

**Breckinridge County Fiscal Court
Regular Meeting
August 27, 2007**

Judge Powers called to order the regular meeting of the Fiscal Court at 6:00 p.m. after leading in the Pledge of Allegiance and a word of prayer. All members of the Fiscal Court were present.

RE: Minutes—August 27, 2007

Esqs. Hay and Robinson made and second 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 comments from Catherine Barnes a resident from the 2nd District about the smoking ordinance that has been discussed by Fiscal Court members. Mrs. Barnes stated that she is in favor of the smoking ordinance and would like to see the Fiscal Court pass the ordinance that would ban smoking in the courthouse and other county owned facilities. The court also heard from Mr. R.A. Bennett concerning the bridge on the Old Railroad Road in the 6th District. Judge Powers informed Mr. Bennett that he was trying to get funding from the state in order to repair or rebuild the bridge and that he was waiting to get a response. Mrs. Kathy Secoy spoke to the Fiscal Court again regarding the name change of the road that she lives on which is Valley Lane. Mrs. Secoy would like to see the road name changed back to Skaggs Cemetery Lane.

RE: Claims

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

RE: County Road Name Change

Judge Powers informed the Fiscal Court that according to the KRS upon 51% of the residents living on a county road petition the court for a name change that the Judge/Executive can change the name of the road. Judge Powers stated that he had researched this matter and found that the road name had been changed in 2001 during the 911 readdressing from Skaggs Cemetery Road to Valley Lane. Judge Powers then stated that he found at this time it was not a good ideal to change the name of the road back to its original name at this time without substantial reasons and that it would cost the county and residents living on that road unnecessary expenses just to change the name.

RE: Solid Waste Management Plan

Esqs. Robinson and Henning made and second a motion to approve the Solid Waste Management Plan 5-year update as submitted by Solid Waste Coordinator, Roger Jolly. All members voted aye. Motion carried.

II.

RE: Administrative Office of the Courts Representative

Mr. Garlan Van Hook, a representative from AOC was present at the court meeting to speak to the Fiscal Court members about the proposed judicial building that will be built in Breckinridge County. Mr. Van Hook explained that the state will fund the entire project but the Fiscal Court would be the agent for the project. Esq. Gedling asked how much money the county would lose once the new building is complete and the Circuit Clerk's office and others move to the new building. Mr. Van Hook estimated that the county would lose approximately \$90,000.00. He stated that the new building will provide a safe environment for the court officials and the public and he estimated the facility to be completed within two years.

RE: Smoking Ordinance

Esqs. Robinson made a motion and Judge Powers seconded the motion to have the County Attorney draft an Ordinance that would ban smoking in all county facilities. County Jailer Allen Shrewsberry spoke to the court on how this would affect the detention center if smoking was banned. He stated that the commissary sells tobacco products and estimated that they receive \$8,000.00 monthly from the sales. Esq. Hay along with Esq. Gedling and Henning stated that this was a rural county and tobacco is an important crop and most people here were raised on tobacco money and that it was a way of life in Breckinridge County. Judge Powers stated that this would not affect tobacco farmers but would be respectful of the public who do not smoke or use tobacco products when they enter the courthouse to conduct business. After much discussion concerning this matter and several opinions were expressed a vote was taken. Esqs. Henning, Gedling, Hay, Moore and O'Donoghue voted no and Esq. Robinson and Judge Powers voted yes. Motion denied with a 5-2 vote.

RE: County Attorney Excess Fees

Esqs. Hay and Moore made and second a motion to accept the excess fees that was collected from County Attorney Bradley Butler in the amount of \$343.99. All members voted aye. Motion carried.

RE: Second Reading of Ordinance #081307

Esqs. Hay and O'Donoghue made and second a motion to approve second reading of Ordinance #081307, which increases the receipts of the Road Fund by \$125,000.00. All members voted aye. Motion carried.

RE: Treasurer Report

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

RE: Road Foreman Report

Esqs. Hay and Moore made and second a motion to approve the Road Foreman's Report as given by Ernie Nix, County Road Foreman. All members voted aye. Motion carried.

III.

RE: Sheriff Surplus Property

Esqs. Hay and Moore made and second a motion to declare as surplus property a 1996 Crown Victoria for the Sheriff's Department. All members voted aye. Motion carried.

RE: Library Board Appointment

Esqs. O'Donoghue and Gedling made and second a motion to appoint Betty Whitworth to the Library Board of Trustees. All members voted aye. Motion carried.

RE: Road Department Employee

Esqs. Gedling and Moore made and second a motion to move Harold Roach to a full time employee on the road department effective immediately. All members voted aye. Motion carried.

RE: Announcements

Judge Powers announced that an Executive Order has been declared effective immediately issuing a burn ban countywide. Judge Powers also announced that there will be a Special Called town hall meeting in the 2nd District at Cloverport City Hall on Tuesday, September 11, 2007 at 6:00 p.m. There will also be a County Surplus Auction on Thursday, September 13 at 5:30 p.m. at the Breck Co. Fairgrounds.

RE: Adjournment

Esqs. Hay and Gedling 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 Hoskins
Fiscal Court Clerk