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10/10/68 Item 5(d)  
Sheet 1 of 4

NOTICE OF EXISTENCE OF A SPECIAL DISTRICT  
(LEDBETTER WATER DISTRICT, LIVINGSTON COUNTY, KENTUCKY)  
IN ACCORDANCE WITH KRS 65.005

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1. In accordance with KRS 65.005, the County Court Clerk of Livingston County, Kentucky, is hereby given notice (in writing and in duplicate) of the existence of the Ledbetter Water District, Livingston County, Kentucky (which may be a "special district" within the purview of KRS 65.005(1)(a)).

2. The names and addresses of the members of the Commission, which is the governing body of the District, are as follows:

A. Donald E. Duford  
Donald E. Duford  
LEDBETTER, Livingston County, Kentucky 42018

B. Robert A. McCracken  
BEN DEL  
LEDBETTER, Livingston County, Kentucky 42018

C. John O. Driskell  
BEN DEL  
LEDBETTER, Livingston County, Kentucky 42018

3. The name of the chief executive officer of the District, the Chairman of the Commission, is Donald E. Durard, whose address is shown above. The office of the District is located on U. S. Highway 60 at Ledbetter, Livingston County, Kentucky 42058 (P. O. Box 123).

4. The District was created and organized by Orders of the County Court of Livingston County, Kentucky, entered under dates of January 7, 1964, and April 10, 1968, respectively, pursuant to Chapter 74 of the Kentucky Revised Statutes. Said Orders are of

record in the office of the Livingston County Court Clerk in County Court Order Books DD, at page 199, and EE, at page 19, respectively.

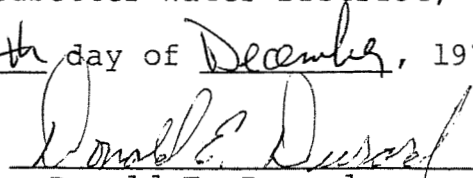
5. The jurisdictional or service area of the District in Livingston County, Kentucky, is as follows:

BEGINNING at a point in the center of the Tennessee River and the centerline of U. S. Highway 60; thence in a North Westerly direction along the center of the Tennessee River for a distance of 4000' + to a point; thence in a North Easterly direction parallel to and 4000' North of U. S. Highway 60 for a distance of 53,000' + to a point; thence due East for a distance of 8,000 ft. to a point; thence in a South Westerly direction parallel to and 4000' South of U. S. Highway 60 for a distance of 53,000' + to a point in the Tennessee River; thence in a North Westerly Direction for a distance of 4000 ft. to the point of beginning.

6. The activities, purposes, and functions of the District are as set forth in Chapter 74 of the Kentucky Revised Statutes, being, in essence, the furnishing of a potable water supply to residents and citizens of the District's service area in Livingston County, Kentucky.

7. An original of this instrument is filed for recording with the Livingston County Court Clerk, and the duplicate copy attached to the original so filed is to be forwarded by said County Court Clerk to the State Local Finance Office, Department for Local Government, 909 Leawood Drive, Frankfort, Kentucky 40601.

IN TESTIMONY WHEREOF, witness the signatures of the Chairman of the Commission of the Ledbetter Water District, Livingston County, Kentucky, this 7th day of December, 1978.

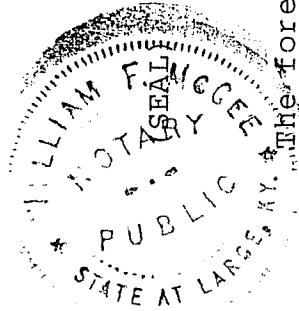
  
\_\_\_\_\_  
Donald E. Durard  
Chairman of the Commission  
Ledbetter Water District

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STATE OF KENTUCKY )  
 ) SS  
COUNTY OF LIVINGSTON)

I, the undersigned, a Notary Public in and for the State and County aforesaid, do certify that on the 7 day of December, 1978, the foregoing instrument was produced to me by Donald E. Durard, Chairman of the Commission of the Ledbetter Water District, Livingston County, Kentucky, and he thereupon acknowledged the execution thereof to be his voluntary act and deed as such officer and the official act and deed of said Commission of said Water District by and through him as its duly authorized officer.

WITNESS my hand and seal this 7th day of December, 1978.  
My commission expires 9-25-79.



William W. Davis  
Notary Public  
Livingston County, Kentucky  
(State at Large - Kentucky)

The foregoing instrument prepared by the undersigned Attorney at Law of Harper, Ferguson & Davis, Room 403--310 West Liberty Street, Louisville, Kentucky 40202.

Wm. W. Davis  
William W. Davis

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STATE OF KENTUCKY  
COUNTY OF LIVINGSTON

I, James Jones, Clerk of the County Court for the  
County and State aforesaid, certify that the foregoing

Notice ----- was on the  
7 day of Dec 19 78 at 10:45

O'clock A M, lodged for record; whereupon the same  
with the foregoing and this certificate have been  
duly recorded in my said office.

Given under my hand this 14 day of Dec  
19 78.

JAMES JONES, CLERK  
BY Betty Dukes  
D.C.

FOR FILING OFFICER  
Paid \$ 5.00 Recording Fee  
Paid \$ ----- Deed Tax  
Filed 7 day of Dec, 19 78  
at 10:45 A. M. o'clock.  
James Jones, Clerk  
By B. Dukes D.C.

COMMONWEALTH OF KENTUCKY  
FISCAL COURT OF THE COUNTY OF LIVINGSTON  
RESOLUTION NO. 06-17-04-02

Item 5(e)  
Sheet 1 of 1

RESOLUTION RELATING TO AN INTERLOCAL  
COOPERATION AGREEMENT RELATING TO  
THE LEDBETTER SANITATION DISTRICT NO. 1

BE IT RESOLVED BY THE FISCAL COURT OF THE COUNTY OF LIVINGSTON, KENTUCKY, AS FOLLOWS:

WHEREAS, The Livingston County Fiscal Court recognizes that the best interests of the people of Ledbetter would be served by the water district's accepting ownership of the Ledbetter Sanitation District No.1; and

WHEREAS, The Livingston County Fiscal Court has requested that the water district accept ownership of the Ledbetter Sanitation District No 1; and

WHEREAS, The Fiscal Court agreed at a special meeting on November 6, 2003 to pay for an engineering study to determine the condition and needs of the sewer system, and to provide financial assistance, if needed, in correcting existing problems; and

WHEREAS, The Kentucky Infrastructure Authority (KIA), with assistance from the Public Service Commission (PSC), has proposed a refinancing plan which appears acceptable to the Fiscal Court,

THEREFORE BE IT RESOLVED that the Livingston County Fiscal Court will enter into an Interlocal Cooperation Agreement Relating To The Wastewater System Serving The Community Of Ledbetter, Livingston County, Kentucky, and will authorize the Livingston County Judge/Executive to sign on the Courts behalf, an interlocal agreement setting forth necessary procedures allowing the Ledbetter Water District to assume operations of the Ledbetter Sanitation District No. 1.

Upon motion by Jerry Stinson and seconded by Joe O'Bryan, the foregoing Resolution was duly adopted on the 17<sup>th</sup> day of June, 2004 by a vote of 4 (yes) to 0 (no).

Dated this the 17<sup>th</sup> day of June, 2004.

Attest:

Jana Deane 6-17-04  
Livingston County Date  
Fiscal Court Clerk

Chris Lasher 6-17-04  
Chris Lasher Date  
Livingston County Judge/Executive

Reviewed and approved by Livingston County Attorney Billy Riley.

Billy Riley  
Billy Riley, Livingston County Attorney

**Item 6**

The Livingston County Clerk's office does not have any record of By Laws for the Ledbetter Water District.

The Livingston County Judge/Executive's office does not have any record of By Laws for the Ledbetter Water District.

The Livingston County Judge/Executive, Chris Lasher, verbally requested the Ledbetter Water District By Laws on January 11, 2006. The request was through Water District Superintendent, Billy Downs. Mr. Downs was unaware of any By Laws, but said he would do some research and get Judge Lasher any information he might have relating to the By Laws.

As of January 17, 2006 Judge Lasher had not received any correspondence relating to the by laws. Therefore, Judge Lasher has assumed a set of by laws for the Ledbetter Water District do not exist.

## Item 7

### **Resume Jim Schade**

#### **Experience**

February 2000 to present  
Retired

July 1986 to February 2000  
Rail Services, Inc.: Calvert City, KY

General Manager/Vice President

- Responsible for daily operation of Rail Car Services, Inc.
- Experience in rail car repair and cleaning procedures
- Responsible for rail car shipping logistics
- Vast experience in waste water treatment, required as a result of cleaning rail cars
- Vast experience in water testing in order to discharge waste water to city sewage system
- Upon arriving at Rail Services, Inc. had to deal with and correct many environmental issues
- Familiar with EPA regulations in the year 2000

1964 to 1984  
Pennwalt, Inc. Calvert City, KY

Production Manager over Refrigerant Production

- Responsible for daily operations of a major refrigerant production facility
- Responsible for daily man power requirements
- Dealt with all chemical engineering aspects related to refrigerant production

#### **Interests**

- Past President of Livingston Central High School Parent Teacher Organization (PTO)
- Charter Member of the Ledbetter Optimist Club
- Active Grandfather
- National Politics
- College Basketball (University of Kentucky)

**Item 8**

**Jim Schade**

**Educational Background**

- B.S. Chemical Engineering, Acquired in 1963 at Drexel University
- Completed various Accounting and Business courses throughout my professional career.

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**Item 9**

Mr. Schade was a member of the newly formed Ledbetter Sanitation District which was reformed in order to complete all necessary requirements to place operation of the Sanitation District in the hands of the Water District. Mr. Schade carried out those duties with diligence.

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## **Item 10**

Mr. Jim Schade spent 36 years in the chemical industry and has acquired many skills related to the operation of water and sanitation utilities.

He has a vast background in business operations from his 14 years as General Manager of Rail Services. He also has a vast knowledge of water treatment and discharge requirements through his work at Rail Services.

His 36 years of experience in the chemical industry bring a vast knowledge of waste treatment and chemical processes for water treatment.

Rail Services cleaned rail cars and therefore had large amounts of water that had to be treated. The treatment process included batch tanks, holding ponds and various other water treatment facilities and equipment. He has human resource experience and general business operation experience. This experience should serve him well as a member of the Ledbetter Water District.

**Item 11**

Mr. Jim Schade does not currently hold any position with a local, state, or federal government entity.