

75A.030 Trustees -- Qualifications -- Elections -- Appointments -- Terms -- Vacancies -- Reelection -- Removal -- Officers -- Quorum.

- (1) (a) Upon passage of an ordinance by the county fiscal court, consolidated local government, charter county government, or unified local government creating the district, the affairs of the district shall be conducted by the board of trustees consisting of seven (7) members, four (4) to be elected by the members of the district as set out in this subsection and three (3) to be appointed by the county judge/executive pursuant to KRS 67C.139 or the chief executive officer of the county.
- (b) Two (2) members of the board shall be elected by the members providing emergency services within the district and shall be active members of the district.
- (c) Two (2) members of the board shall be property owners who own real or personal property which is subject to the fire protection tax pursuant to KRS 75.040, who personally reside in the district, and who are not active members of the district and shall be elected by the property owners of the district.
- (d) Property owners voting to select representatives to the board shall have attained the age of eighteen (18).
- (e) The county judge/executive of the county in which district is located, shall, with the approval of the fiscal court, appoint three (3) members of the board.
- (f) Appointment and election of trustees to a newly created district shall be completed within sixty (60) days of the passage of the ordinance creating the district.
- (g) At the first election held after the district is formed:
 1. One (1) active member shall be elected to serve on the board for a period of one (1) year;
 2. One (1) active member for a period of three (3) years;
 3. One (1) property owner shall be elected to serve on the board for a period of two (2) years; and
 4. One (1) property owner for a period of four (4) years.

On the expiration of the respective terms, the successor to each shall have the same qualifications as his or her predecessor and shall be elected for a term of four (4) years.
- (h) The original appointed members of the board shall be appointed for terms of one (1), two (2), and three (3) years respectively. On the expiration of the respective terms, the successors to each shall be appointed for a term of three (3) years.
- (i) In the event of a vacancy in the term of an appointed or elected trustee, the county judge/executive shall, with the approval of the fiscal court, appoint a trustee for the remainder of the term, or the chief executive officer of the county pursuant to KRS 67C.139 shall appoint a trustee for the remainder of the term.

- (2) An appointed trustee may be removed from office as provided by KRS 65.007.
- (3) No person shall be an elected trustee who, at the time of his or her election, is not a citizen of Kentucky and has not attained the age of twenty-one (21).
- (4) Unless otherwise provided by law, an elected active member trustee may be removed from office by the county judge/executive or chief executive officer of the county in which district is located. An elected active member trustee may be removed after a hearing with notice as required by KRS Chapter 424, for inefficiency, neglect of duty, malfeasance, or conflict of interest. The hearing shall be initiated and chaired by the county judge/executive of a county or the chief executive officer of the county, who shall prepare a written statement setting forth the reasons for removal. The trustee to be removed shall be notified of his or her proposed removal and the reasons for the proposed removal by registered mail sent to his or her last known address at least ten (10) days prior to the hearing. The person proposed to be removed may employ counsel to represent him or her. A record of the hearing shall be made by the county judge/executive or mayor respectively.
- (5) The removal of an elected active member trustee of a district shall be subject to the approval of the fiscal court of the county or the legislative body of the county in which the district is located.
- (6) An elected active member trustee removed pursuant to subsections (4) and (5) of this section may appeal, within ten (10) days of the rendering of the decision of the fiscal court or legislative council, respectively, to the Circuit Court of the county in which the district is located. The scope of the appeal shall be limited to whether the county judge/executive, mayor, legislative body, or the fiscal court respectively, abused their discretion in removing the trustee.
- (7)
 - (a) The elective offices of members of the board shall be filled by an election to be held once each year on the fourth Saturday of June between the hours of 11:00 a.m. and 2:00 p.m.
 - (b) The polls shall be located at the principal fire house in the district.
 - (c) The date, time, and place of the election shall be advertised in accordance with KRS 424.120. This notice shall be advertised at least thirty (30) days prior to the election date and shall include the names and addresses of the candidates to be voted on for each position of trustee.
 - (d) In lieu of the published notice for the election of the active member trustees, written notice containing the information required to be advertised may be sent by first-class mail to each member of the consolidated emergency services district, addressed to the member at his or her residence, at least thirty (30) days prior to the election date.
- (8) The nominations for candidates for trustees representing both the active members and the property owners residing in the district shall be made in accordance with the bylaws of the district. The terms of the three (3) trustees appointed by the county judge/executive or chief executive officer of the county shall start at the same time as the terms of the elected trustees.

- (9) The trustees shall elect from their number a chairman, a secretary, and a treasurer, the latter of whom shall give bond in an amount be determined by the county judge/executive of the county or chief executive officer of the county in which district is located, conditioned upon the faithful discharge of the duties of his or her office, and the faithful accounting for all funds which may come into his or her possession as treasurer. The premiums on the bonds shall be paid out of the funds of the district.
- (10) Unless previously removed for cause in the last four (4) years, an elected trustee may seek reelection to the board.
- (11) If no one is nominated for, or elected and qualified to, an open seat on the board, the county judge/executive or the chief executive officer of the county shall promptly fill the vacancy by appointment of a qualified person who shall serve for the same period as if otherwise elected.
- (12) A quorum of the board shall consist of a majority of its members.

Effective: June 29, 2021

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