

**JOINT RESOLUTION OF THE MADISON FISCAL COURT,  
CITY OF RICHMOND, KENTUCKY, AND CITY OF BEREAS, KENTUCKY**

A JOINT RESOLUTION OF THE MADISON FISCAL COURT, CITY OF RICHMOND, KENTUCKY, AND CITY OF BEREAS, KENTUCKY, ESTABLISHING A LOCAL AIR BOARD PURSUANT TO KRS 183.132.

WHEREAS, the Madison Airport Board, Inc., was established by the execution of Articles of Incorporation by its incorporators, Howard L. Colyer, Herman N. Benton, and Dormane E. Crabtree on July 15, 1971; and

WHEREAS, such articles were filed in the office of the Secretary of State of the Commonwealth of Kentucky on August 3, 1971, and in the office of the Madison County Clerk on August 30, 1971; and

WHEREAS, no evidence or documentation can be found establishing this corporation as a Local Air Board pursuant KRS 183.132; and

WHEREAS, legal issues have arisen relative to the legal status of this corporation, and particularly in a certain civil action pending in the Madison Circuit Court styled *Eddie Pullins, Plaintiff vs. Kent Clark, Madison County Judge Executive, Defendant*, Civil Action File No. 11-CI-97; and

WHEREAS, the Circuit Judge in said civil action has determined that for purpose of certain issues in such case, "KRS 183.132 applies in this case as to the existence and functioning of the Madison Airport Board;" and

WHEREAS, although apparently not legally constituted as a KRS 183.132 local air board, for many purposes this corporation has functioned *de facto* as such from its inception; and

WHEREAS, the Board of the Madison Airport Board, Inc., has by Resolution enacted on the \_\_\_\_ day of September, 2011, requested that the Madison Fiscal Court and the Cities of

Berea and Richmond establish the Madison Airport Board, Inc., as a local air board pursuant to KRS 183.132; and

WHEREAS, the Madison Fiscal Court, City Commission of the City of Richmond, and the City Council of the City of Berea, have jointly determined to agree to the request of the Airport Board;

NOW, THEREFORE be it resolved by the Madison Fiscal Court, City of Richmond, Kentucky, and City of Berea, Kentucky, as follows:

1. The Madison Fiscal Court, City of Richmond, Kentucky, and City of Berea, Kentucky, acting jointly, hereby establish a non-partisan air board composed of six (6) members, pursuant to KRS 183.132

2. The name of the local air board shall be the Madison County Airport Board, and it shall be a body politic and corporate with all corporate attributes, and in its corporate name may sue and be sued, contract and be contracted with, and do all things reasonable or necessary to effectively carry out the duties prescribed by Kentucky law.

3. The six (6) members of the air board shall be appointed jointly by the Madison County Judge Executive, the Mayor of the City of Richmond, and the Mayor of the City of Berea, and such appointments shall be made no later than thirty (30) days after the effective date of this Joint Resolution.

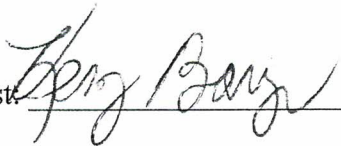
4. Because of the inability to locate any evidence of the establishment of a KRS 183.132 local air board, and because the Madison Airport Board, Inc., has acted as a KRS 183.132 air board since its inception, the Madison Fiscal Court, the City of Richmond, Kentucky, and the City of Berea, Kentucky, hereby acknowledge and ratify the actions of the Madison Airport Board taken heretofore as being carried out by KRS 183.132 local air board.

5. Pursuant to the resolution of the Madison Airport Board, Inc., referenced herein, such board is called upon to transfer all assets relative to the airport board to the local air board established hereby.

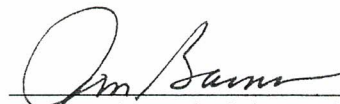
6. This Joint Resolution shall be effective when it has been duly approved and executed.

Enacted and approved by Madison Fiscal Court on the 11<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
Madison County Judge Executive

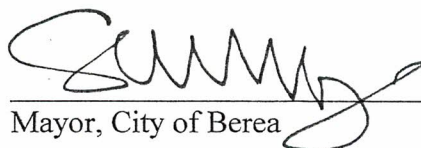
Attest:   
\_\_\_\_\_

Enacted and approved by City of Richmond on the 11<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
Mayor, City of Richmond

Attest:   
\_\_\_\_\_

Enacted and approved by City of Berea on the 4<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
Mayor, City of Berea

Attest:   
\_\_\_\_\_

RESOLUTION # 11-21

**A JOINT RESOLUTION OF THE MADISON FISCAL COURT, CITY OF RICHMOND, KENTUCKY  
AND CITY OF BEREAS, KENTUCKY ESTABLISHING A LOCAL AIR BOARD PURSUANT TO KRS  
183.132**

**WHEREAS**, the Madison Air Board, Inc., was established by the execution of articles of Incorporation by its incorporators, Howard L. Colyer, Herman N. Benton, and Dormane E. Crabtree on July 15, 1971; and

**WHEREAS**, such articles were filed in the office of the Secretary of State of the Commonwealth of Kentucky on August 3, 1971 and in the office of the Madison County Clerk on August 30, 1971; and

**WHEREAS**, no evidence of documentation can be found establishing this corporation as a Local Air Board pursuant to KRS 183.132; and

**WHEREAS**, legal issues have arisen relative to the legal status of this corporation, and particularly in a certain civil action the Madison Circuit Court styled *Eddie Pullins, Plaintiff vs. Kent Clark, Madison County Judge Executive, Defendant*, Civil Action File No. 11-CI-97; and

**WHEREAS**, the Circuit Judge in said civil action has determined that for purposes of certain issues in such case "KRS 183.132 applies in this case as to the existence and functioning of the Madison Airport Board; and

**WHEREAS**, although apparently not legally constituted as a KRS 183.132 local air board, for many purposes this corporation has functioned *de facto* as such from its inception; and

**WHEREAS**, the Board of the Madison Airport Board, Inc., has by Resolution enacted on the 28<sup>th</sup> day of September, 2011, requested that the Madison Fiscal Court and the Cities of Berea and Richmond establish the Madison Airport Board, Inc., as a local air board pursuant to KRS 183.132; and

**WHEREAS**, the Madison Fiscal Court, City Commission of the City of Richmond, and the City Council of the City of Berea, have jointly determined to agree to the request of the Airport Board;

**NOW, THEREFORE BE IT RESOLVED** by the Madison Fiscal Court, City of Richmond, Kentucky, and the City of Berea, Kentucky, as follows:

1. The Madison Fiscal Court, City of Richmond, Kentucky, and City of Berea, Kentucky, acting jointly, hereby establish a non-partisan air board composed of six(6) members, pursuant to KRS 183.132
2. The name of the local air board shall be the Madison County Airport Board, and it shall be a body politic and corporate with all its corporate attributes, and in its corporate name may sue and be sued, contract and be contracted with, and do all things reasonable or necessary to effectively carry out the duties prescribed by Kentucky law.

3. The six (6) members of the air board shall be appointed jointly by the Madison County Judge Executive, the Mayor of the City of Richmond, and the Mayor of the City of Berea, and such appointments shall be made no later than thirty (30) days after the effective date of this Joint Resolution.
4. Because of the inability to locate any evidence of the establishment of a KRS 182.132 local air board, and because the Madison Airport Board, Inc., has acted as a KRS 183.132 air board since its inception, the Madison Fiscal Court, the City of Richmond, Kentucky, and the City of Berea, Kentucky, hereby acknowledge and ratify the actions of the Madison Airport Board taken heretofore as being carried out by KRS 183.132 local air board.
5. Pursuant to the resolution of the Madison Airport Board, Inc., referenced herein, such board is called upon to transfer all assets relative to the airport board to the local air board established hereby.
6. This Joint Resolution shall be effective when it has been duly approved and executed.

This Resolution shall be in force and effect upon reading and adoption by the Madison County Fiscal Court.

Date of Reading October 11, 2011

Motion by Larry Combs

Second by Roger Barger

Vote:

Magistrate Greg King

Magistrate Roger Barger

Magistrate Billy Ray Hughes

Magistrate Larry Combs

Judge Kent Clark

YES

NO

X  
X  
absent  
X  
X

[Signature]  
Kent Clark, Co. Judge Executive

Attest

[Signature]  
Kenny Barger, Clerk