

**LAKE CUMBERLAND AREA DEVELOPMENT DISTRICT  
BYLAWS AND OPERATING POLICIES AND PROCEDURES**

**OF**

**THE LCADD REGIONAL WATER MANAGMENT PLANNING COUNCIL**

**ARTICLE I**

**NAME**

Section I. The name of this organization shall be the Lake Cumberland Area Development District Regional Water Management Planning Council, hereinafter referred to as the Council.

Section II. The organization is an independent, nonprofit, non-partisan group having as its primary concern the development of the Water Management Plans, as well as maintenance and update of the plans, planning, development and administration of water management areas located within the Lake Cumberland Area Development District pursuant to Senate Bill 409 and applicable sections of Kentucky Revised Statute 151 and 224(A).

**ARTICLE II**

**GEOGRAPHIC AREA**

Section I. The geographic area to be served by the Council shall be the counties of Adair, Casey, Clinton, Cumberland, Green, McCreary, Pulaski, Russell, Taylor and Wayne in Kentucky.

**ARTICLE III**

**PURPOSE**

Section I. The purpose of the Council shall be to work in conjunction with city officials, county officials, public water suppliers, Kentucky Infrastructure Authority and the Kentucky Division of Water to update the long-range County Water Supply Plans and devise and update the Water Management Plans pursuant to Senate Bill 409 and applicable sections Kentucky Revised Statute Chapter 151 and 224(A).

Section II. The Council will review and vote on endorsement of amendments and additions to the Water Management Plan. The amendments include changes in the planning council

membership, county base map, water line extension map, existing water line map, new projects, and system capacity.

Section III. The Council will direct the required five- (5) year update of the County Water Supply Plan for each county pursuant to Kentucky Revised Statute Chapter 151, as well as the development and amendment(s) to the Water Management Plans pursuant to Senate Bill 409 in accordance with Kentucky Revised Statute 224(A).

Section IV. The Council has established Kentucky Infrastructure Authority 2020 water management area(s) so as to encompass all the land area within the Lake Cumberland Area Development District jurisdiction. The council may determine the boundaries of water management areas by considering:

- a. Geographical or topographical conditions; and
- b. The potential integration of existing water systems.

Where water management areas may lie within more than one (1) Area Development District, the affected districts shall share planning and plan implementation responsibilities.

The Council shall develop maps of uniform scale to show, accurately and clearly, the boundaries of the 2020 water management areas.

Section V. The Council shall assume the role and function of the planning units established to implement the water supply planning process set out in KRS 151.114 and administrative regulations of the Natural Resources and Environmental Protection Cabinet.

Section VI. The LCADD, in conjunction with the council, shall develop a water management plan consistent with the county long-range water supply plan, KRS Chapter 151 and administrative regulations of the Natural Resources and Environmental Protection Cabinet. The plan shall:

- a. Include water needs forecast for the county for dates five (5), ten (10), fifteen (15), and twenty (20) years after the year 2000;
- b. Include a strategy for delivering potable water as needed into the underserved and unserved areas of each county; and
- c. Include encouragement of merger and consolidation of water systems, where feasible.
- d. Include a 2020 water management area so as to encompass all the land area within the LCADD jurisdiction.

Section VII. The Council shall review and prioritize the county and/or multi-county plans for underserved and unserved areas within the 2020 water management area(s) established within the district on an annual basis.

## **ARTICLE IV**

### **BOARD MEMBERSHIP**

Section I. The Council shall be composed of individual members who reside within the geographic area served by the Council. The membership shall be representative of the following group: local government, municipal water districts and independent water districts. The Council shall consist of the following:

- a. Each county judge/executive, or his or her authorized representative; written authorization is required to be on file at the Lake Cumberland Area Development District for all representatives stating they are authorized to represent and to have their vote counted on behalf of the entity.
- b. One (1) representative selected by each entity that owns a community public water system, as defined in 401 KAR 8:010 sec. 1(71)(a).
- c. One (1) representative selected by a local health department in each county located in the geographic area and One (1) representative from the regional department located in the geographic area; and
- d. One (1) representative selected by each first, second, third or fourth class city that is not a water supplier or distributor, unless that city chooses to be represented by another member of the planning council. Written authorization is required to be on file at the Lake Cumberland Area Development District for all representatives stating they are authorized to represent and to have their vote counted on behalf of the entity, unless the representative is the Mayor of said city.

Section II. Each member of the Council shall be entitled to one vote on all actions of the Council.

## **ARTICLE V**

### **OFFICERS**

Section I. The officers of the Council shall be a Chairman and Vice-Chairman.

Section II. A county judge/executive or a county judge/executive's designated representative shall serve as the officers of the Council.

Section III. The LCADD Board of Directors shall appoint the Chairman of the Council annually. The appointment shall take place every year at the first meeting of the LCADD Board of Directors of the calendar year.

Section IV. The Council shall elect the Vice-Chairman of the Council annually. The election of Vice-Chair shall take place every year at the first scheduled meeting of the Council of the calendar year.

Section IV. The term of each officer shall be defined as one (1) year. Officers may serve more than one (1) term either consecutively or non-sequentially.

## **ARTICLE VI**

### **DUTIES OF OFFICERS**

Section I. The Chairman of the Council shall:

- a. Preside at all regular and special meetings of the Council;
- b. See that all orders and resolutions of the Council are carried out, and provide general supervision to all officers;
- c. Execute all conveyance, contracts and agreements authorized by the Council;
- d. Appoint committees as may be directed by the Council;
- e. Represent the Council at various public meetings, closed committees, hearings, cooperating agency meetings, etc., at which Council affairs may be discussed and considered; and
- f. Perform other duties as required.

Section II. The Vice-Chairman shall perform the duties of the Chairman in the absence of the Chairman.

## **ARTICLE VII**

### **MEETINGS**

Section I. The regular meeting of the Council shall be held at the time and date in the principal office of the Council as selected by the Council members.

Section II. Robert's Rules of Order shall govern all questions of parliamentary proceedings of the meeting of the Council.

Section III. The Council shall notify local broadcast and print media of the meetings and request that the media make a public announcement of the time, place and purpose of the meeting.

Section IV. The Council shall meet on a minimum of once per quarter. The Council will be notified at least two weeks in advance of each meeting by memorandum. In the case of a special called meeting, the council will be notified at least one week in advance by memorandum.

Section VI. The Council shall abide by the Kentucky Open Records Law.

Section VII. Majority vote of the Council shall be distinguished as by those members/representatives who are attending any regular or special meeting of the Council with no specific number necessary for a quorum.

## **ARTICLE VIII**

### **INDEMNIFICATION**

Section I. The LCADD Board of Directors shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the Council to procure a judgment in its favor) by reason of the fact that he is or was an agent of the Council, against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by him in connection with such proceeding if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interest of the Council and, in the case of a criminal proceeding, had no reasonable cause to believe his conduct was unlawful. The termination of any proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the Council or, with respect to a criminal proceeding, had reasonable cause to believe that his conduct was unlawful.

## **ARTICLE IX**

### **AMENDMENTS**

Section I. These Bylaws may be amended by a majority vote of the Council attending any regular or special meeting of the Council, provided that the proposed Amendment be distributed to the Council with notice of the meeting at least ten (10) days prior to said meeting.

## **ARTICLE X**

Section I. All matters pertaining to the Council not specified or delegated herein shall be subject to the action of a majority of the Council.

Approved by the Lake Cumberland Area Development District Regional Water Management Planning Council at a regular meeting held on December 5, 2013.