

**Breckinridge County Fiscal Court
Regular Meeting
February 26, 2007**

Judge Powers called to order the regular meeting of the Fiscal Court at 6:00 p.m. after having led in the Pledge of Allegiance and a word of prayer with all members present except for Esq. Henning.

I. Approval of Minutes

Esqs. Robinson and Moore made and seconded a motion to approve the minutes of the last regular meeting held on February 12, 2007. All members voted aye. Motion carried.

II. Welcome of Guests and Guest Comments

Judge Powers welcomed all guest present at the meeting then asked for comments from each individual who had asked to speak before the court. The Fiscal Court first heard comments from Mike Picente a resident from Westview, who commented that he along with many other voters would like to see the county move forward with progress. Lyle Reburn then spoke about how he was against removing the insurance tax immediately and waiting a year to see if the budget could be reduced. Mr. Reburn also stated that if the county comes up short the magistrates should have to come up with the difference out of their pockets. Jon Cottrell, a county employee, asked the court what their plan was to maintain the county if they reduce the tax. He stated that taking the tax off is like jumping off a bridge before you look to see if there is any water. Mrs. Joan Laslie stated that taking away benefits from employees was not the way to make up the shortfall. She asked the court to work together and not pull apart at the beginning of this four year term. Mr. Earl Newby asked the court for their vote to reduce the tax. Mr. Jim Ball stated that he pays the 10% tax but because he lives in the county he doesn't get all the services that the city residents receive. The Fiscal Court also heard from Randall Bell concerning an issue with the ambulances and road hazards caused by their driving and from Martha Vessels concerning an issue with the county fair board.

III. Transfers

Esqs. O'Donoghue and Hay made and seconded a motion to approve the transfers as submitted by County Treasurer, Randi Flood. All members voted aye. Motion carried.

IV. Claims

Esqs. Robinson and Moore made and seconded a motion to approve the claims as submitted by Finance Officer, Lisa Hoskins. All members voted aye. Motion carried.

V. Ordinance #021207

Judge Powers stated that by further examining this Ordinance that it was the opinion of County Attorney, Bradley Butler that the wording of the Ordinance needed to be changed and to amend the prior Ordinance that was presented to the Fiscal Court on February 12, 2007. Mr. Butler explained to the court members that it takes an ordinance to repeal an ordinance and in this case according to KRS 67.076 to amend an existing ordinance.

II. (cont.)

Mr. Lonnie Campbell and Mr. Tom Dobson from the Governor's Office of Local Development were present at the court meeting to try and explain to the court members what the effect will be on the county's budget if the Fiscal Court votes to reduce the insurance premium tax to 5% and that the court is required by law to have a balanced budget by July 1 and by reducing your revenue by \$700,000 you are going to have to decide what you want to cut from your budget. Mr. Dobson told the court that a lot of what you provide in service is mandated by the state. After much discussion concerning this issue, Judge Powers then asked the Fiscal Court how they wanted to pursue this issue read the prior ordinance or read the amended ordinance. Esq. Hay stated that he would like to go ahead with the prior ordinance and Esq. Gedling then made a motion to have second reading of the prior ordinance. County Attorney, Bradley Butler then stated for the record that his duty as County Attorney is to advise the Fiscal Court on legal matters and in his legal opinion the prior ordinance the way it was written is contrary to statute and if challenged in court would be held invalid. He then stated that he has fulfilled his duty as County Attorney to the Fiscal Court by drafting an Ordinance that covers the statutes. Esq. Hay then seconded the motion that was made by Esq. Gedling to approve second reading of the prior ordinance. Then again after much discussion, Esq. Gedling made a motion to recall his motion.

VI. First Reading of Ordinance #022607

Judge Powers then had first reading of Ordinance #0222607, which relates to the amendment of Ordinance #031003, reducing the license fee imposed on insurance companies from 10% to 5% for the privilege of engaging in the business of insurance within Breckinridge County beginning July 1, 2007. Esq. Gedling and Moore made and seconded a motion to approve first reading of Ordinance #022607. Motion carried with Esqs. Gedling, Hay, Moore, and O'Donoghue voting yes and Esq. Robinson voting no along with Judge Powers.

VII. Resolution & Agreement

Esqs. O'Donoghue and Moore made and seconded a motion to approve a Resolution adopting and approving the execution of a County Road Aid Discretionary Bond Fund Agreement between the Fiscal Court and the Transportation Cabinet and accepts all roads referred to therein as being a part of the County Road System. All members voted aye. Motion carried.

VIII. Treasurer's Report

Esqs. Hay and Gedling made and seconded a motion to approve the Treasurer's report as given by County Treasurer, Randi Flood. All members voted aye. Motion carried.

III.

IX. Road Foreman's Report

Ernie Nix, Road Supervisor, informed the Fiscal Court that the county road crew had done as much salting as possible during the recent snowfall and is now bush hogging and tree trimming. Mr. Nix also informed the Fiscal Court members that the road department employees are upset with the Fiscal Court because they are short handed and people have been replaced yet. There are 14 road department employees now and he felt it was unfair to cut personnel to save money and that he was salaried and working at all times to keep the county from paying overtime. Esqs. Moore and Robinson made and seconded a motion to approve the Road Foreman's Report. All members voted aye. Motion carried.

XI. Constable Second District

Esqs. Gedling and Hay made and seconded a motion to allow the Jimmy Pate, 2nd District Constable to have blue lights in his vehicle. All members voted aye. Motion carried.

XII. Adjournment

Esqs. Hay and Gedling made and seconded a motion to adjourn this meeting with no further business to come before it. All members voted aye. Motion carried.

Ray Powers
Breckinridge County Judge/Executive

Lisa Hoskins
Fiscal Court Clerk