

**Breckinridge County Fiscal Court
Regular Meeting
August 13, 2007**

Judge Powers called to order the regular meeting of the Fiscal Court at 10:00 a.m. after leading in the Pledge of Allegiance and a word of prayer. All members of the Fiscal Court were present.

RE: Minutes—July 23, 2007

Esqs. Hay and Robinson made and seconded a motion to approve the minutes of the last regular meeting as submitted by Fiscal Court Clerk, Lisa Hoskins. All members voted aye. Motion carried.

RE: Welcome of Guest and Guest Comments

The Fiscal Court heard from a couple of residents from Valley Lane, a road which was previously named Skaggs Cemetery Road, but changed when the 911 addressing was done. Ms. Julie Meador, who is not in favor of changing the road name back to Skaggs Cemetery Road, asked the Fiscal Court to not consider changing the name back and to leave it as is. Ms. Meador also presented the Fiscal Court with the original petition that had the name changed from Skaggs Cemetery Road to Valley Lane. Ms. Kathy Secoy, who is in favor of changing the road name back to its original name, asked the Fiscal Court to consider changing the name back and presented the Fiscal Court with a new petition that she had several landowners sign in favor of changing the name back. The County Attorney, Bradley Butler, stated that a written petition requesting a name change be brought forth to the Fiscal Court with 50% of the landowners signing the petition and if it was less than 50% of the landowners then a hearing would have to be held and then voted on by the Fiscal Court rather or not to change the road name. Judge Powers stated that more research was going to have to be done concerning this matter and then be brought back to the Fiscal Court members on what could legally be done. The Fiscal Court also heard from B.J. Payne, a resident from Carl Newby Road in the 2nd District, about an issue concerning vicious dogs living at a resident on this road. Mr. Payne was asking the Fiscal Court to consider an Ordinance that pertains to vicious dogs. Judge Powers informed Mr. Payne that he would look into this matter and see what kinds of Ordinances are available that would best suit the needs of the county. Sheriff Todd Pate was then addressed a question from Mrs. Joan Laslie concerning the amount of deputies that are available throughout the entire county and what could be done to increase the manpower from the Sheriff's office in order to better protect and serve the whole county. Sheriff Pate informed Mrs. Laslie that funds were the biggest factor in the matter and that because of this he is limited on how many employees he has in his office.

II.

RE: Claims

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

RE: Former County Clerk 2006 Fee Audit

Esqs. Henning and Gedling made and second a motion to remove this item from the table and vote on it as presented.

Esqs. Robinson and Moore made and second a motion to approve the Former County Clerk's 2006 Fee Audit as presented. Motion carried with a 6-1 vote with Esq. O'Donoghue voting no.

RE: Sheriff's 2006 Tax and Franchise Settlement

Esqs. Hay and Moore made and second a motion to approve the Sheriff's 2006 Tax and Franchise Settlement as submitted. All members voted aye. Motion carried.

RE: Sheriff's Bond Amount

Esqs. O'Donoghue and Hay made and second a motion to allow the Sheriff to increase his bond amount from \$103,000.00 to \$123,000.00. All members voted aye. Motion carried.

RE: Waterline License

Esqs. O'Donoghue and Moore made and second a motion to approve a license to construct waterline upon Wesley Allen Road. All members voted aye. Motion carried.

RE: Surplus Property

Esqs. Moore and Henning made and second a motion to declare the 2006 MACK tri axle trucks as surplus property and to have these trucks sold at an auction in Alabama by Worldwide Equipment, Inc. The county will then purchase two 2007 MACK tri axle trucks after being advertised for bid.

Esqs. Henning and Moore made and second a motion to advertise to accept bids for two 2007 MACK tri axle trucks. All members voted aye. Motion carried.

RE: First Reading of Ordinance #081307 (Budget Amendment)

Esqs. Moore and Hay made and second a motion to approve first reading of Ordinance #081307, which increases the receipts of the road fund by \$125,000. All members voted aye. Motion carried.

RE: Treasurer Report

Esqs. O'Donoghue and Henning made and second a motion to approve the Treasurer's report as given by County Treasurer, Randi Flood. All members voted aye. Motion carried.

III.

RE: Road Foreman Report

Esqs. Hay and Henning made and second a motion to approve the Road Foreman's report as given by Ernie Nix, Road Supervisor.

RE: Dog Warden Report

Esqs. Robinson and Moore made and second a motion to approve the Dog Warden's report as given by Animal Control Officer, Mike Picente. All members voted aye. Motion carried. Judge Powers then made a motion to eliminate the monthly report given at the court meetings by the Dog Warden and asked that he submit a written report when asked. Esq. Moore second this motion. All members voted aye. Motion carried.

RE: Road Viewing Committee

Esqs. Hay and Gedling made and second a motion to appoint the road viewing committee to view Tiffany Estates (534 ft.) in order to have it added into the county road maintenance system. All members voted aye. Motion carried.

Esqs. Robinson and Gedling made and second a motion to appoint the road viewing committee to view Hornback Farms Lane (1.6 miles) in the 4th District to be added into the county road maintenance system. All members voted aye. Motion carried.

Esqs. O'Donoghue and Moore made and second a motion to appoint the road viewing committee to view Finely Butler Lane in order to add (.45) miles to the road into the county road maintenance system. All members voted aye. Motion carried.

RE: Announcements

Judge Powers read a letter from the Environmental and Public Protection Cabinet concerning the Solid Waste Management Plan update which informed the Fiscal Court that the county is in compliance with the implementation schedule and completed all tasks up to date. The letter also commended the county on its efforts to clean up litter and open dumps and recommended that the magistrates attend the workshops on solid waste issues. Judge Powers announced that there is going to be a surplus auction on September 13 @ 5:30 p.m. @ the Breckinridge County Fairgrounds. Judge Powers then welcomed Mr. Johnathon Boyd, the newly hired Economic Development Coordinator for Breckinridge County hired by Breck United. Mr. Boyd could not attend the meeting but Judge Powers informed the Fiscal Court that his office will be located in the County Annex and that there would be some changes made in the next few weeks regarding office locations.

IV.

RE: Smoking Ordinance Discussed

Esqs. Robinson and Judge Powers made and second a motion to ask the County Attorney to research information that should be contained in an ordinance to ban smoking and use of tobacco products in any county owned and maintained buildings. Judge Powers stated that he has concerns about second hand smoke and the health of the employees and for those who come into the courthouse to do business. Esq. Robinson explained that he has been contemplating this issue for several months and felt that it was time for the Fiscal Court to address the matter and see what steps could be taken in order to pass an Ordinance pertaining to tobacco products in county facilities. After much discussion concerning this matter a vote was then taken and passed. Esqs. Henning, Robinson, and Moore along with Judge Powers voted yes and Esqs. Gedling, Hay and O'Donoghue voted no.

RE: Adjournment

Esqs. Hay and Moore made and second 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 M. Hoskins
Fiscal Court Clerk