

RESOLUTION NO. 2011-42

RESOLUTION TO ENTER INTO AN AGREEMENT TO AUTHORIZE WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC., RIGHT OF WAY USE OF WEAKLEY COUNTY PROPERTY, ROADS, AND ALLEYS FOR CONSTRUCTION OF A FIBER OPTIC NETWORK SYSTEM.

WHEREAS, West Kentucky Rural Telephone Cooperative Corporation, Inc., (WK&T) has received a grant to construct a Fiber to the Home(FTTH) broadband fiber optic network system that will be available to all WK&T subscribers in Weakley County; and

WHEREAS, the citizens served by WK&T will be enhanced by the construction of said system; and

WHEREAS, it is necessary to allow WK &T use of county right-of-way to distribute and construct its fiber optic network system; and

WHEREAS, agrees to construct said fiber optic network system under the following agreements:

1. WK&T will locate the buried facilities on city road right of way along Weakley County roads to all WK&T subscribers in its territory. See Attachment A.
2. WK&T will place the cable and facilities as close to the outside edge of the county road right of way as practical. Cable and under road boaring will be a minimum of 36" and will comply with Tennessee Department of Transportation.
3. WK&T will repair and reseed all disturbed ground to return the county right of way to at least its condition prior to the construction. WK&T will follow up over a six-month period to ensure the repair and reseeding is successful.
4. WK&T will obtain prior to construction all federal, state, and county environmental requirements and permits. Documentation will be on file for review if requested.
5. The construction will conform to all applicable state and federal rules and regulations. A typical construction of buried fiber optic cable, hand holes, and utility warning signs is provided in Attachment B.
6. In the event that fiber optic cable needs to be subsequently moved for road construction and/or associated road improvements, WK&T will move such cable at its own expense.

NOW, THEREFORE BE IT RESOLVED, by the county legislative body of Weakley County, Tennessee assembled in regular session on this the 23rd day of May, 2011 in Dresden, Tennessee that West Kentucky Rural Telephone Cooperative Corporation, Inc. (WK&T) be authorized to use Weakley County right of ways to construct its fiber optic network.

BE IT FURTHER RESOLVED, that Weakley County Mayor be authorized to enter into an agreement with WK&T authorizing use of Weakley County property, roads, and alleys for construction of a Fiber to the Home (FTTH) broadband fiber optic network system.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to West Kentucky Rural Telephone Cooperative Corporation, Inc.

BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:

Michael Medling

ACKNOWLEDGED AND APPROVED:


Chairman, Public Works Committee

Motion made by Commissioner Farmer that the foregoing resolution be adopted:

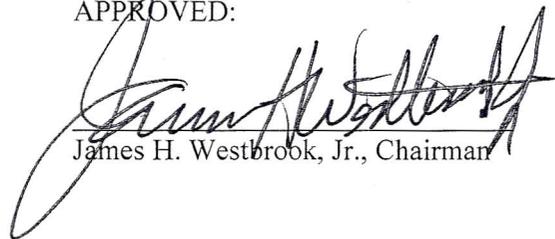
Motion seconded by Commissioner Medling.

Upon being put to a roll call vote, Motion carried by a vote of 18 Yeas, 0 Nays,
0 Passed and 0 Absent.

ATTESTED:


Pat Scarbrough, County Clerk

APPROVED:


James H. Westbrook, Jr., Chairman

This the 23rd Day of May 2011.

APPROVED:


Houston W. Patrick, County Mayor

VETOED:

Houston W. Patrick, County Mayor

DATE: 05/24/11

DATE: _____

