

RESOLUTION NO. 145, SERIES 2012

**A RESOLUTION APPROVING THE GRANTING OF  
LOCAL INDUCEMENTS TO ABILENE TX FOODS, INC.  
PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.**

**SPONSORED BY: Councilman David Tandy, District 4**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the Council) finds that it is a legitimate public purpose of the Louisville/Jefferson County Metro Government ("Metro") to undertake activities for the purpose of attracting and retaining jobs for residents of this community; and

**WHEREAS**, the Kentucky General Assembly in 2009 enacted KRS 154.32-010 to 154.32-100 establishing the Kentucky Business Investment Program ("KBI") for the purpose of encouraging the development and expansion of the service and technology industry in Kentucky; and

**WHEREAS**, this program provides state inducements to businesses which locate or expand in the Commonwealth, including regional or national headquarters, thus creating and preserving jobs for Kentuckians; and

**WHEREAS**, the program encourages local governments to participate in these inducements for businesses within their jurisdictions; and

**WHEREAS**, the Council finds that offering the local inducements authorized by KBI Program for the purpose of attracting and retaining businesses is in furtherance of the public purposes of Metro and will benefit Metro by creating new sources of tax revenue for the support of the public services provided by Metro; and

WHEREAS, Abilene TX Foods, Inc. has applied for the benefits authorized under the KBI Program.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

**Section 1:** That the Council does hereby approve the granting of inducements to the following company which is undertaking a project approved pursuant to KRS 154.32-010 to KRS 154.32-100. This company is:

**ABILENE TX FOODS, INC.**

**Section 2:** That the State to Local participation ratio in this grant of inducements shall be 75% to 25%. The local occupational tax participation level is .75% with a minimum average salary of \$29,500 at activation.

**Section 3:** That the Mayor and other appropriate officers and employees of Louisville/Jefferson County Metro are authorized and directed to execute, acknowledge and deliver on behalf of Louisville/Jefferson County Metro any and all papers, instruments, certificates, affidavits and other documents; and to do and cause to be done any and all acts and things necessary or proper for the granting of the inducements authorized by the Acts and this Resolution.

**Section 4:** No portion of the funds derived by the company from the granting of the inducements herein shall be used by the company for any purposes designed to prevent, limit, discourage or restrict union activities within the company.

**Section 5:** This resolution shall be effective upon its passage and approval.

Kathleen J. Heffron  
Kathleen J. Heffron  
Metro Council Clerk

Jim King  
Jim King  
President of the Council

Greg Fischer  
Greg Fischer, Mayor

Approved: 9/29/12  
Date

APPROVED AS TO FORM AND LEGALITY:  
*son*

Michael J. O'Connell  
Jefferson County Attorney

LOUISVILLE METRO COUNCIL  
ADOPTED  
September 27, 2012

By: William P. O'Shea