

**104.580 Board of directors -- Appointment -- Qualifications -- Term -- Vacancies -- Removal of board members.**

- (1) Within thirty (30) days after the secretary certifies to the county clerk of each county in which the district is located that the district is incorporated, there shall be appointed a board of directors for the district, consisting of five (5) members, which shall control and manage the affairs of the district. If all or part of a city with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census lies within the district, the mayor of such city shall appoint three (3) members of the board of directors, and the county judge/executive shall appoint two (2) members, or if the district lies within two (2) counties, each county judge/executive shall appoint one (1) member, or if the district lies within more than two (2) counties, the county judge/executive of each of two (2) of the counties, in rotation as determined by lot, shall appoint one (1) member. If all or part of two (2) cities with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census lies within the district the mayor of each city shall each appoint two (2) members of the board of directors, and the fifth member shall be appointed by the county judge/executive of the county in which the major portion of the district lies. If all or part of more than two (2) cities with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census lies within the district the mayor of each city shall appoint one (1) member of the board and one (1) additional member shall be appointed by each mayor of the city or cities containing most of the district to make the full number of five (5) directors. If no city with a population equal to or greater than eight thousand (8,000) based upon the most recent federal decennial census, or part thereof, lies within the district, the county judge/executive shall appoint all five (5) members, or if the district lies in two (2) counties, the county judge/executive of the county in which the major portion of the district is located shall appoint three (3) members and the county judge/executive of the other county shall appoint two (2) members, or if the district lies in more than two (2) counties, the county judge/executive of each county shall appoint one (1) member and one (1) additional member shall be appointed by each county judge/executive of the county or counties containing most of the district to make the full number of five (5) directors. No director shall in any way be associated or connected with the ownership, operation or control of any privately-owned public utility operating within the district. Two (2) of the members of the first board of directors shall hold their offices for one (1) year, and the others shall hold their offices for two (2), three (3) and four (4) years, respectively, from the dates of their appointments, the length of the term of office of each member to be determined by lot at their first meeting. After the expiration of the respective terms of office of the members of the first board of directors, each director shall be appointed and shall serve for a period of four (4) years and until his successor has been appointed and has qualified. Vacancies resulting from any cause other than expiration of a term of office shall be filled only for the unexpired term and until a successor has been appointed and has qualified. The directors shall at all times be residents and real estate owners within the district, and the office of any director who moves his residence outside the

district or who ceases to be a real estate owner within the district shall automatically be vacated.

- (2) (a) All appointments by a county judge/executive pursuant to this section shall be with the approval of the fiscal court.
- (b) A member of the board of directors may be removed from office as provided by KRS 65.007.

**Effective:** January 1, 2015

**History:** Amended 2014 Ky. Acts ch. 92, sec. 202, effective January 1, 2015. -- Amended 1980 Ky. Acts ch. 18, sec. 10, effective July 15, 1980. -- Created 1950 Ky. Acts ch. 42, sec. 14.