

**RESOLUTION NO. 2018-11-01**

**RESOLUTION OF HARDIN COUNTY WATER DISTRICT NO. 2 APPROVING THE WASTEWATER TREATMENT AGREEMENT BETWEEN THE CITY OF ELIZABETHTOWN, KENTUCKY AND HARDIN COUNTY WATER DISTRICT NO. 2 AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT.**

**WHEREAS**, the City of Elizabethtown, Kentucky (the “City”) is a duly organized and existing municipal corporation and city of the home rule class of the Commonwealth of Kentucky;

**WHEREAS**, the City owns and operates a wastewater treatment plant known as the Valley Creek Wastewater Treatment Plant (the “Valley Creek WWTP”);

**WHEREAS**, Hardin County Water District No. 2 (the “District”) is a water district organized pursuant to KRS Chapter 74;

**WHEREAS**, the District seeks to provide wastewater collection service for an area in southern Hardin County and has commenced construction of the Nolin River Watershed Wastewater Project (the “Nolin Wastewater Project”) which will provide wastewater collection service in the Glendale area of southern Hardin County (the “Glendale Service Area”). The District anticipates that the Nolin

Wastewater Project will be substantially completed and placed into service on or about April 1, 2019;

**WHEREAS**, the City and the District agree that the most efficient and environmentally sound wastewater treatment system should be used to serve the citizens of southern Hardin County;

**WHEREAS**, the City and the District agree that the most efficient and environmentally sound method of treating wastewater originating from the Glendale Service Area is treatment of the wastewater at the Valley Creek WWTP, instead of treating it at a wastewater treatment facility that the District would construct and operate; and

**WHEREAS**, certain representatives of the District and certain representatives of the City have negotiated the detailed terms of a Wastewater Treatment Agreement (the "Agreement"), subject to the approval and execution of the Agreement by the City and the approval and execution of the Agreement by the District, whereby the City will treat the wastewater originating from the Glendale Service Area at the Valley Creek WWTP.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HARDIN COUNTY WATER DISTRICT NO. 2 AS FOLLOWS:**

**Section 1.** The facts, recitals, and statements contained in the foregoing preamble of this Resolution are true and correct and are hereby affirmed and incorporated as a part of this Resolution.

**Section 2.** It is hereby determined and declared to be necessary and in the public interest for the City to treat, at the Valley Creek WWTP, wastewater originating in the Glendale Service Area, pursuant to the terms, conditions, and provisions contained in the Agreement.

**Section 3.** The Agreement, in substantially the form submitted to the District with such modifications as the Chairman may subsequently approve, as evidenced by his signature thereon, is hereby approved, and the Chairman is authorized and directed to execute and deliver the Agreement for and on behalf of the District.

**Section 4.** This Resolution shall take effect upon its adoption.

**[Remainder of this page intentionally left blank]**

Adopted by the Board of Commissioners of Hardin County Water District No. 2 at a meeting held on November 20, 2018, signed by the Chairman, and attested by the Secretary.

**HARDIN COUNTY WATER DISTRICT NO. 2**

BY:   
\_\_\_\_\_  
Michael L. Bell, Chairman

ATTEST:

  
\_\_\_\_\_  
Morris L. Miller, Secretary