

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Public Hearing / Regular Meeting
Monday, October 13, 2008
10:00 A.M.

RE: Call to Order

After leading in the Pledge of Allegiance and a word of prayer, Judge Powers called to order the Public Hearing of the Breckinridge County Fiscal Court at 10:00 a.m. at the Courthouse Annex.

RE: Public Hearing, Haynes Cemetery Road

Judge Powers explained that the Fiscal Court had advertised for a Public Hearing for the purpose of adding an additional .48 of a mile to the Haynes Cemetery Road. He opened the floor to the public for comments.

Since no comments were made, Esquire Henning moved, seconded by Esquire Gedling, to adjourn the Public Hearing. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

RE: Call to Order

Judge Powers called to order the regular meeting of the Breckinridge County Fiscal Court. He explained that Esquire Hay was in the hospital at this time, however his condition was improving. Judge Powers and the Court wished him a speedy recovery.

Present: Ray Powers, County Judge/Executive
James Henning, Magistrate, District 1
Danny Gedling, Magistrate, District 2
Ronnie Robinson, Magistrate, District 4
Sam Moore, Magistrate, District 5
Joe O'Donoghue, Magistrate, District 6
Todd Pate, Sheriff
Bradley Butler, County Attorney

Absent: Charlie Hay, Magistrate, District 3

Staff: Sherrie Ashley, Fiscal Court Clerk
Cindy Stinnett, Finance Officer
Randi Flood, County Treasurer
Ernie Nix, Road Foreman

RE: Minutes – September 22, 2008

Esquire Moore moved, seconded by Esquire Robinson, to approve the September 22nd Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

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RE: Minutes – September 23, 2008 Town Hall Meeting

Esquire Moore moved, seconded by Esquire O'Donoghue, to approve the September 23rd Town Hall Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

RE: Welcome Guests

Judge Powers welcomed the guests who were present at the Fiscal Court Meeting; however, no one had signed the guest comment sheet.

RE: Transfers

Esquire Robinson moved, seconded by Esquire Gedling, to approve the October 13, 2008 Transfers as submitted by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "A-101308"

RE: Claims

Esquire Henning moved, seconded by Esquire O'Donoghue, to approve the October 9, 2008 Claims as submitted by Finance Officer, Cindy Stinnett. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "B-101308"

OLD BUSINESS

RE: Proposed Sites for the Road Department Relocation

Judge Powers explained that the Fiscal Court had advertised for proposed sites for the relocation of the Road Department Garage; however, these are not bids. The ad was to make sure that the public was aware that the court was looking for a site to relocate. Judge Powers further added that the court was not under any obligation to accept any of the proposed sites submitted.

Judge Powers opened and stated each of the following proposed sites submitted for the Road Department Relocation: Arnold O'Reilly and Greg Moore, 4 acres on Hwy 261, south side of the Breckinridge County Extension Office; Dan Powers submitted two properties, G.M. Center on Old Hwy 60 East and 3 acres on U.S 60; Steve and Missy Masterson, Masterson Home Center on 980 East U.S. 60; and Barr Realty & Auction Co., Inc., Smith Welding on U.S. 60. All of the above sites are located in Hardinsburg. Subsequent to discussion, Judge Powers thanked everyone who had submitted a site for consideration. Exhibit "C-101308"

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RE: Bids: HSRC Bathroom / Shelter Project, Block Labor

Judge Powers opened and stated the amount of each of the following bids received on the block labor for the ballpark project: Craig's Masonry, \$17,900.00; Kenneth Roberts Masonry, \$15,600.00 and Ronald Fentress, 2,900 blocks at \$2.50 per block for a total of \$7,250.00.

Subsequent to discussion, Esquire Henning moved, seconded by Esquire Robinson, to accept the bid from Ronald Fentress in the amount of \$7,250.00 pending details of drawing. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "D-101308"

RE: Haynes Cemetery Road

Esquire Gedling moved, seconded by Judge Powers, to accept .48 of a mile of the Haynes Cemetery Road into the county maintenance system. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

NEW BUSINESS

RE: Sheriff's Reimbursement of Over Paid Fees

Judge Powers explained that approximately 38 months ago the State Office and Sheriff's Department both started reimbursing the fiscal court for the court filing fees. However, the State Office was responsible for reimbursement of these fees, not the Sheriff's Department. Recently during an audit, it was discovered that the Sheriff's Department was reimbursing the fiscal court for the court filing fees as well as the state, resulting in an overpayment of \$38,840.00 for the past 38 months.

Judge Powers stated that the Fiscal Court did not charge the Sheriff's Department for these fees. However, the Fiscal Court was going to reimburse the Sheriff's Department for the overpayment. Judge Powers added that he had discussed the issue with Sheriff, Todd Pate. They both agreed that the Fiscal Court would make monthly payments of approximately \$1,000.00 until the total amount of \$38,840.00 was reimbursed.

County Treasurer, Randi Flood stated that since there were only 9 months remaining in the FY 2008-2009 Budget, she suggested transferring \$9,000.00 into the Sheriff's budgeted line item.

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Subsequent to lengthy explanation and discussion, Judge Powers entertained a motion to reimburse the Sheriff's Department a total of \$38,840.00 over a period of 39 months. Esquire O'Donoghue moved, seconded by Esquire Robinson. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "E-101308"

RE: Cloverport VFD, Surplus

Subsequent to brief discussion, Esquire Gedling moved, seconded by Esquire Henning, to declare Cloverport VFD's 1967 Jeep Vin. No.881170140018 as surplus and advertise for bids. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

RE: County Personnel Policy, Rough Draft

Judge Powers presented a rough draft of the County Personnel Policy to the Fiscal Court for review. He further added that the court would discuss the policy during the next several meetings. Once completed, the policy would be adopted by ordinance. He added that the pay scales were not included at this time.

RE: Kentucky Department of Fish and Wildlife (KDFW)

Judge Powers stated that when the Fiscal Court agreed to enter into an agreement with KDFW in order to obtain a grant for expansion, the Fiscal Court was assured that the court would not invest any funds. However, the KDFW has requested the Fiscal Court to consider assisting with the grant's in-kind match.

Judge Powers explained that the road department currently maintains several roads that front that property which could be applied towards the in-kind match. Subsequent to explanation and discussion, Judge Powers entertained a motion to approve a \$10,000.00 in-kind match per year over the next three years pending grant approval and purchase of property. Esquire Moore moved, seconded by Esquire Henning. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

RE: Treasurer's Report

Esquire Robinson moved, seconded by Esquire Moore, to approve the Treasurer's Report for October 13, 2008 as submitted and explained by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "F-101308"

RE: Road Foreman's Report

Road Foreman, Ernie Nix stated that for the past two weeks the road department had been chipping and sealing roads. The gabion baskets were installed on the Tar Spring Road and the remainder of the bridge work was completed. Foreman Nix further added that the

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road department was currently test driving a used oil truck. Judge Powers stated that when the road department oil truck breaks down, chipping and sealing stops. He further added that training on the total patcher would be scheduled as soon as possible. Foreman Nix added that the road department built a tailgate for the total patcher.

Esquire Robinson inquired about the extension of the road sign posts from 8ft to 10ft. Judge Powers stated that as the posts are replaced the posts will be extended. Esquire Robinson asked when was the last time someone was in his area replacing signs. Judge Powers stated that Ray Jolly had been replacing sign for the past 3 or 4 day.

Esquire Gedling inquired about the used oil truck that the road department was test driving. Foreman Nix explained that this truck's regulators are in the cab and can be operated by one employee unlike the road department oil truck which takes two employees to operate.

Subsequent to lengthy discussion, Esquire Robinson moved, seconded by Esquire Moore, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

RE: FEMA Grant

Judge Powers informed the court the Governor announced on October 9, 2008 that the FEMA Grant for disaster relief was granted. The county had submitted approximately \$70,000.00 in disaster clean-up expenses.

RE: EMA Salary Reimbursement

Judge Powers stated that ½ of the EMA Director's salary was reimbursed by the state; and office usage and fuel may be reimbursable as well. He further added that EMA Director, Marty Moore was currently working on the county's state of readiness during a disaster for possible improvements.

RE: Solid Waste Management Plan

Judge Powers stated that he had received a letter commending the Breckinridge County Solid Waste Manager, Roger Jolly. The letter further stated that the county was in compliance with the implementation schedule and the litter abatement funds of \$44,593.00 were disbursed to the county in 2008. Judge Powers added that any funds not used by the county would be paid back.

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RE: 175 Mile Yard Sale

Judge Powers stated that the 175 mile yard sale was very successful. He thanked David Hayes for all his efforts in making it such a huge success. Judge Powers asked if news of the 175 mile yard sale was on the Good Morning America show. David Hayes stated that Hwy 60 was mentioned on the show.

RE: Holt House Project

Esquire Robinson inquired if there were any updates on the Holt House Project. Judge Powers stated that the county had been awarded the grant money pending a couple of stipulations. One stipulation was a 60 year tile opinion which he and County Attorney, Bradley Butler had discussed several months ago and were in agreement. The second stipulation was an environmental assessment which he did not agree with due to the age of the house.

Unfortunately, he had received this information last Thursday and attended a meeting on Friday to resolve this delay. Judge Powers explained that as soon as the money was released the property would be purchased.

RE: Adjournment

Esquire O'Donoghue moved, seconded by Esquire Moore, to adjourn this meeting at 10.55 a.m. with no further business to come before. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

Clerk Certification

I, Sherrie L. Ashley, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Breckinridge County Fiscal Court at the meeting of October 13, 2008.

Sherrie L. Ashley, Fiscal Court Clerk

Date: October 16, 2008