

**77.065 County officers are ex officio officers and other personnel of district -- Exception for county containing city of first class or consolidated local government or county where largest city has population of 20,000 or more -- Effect of compact -- Employees of district upon establishment of consolidated local government.**

- (1) The members of the fiscal court of a county shall be, and they are hereby designated as, and empowered to act as, ex officio the air pollution control board of the air pollution control district in such county.
- (2) All county officers, their assistants, clerks, deputies, and employees, and all other county employees shall be ex officio officers, assistants, deputies, clerks, and employees respectively of the air pollution control district in the county in which they are employed. Except as otherwise provided in this chapter, they shall perform respectively the same various duties for the air pollution control district as for the county without additional compensation, in order to carry out the provisions of this chapter.
- (3) The provisions of subsections (1) and (2) of this section shall not be applicable to any county containing a city of the first class, or a consolidated local government, or to a county where the largest city in that county contains a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census.
- (4) Notwithstanding any provision of this chapter to the contrary, whenever a city of the first class and a county containing such city have in effect a compact under KRS 79.310 to 79.330, the county shall provide all staff support, including a secretary-treasurer and an air pollution control officer, to the air pollution control board through county officers, assistants, clerks, deputies and employees. In such case, the staff of the air pollution control board, including the secretary-treasurer and the air pollution control officer, shall be deemed county employees and shall be subject to the control of fiscal court. At the time the compact takes effect, the employees of the air pollution control district shall be transferred to the service of the county government; provided that all such employees who are in the classified service at such time shall be continued in the classified service administered by county government. Upon the establishment of a consolidated local government in a county where a city of the first class and a county containing that city have had in effect a cooperative compact pursuant to KRS 79.310 to 79.330, the employees of an air pollution control district shall be deemed to be employees of the consolidated local government and the provisions of this subsection shall be applied to the consolidated local government.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 67, effective January 1, 2015. -- Amended 2002 Ky. Acts ch. 346, sec. 79, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 77, sec. 12, effective July 15, 1986. -- Created 1952 Ky. Acts ch. 53, sec. 15, effective March 14, 1952.