

ORDINANCE NO. 08-1118-A

Notice is hereby given that the Calloway County Fiscal Court of Calloway County, Murray, Kentucky, at a meeting to be held at the hour of 5:00 P.M. on Tuesday, December 16, 2008, in Calloway County Judicial Building, 312 North 4<sup>th</sup> Street, Murray, Kentucky will give a final reading to and consider for passage and enactment the following Ordinance:

AN ORDINANCE RELATING TO THE CREATION OF A NON-EXCLUSIVE FRANCHISE TO USE THE PUBLIC RIGHTS OF WAY OF THE COUNTY OF CALLOWAY FOR THE OPERATION AND MAINTENANCE OF A COMMUNICATIONS AND/OR MULTICHANNEL VIDEO PROGRAMMING SYSTEMS.

**WHEREAS**, in Ordinance Number 0-8-1118-A, the Fiscal Court of Calloway

County created a non-exclusive franchise to use the public rights of way of the County of Calloway for purposes of providing communications services and/or multichannel video Programming services and ordered that this franchise be bid according to applicable law And specifications as set forth in a proposed Franchise Agreement; and,

**WHEREAS**, an invitation for bids was properly advertised and bids were opened At 2:00 p.m. on September 30, 2008; and

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF CALLOWAY, COMMONWELATH OF KENTUCKY, AS FOLLOWS:**

1. A bid received from West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc. was found by the County Of Calloway to be the best offered.

2. The County of Calloway, in reaching that determination, considered the

technical, managerial and financial qualifications of West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc., to perform the Obligations under the Franchise Agreement, and found them to be sufficient.

3. The bid as submitted by West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc., for the Franchise Agreement Relating to the non-exclusive franchise to use the public rights of way of the County of Calloway for purposes of providing communications services and/or multichannel Video programming services is therefore hereby approved.

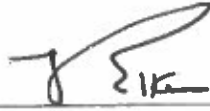
4. The County Judge Executive of the County of Calloway is hereby Authorized and directed to execute the Franchise Agreement with West Kentucky Rural Telephone Cooperative Corporation, Inc., and West Kentucky Networks, Inc.

5. All prior County Ordinances or parts thereof in conflict herewith are Hereby repealed.

6. This Ordinance is adopted by the Fiscal Court of the County of Calloway Pursuant to KRS 67.075; 67.076; 67.077, et seq., in that it was introduced on November 18, 2008, and given final reading on 12 - 16, 2008 and said Ordinance shall be in full force and effect upon signature, recordation and Publication in summary pursuant to KRS Chapter 424.

Notice is further hereby given that the above ordinance was submitted and passed in a first reading at the regularly scheduled meeting of the Calloway County Fiscal Court held on November 18, 2008 at the hour of 5:00 p.m. CST, at the Calloway County Judicial Building, 312 North 4<sup>th</sup> Street, Murray, Kentucky.

This the 8<sup>th</sup> day of December, 2008.

A handwritten signature in black ink, appearing to read 'LARRY ELKINS', written above a horizontal line.

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LARRY ELKINS  
CALLOWAY JUDGE EXECUTIVE