

109 KAR 5:010. District boards; directors, terms.

RELATES TO: KRS Chapter 147A

STATUTORY AUTHORITY: KRS 147A.060

NECESSITY, FUNCTION, AND CONFORMITY: KRS 147A.060 requires that the composition of the Board of Directors and the terms of its members in each district shall be specified by administrative regulation issued by the Department for Local Government.

Section 1. Definitions. (1) "Area Development Districts" means the fifteen (15) Area Development Districts as set out in KRS 147A.050.

(2) "Board of Directors" means the boards of directors established in each area development district as set out in KRS 147A.060 to 147A.090.

Section 2. Composition. The board of directors of each area development district shall consist of the categories and memberships as hereinafter enumerated, and the composition characteristics hereinafter specified, including geography and interest groups. A majority of the board of directors of each area development district shall be composed of elected officials.

Section 3. Board Membership. (1) The county judge/executive of each county located within the area development district shall be a member of the board of directors.

(2) A mayor of at least one (1) incorporated city in each county located within the area development district shall be a member of the board of directors.

(a) The mayor of each city of the first, second or third class located in the area development district shall be a member of the board of directors.

(b) If any county within the area development district has an incorporated city below the third class, the mayor of such city shall be a member of the board of directors; and if more than one (1) incorporated city below the third class is located within a county of the area development district, the board of directors shall establish a procedure by which the mayor(s) will be selected.

(3) Elected officials, provided for in subsections (1) and (2) of this section, may authorize by letter alternates to represent their interests on the board of directors. A person so designated shall serve at the pleasure of the elected official who designated him or her, and any action taken or vote cast by a designated alternate shall be considered the action or vote of the designating elected official. The designee of a mayor or county judge/executive shall be a member of the designator's respective legislative body or their staff. Other persons who are not elected officials or their staff may be designated as a representative with the consent of that body.

(4) The elected officials provided for in subsections (1) and (2) of this section shall select citizen members in accordance with the following:

(a) A citizen member must reside within the area development district and shall have demonstrated an interest in regional development and/or public service.

(b) The distribution should be fair among the counties of the area development district.

(c) Provision shall be made for reasonable representation of the larger minority group(s), females, low-income citizens and the principal economic interests of the district. Such representation may be provided by elected officials or citizen members of the board.

(5) The board of directors may make provision for additional elected officials to serve on the board. At least one (1) resident member of the House of Representatives and/or one (1) resident member of the Senate shall be offered such board membership under conditions established by the board of directors. Such members need not be considered in determination of a quorum.

Section 4. Advisory Committee Chairman. The chairmen of functional advisory committees of the

board of directors may serve as members of the board of directors.

Section 5. Elections; Tenure. (1) Elected public officials shall serve on the board of directors of each area development district during the tenure of their public office.

(2) Citizen members shall be individually selected to the board of directors for terms not to exceed three (3) years; provided, such citizen members may be eligible for election to additional terms as the board of directors shall provide.

(3) Citizen board membership shall terminate on expiration of a term, board acceptance of a resignation, or change of residence to locality outside the area development district.

(4) The board of directors may declare a citizen membership vacant when a member has failed, without reason, to attend three (3) successive regular or special meetings of the board.

Section 6. Officers. (1) The board of directors of each area development district shall elect the following officers: a chairman, a vice chairman, a secretary, a treasurer, and such other officers as the board may deem necessary. The office of secretary and treasurer may be combined. Each officer shall be elected for a term of one (1) year. No member shall be eligible to hold more than one (1) office at a time, and no officer shall be eligible to serve more than two (2) full terms consecutively in the same office. Officers shall perform such duties as may be prescribed by the board of directors.

(2) Annual selection of officers shall be held at a designated meeting in each calendar year. (Re-codified from 200 KAR 10:010, 7-5-78; Am. 5 Ky.R. 925; 6 Ky.R. 9; eff. 7-17-79; 15 Ky.R. 2416; eff. 7-27-89.)