any governmental unit or agency -- federal, state or local -- to act upon its recommendations if such is deemed to be in the interests of the AGENCY and/or its member units, but such a request shall not be deemed legally binding upon any of the member units.

- D. The AGENCY may promote agreements between members or non-member governmental units as is deemed appropriate to further intergovernmental cooperation.
- E. The AGENCY may initiate and/or request studies deemed necessary to further understanding of any matters or problems under consideration by the AGENCY.
- F. The AGENCY shall encourage contributions of research assistance from private research organizations, civic foundations, institutions of higher learning and other organizations, civic foundations, institutions of higher learning and other organizations.
- G. The AGENCY by action of the AGENCY Policy Body may establish an operating budget to meet expenses of approved programs. All such expenditures, if any, shall be authorized by each member government unit, and shall be borne by the member units in proportionate shares as determined by the AGENCY.
- H. The AGENCY may establish or designate any such committees or advisory groups it deems necessary to assist the carrying out of its purposes and functions.
1. The AGENCY shall authorize and define the powers and duties of all committees and advisory groups so established. The AGENCY shall desig-

nate the membership of such committees or advisory groups and shall provide for the selection of a chairman for each of these groups and shall provide for the selection of a chairman for each of these groups and other personnel deemed necessary.

2. Recommendations and other actions of committees or advisory groups established under this Section are not binding on the AGENCY unless adopted by the AGENCY Policy Body.
- I. The AGENCY may appoint an Executive Director and other staff positions to carry out administrative functions under the direction of the AGENCY, all to serve at the discretion of the AGENCY.
- J. The AGENCY shall keep accurate minutes of its proceedings and shall make periodic reports concerning its activities to member units and other interested parties.
- K. The AGENCY may incorporate and, whether or not incorporated, shall have the authority to enter into contracts to receive funds and to expend funds received from the United States of America, the States of Kentucky and Indiana, their departments, agencies or instrumentalities, or from any governmental unit whether participating in the AGENCY or not, or from private sources. It is

intended that the AGENCY shall qualify as a "Public Body," and a "Public Agency."

- L. It is understood that any and all contractual obligations within the scope and purpose of the AGENCY, which are in effect at the date of creation of the AGENCY, and which are binding on the constituent, merging organizations (i.e., Falls of the Ohio Council of Governments and/or the Jefferson Area Development District), will be assumed and undertaken by the AGENCY. The ADD and the COG shall continue as corporate entities until such time as the "Public Agency" legal status of the AGENCY has been finally established and the existing contracts by the ADD and the COG with state and federal agencies have been so amended as to provide for succession by the AGENCY to the ADD and/or the COG to said contracts.

IV. MEMBERSHIP AND AUTHORITY

A. AGENCY Policy Body

The member units of the AGENCY shall consist of as many of the counties of the region (and their municipalities) as so choose to participate, in accordance with the following formula:

1. All existing elected officials who now compose the Policy Body of the Council of

Governments (i. e., the Mayors of Charlestown, Jeffersonville, and New Albany, Indiana; President of Town Board of Clarksville, Indiana; Presidents of the County Boards of Commissioners of Clark and Floyd Counties, Indiana; Mayors of Louisville, Jeffersontown, Shively, and St. Matthews, Kentucky; County Judge of Jefferson County, Kentucky).

There will also be a representative of the Jefferson County Municipal Conference named to serve on the Policy Body by July 1, 1973.

2. In addition, the County Judge and one additional elected official within the county as appointed by the County Judge from each of the Kentucky counties of Bullitt, Henry, Oldham, Shelby, Spencer and Trimble. If the County Judge from any of these six counties cannot find an appropriate elected official to so serve, the County Judge may appoint any appropriate citizen from his county to serve with full voting rights.

(Note, however, that such a citizen cannot vote on the "one-man-one-vote" basis; in which case the County Judge would vote for the population of his entire county.) The citizen appointee may serve on the AGENCY Policy Body and/or the "Executive Committees," and the duration of their term is at the discretion of the appointing county judge.

B. Executive Committee Structure

There would be three distinct Executive Committees through which final actions may under certain conditions be taken for the full AGENCY Policy Body.

1. "Metropolitan Executive Committee:" Composed of those members on the AGENCY Policy Body from S. M. S. A. counties.
2. "Extra-Metropolitan Executive Committee:" Composed of those members on the AGENCY Policy Body from the non-S. M. S. A. counties.
3. "Administrative Executive Committee:" Composed of the Chairman of the AGENCY Policy Body, the Metropolitan Executive Committee, and the Extra-Metropolitan Committee.

C. Authority

1. Any major or regional action by the AGENCY must be taken by the AGENCY Policy Body as an affirmative simple majority vote by a quorum (e. g. , the AGENCY's annual work programs and budgets, etc.).
2. When the AGENCY is requested by a state or federal agency or by a member unit to review a project, action

by the AGENCY in such a review shall be taken by the AGENCY through action by the Metropolitan Executive Committee for those matters affecting only communities within the S.M.S.A., by the Extra-Metropolitan Executive Committee for those matters affecting only communities not within the S.M.S.A., and by the AGENCY Policy Body for those matters substantially affecting communities within and communities not within the S.M.S.A.

3. The aforementioned Administrative Executive Committee may be empowered to act for the full AGENCY Policy Body in areas of a minor or routine nature (e.g., budgetary and contractual amendments, etc.) and when emergency situations warrant.

V. Voting

- A. Each member of the AGENCY Policy Body shall have one vote, except for the procedures followed when the "one-man-one-vote" provision is invoked, infra.
- B. Regular decisions of the AGENCY and of its Executive Committees shall be made by an affirmative majority vote of those present, if constituting a quorum. A quorum shall consist of 50 percent or more members.
- C. Decisions of the AGENCY which involve specific recommendations for agreement for cooperative endeavors between two or

more participating member governments shall require an affirmative vote of those participating members, as well as an affirmative majority vote as provided in Section V-B, supra.

D. "One-man-one-vote" invocability

1. At the election of 25 percent or more of the members of the AGENCY Policy Body, or one or more members of the AGENCY Policy Body who represent 25 percent or more of the AGENCY's constituent population (based upon the most recent decennial census, U.S. Department of Commerce, Bureau of Census), there shall be a weighted vote proportional to population. In such cases only elected officials may vote (i.e., AGENCY Policy Body members who are appointed citizens and the representative of the Jefferson County Municipal Governments Conference would not vote). Mayors and presidents of Town Boards will vote in proportion to the population of their communities. County Judges and the presidents of County Boards of Commissioners shall vote in proportion to the remainder (i.e., less the communities' populations voted by Mayors) of the County's population. In the event a non-S.M.S.A. county is represented by

The County Judge and a citizen appointee, the County Judge shall vote in proportion to his county's entire population, with all population weighting of votes based upon the most recent decennial census, U.S. Department of Commerce, Bureau of Census. No vote shall be so taken, however, without at least seven (7) days written notice to all elected AGENCY Policy Body members. This procedure may be invoked on either the AGENCY Policy Body or the Metropolitan and Extra-Metropolitan Executive Committees.

2. Simultaneously there will be a regular vote by the AGENCY Policy Body (as in V-B, supra) on this same issue before any corresponding AGENCY decision can be deemed to have passed (i.e., the decision requires the concurrent majorities of both the votes on the regular basis, and on the "one-man-one-vote" basis).

VI. PROCEDURE

- A. The AGENCY shall meet at regular sessions and such special sessions as may be deemed necessary.
- B. The AGENCY shall elect from its membership a Chairman and such other officers as it deems necessary, all to serve for a

period of one year from the first day of January of each year.

- C. The AGENCY may create committees from within its membership, or otherwise organize itself as is deemed appropriate.
- D. The AGENCY shall establish an agenda to be followed at all meetings. Notice of meetings, regular or special, together with the agenda, shall be furnished to all members not less than seven days prior to any such meeting.
- E. The AGENCY shall keep an official record of all regular and special meetings, and is opened to public inspection.
- F. The "record" of any formal vote by the AGENCY Policy Body, or an Executive Committee, shall, if so formally requested by any AGENCY Policy Body member, include the basis for and the substance of any minority dissent.
- G. The AGENCY may adopt further rules and procedures as it deems necessary.

VII. AMENDMENTS

Amendments to this compact, except as to its membership, shall be made effective by an affirmative vote of not less than three-fourths of the members. Any amendment to this compact, including an amendment as to membership, shall be submitted in writing to each member at least fifteen (15) days prior to the meeting at which such amendment is to be voted upon.

VIII. RATIFICATION

This compact shall become effective upon approval by the chief


executive officers of the participating member units of local government, and upon the signing of this document by those officers.

IN WITNESS THEREOF, the Parties have caused this agreement to be executed and their signatures hereon to be affixed as of the day and year first above written.

MAYOR
City of Charlestown, Indiana

PRESIDENT, BOARD OF COMMISSIONERS
Clark County, Indiana

PRESIDENT OF TOWN BOARD
Town of Clarksville, Indiana


PRESIDENT, BOARD OF COMMISSIONERS
Floyd County, Indiana

MAYOR
City of Jeffersonville, Indiana

MAYOR
City of New Albany, Indiana

Parties signatures continued:

COUNTY JUDGE
Bullitt County, Kentucky

COUNTY JUDGE
Henry County, Kentucky

COUNTY JUDGE
Jefferson County, Kentucky

MAYOR
Jeffersontown, Kentucky

MAYOR
City of Louisville, Kentucky

COUNTY JUDGE
Oldham County, Kentucky

COUNTY JUDGE
Shelby County, Kentucky

MAYOR
City of Shively, Kentucky

Parties signatures continued:

COUNTY JUDGE
Spencer County, Kentucky

MAYOR
City of St. Matthews, Kentucky

COUNTY JUDGE
Trimble County, Kentucky