

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**Regular Meeting**  
**Monday, December 8, 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 regular meeting of the Breckinridge County Fiscal Court at 10:00 a.m. at the Courthouse Annex.

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  
Bradley Butler, County Attorney  
Todd Pate, County Sheriff

Staff: Sherrie Ashley, Fiscal Court Clerk  
Randi Flood, County Treasurer  
Ernie Nix, Road Department Foreman

Absent: Charlie Hay, Magistrate, District 3

**RE: Minutes – November 24, 2008**

Esquire Henning moved, seconded by Esquire Moore, to approve the November 24<sup>th</sup> 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 of Guests and Comments**

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 December 8, 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-120808"

**RE: Claims**

Esquire Moore moved, seconded by Esquire Henning, to approve the December 4, 2008 Claims and the December 8, 2008 additional claim to Eskridge Auto Sales in the amount of \$11,800.00 for a pickup truck for the road department as submitted by Judge/Executive Assistant, Odessa Hobbs and County Treasurer, Randi Flood.

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Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).  
Exhibit "B-120808"

**OLD BUSINESS**

**RE: Waterline License, Ova Wright Road**

Esquire Henning moved, seconded by Esquire Robinson, to remove this matter from the table. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Judge Powers explained that the residents requesting the waterline license for the Ova Wright Road were not present; however, he had spoken with plumber, Randall Sheroan. Judge Powers stated that it was his understanding that an easement could not be obtained for the installation of the water meter at this time.

Subsequent to explanation, Judge Powers entertained a motion to table this matter until all the necessary easements are obtained. At that time, a waterline license agreement would be discussed. Esquire O'Donoghue moved, seconded by Esquire Moore, to table this matter until a later date. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

**NEW BUSINESS**

**RE: County Clerk's 2009 Budget**

Esquire Gedling moved, seconded by Esquire Robinson, to approve the County Clerk's 2009 Budget as submitted by County Clerk, Jill Irwin. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (6-0). Exhibit "C-120808"

**RE: County Sheriff's 2009 Budget**

Esquire Robinson moved, seconded by Esquire Moore, to approve the County Sheriff's 2009 Budget as submitted by County Sheriff, Todd Pate. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (6-0). Exhibit "D-120808"

**RE: County Sheriff's Bond, State Advancement**

Sheriff, Todd Pate explained that his office receives monthly advancements from the State Treasury to defray the costs of operating, beginning January 1, 2009; the advancements are repaid at the end of the year.

Subsequent to explanation, Esquire O'Donoghue moved, seconded by Esquire Henning, to approve the Sheriff's Bond for repayment of state advancement. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit E-120808"

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**RE: County Sheriff's 2007 Fee Audit**

Esquire Gedling moved, seconded by Esquire O'Donoghue, to approve the Sheriff's 2007 Fee Audit as submitted by Sheriff, Todd Pate. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (6-0). Exhibit "F-120808"

**RE: Executive Session, Property Acquisition**

Judge Powers entertained a motion to adjourn to Executive Session to discuss property acquisition. Esquire Henning moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

**RE: Executive Session, Adjournment**

Judge Powers entertained a motion to adjourn the Executive Session with no further discussion to come before it. Esquire Moore moved, seconded by Esquire Robinson. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Judge Powers added that the Court discussed property acquisition in Breckinridge County.

**RE: Budget, New Line Item: Land Purchase**

Subsequent to explanation, Esquire Henning moved, seconded by Esquire Gedling, to approve the new line item: 01-8099-7150, Land Purchase. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

**RE: Ordinance No. 120808, Emergency, Budget Amendment No. 120808**

Judge Powers explained that due to the urgency to pay for this property, DLG approved this emergency amendment. Judge Powers presented Ordinance No. 120808, an ordinance of the Breckinridge County Fiscal Court relating to the annual budget and amendment thereof: to increase receipts of the General Fund, account code 01-4510, State Grants by \$1,024,850.00 to include unbudgeted receipts and to increase expenditures of the General Fund, account code 01-8099-7150, Land Purchase by \$1,024,850.00 to include the unbudgeted expenditure within the adopted 2008-2009 FY Budget. The amounts adjusting the receipt and expenditure accounts are for governmental purposes.

Esquire Henning moved, seconded by Esquire Robinson, to approve Ordinance No. 120808, Emergency Budget Amendment No. 120808. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "G-120808"

Judge Powers added that property in Breckinridge County was being purchased with grant money and details would be announced at a later date.

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**RE: Land Purchase**

Judge Powers entertained a motion for the Court to authorize the Breckinridge County Judge/Executive, Ray Powers to expend the funds in the amount of \$1,024,850.00 for the purchase of the property. Esquire Robinson moved, seconded by Esquire Gedling. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0).

**RE: Sheriff's Annual Order, Maximum Amount for Deputies and Assistants**

Esquire Henning moved, seconded by Esquire Gedling, to approve the Sheriff's Annual Order, Maximum Amount for Deputies and Assistants for the calendar year 2009 at \$315,000.00 for deputies, assistants and other employees. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "H-120808"

**RE: Proclamation, Abraham Lincoln Day**

Judge Powers read the proclamation, a Proclamation Proclaiming February 12, 2009, as Abraham Lincoln Day in Breckinridge County and urging citizens, schools, libraries, businesses, churches and media to use this occasion to preserving the legacy of our sixteenth president. Exhibit "I-120808"

**RE: Clerk's Annual Order, Maximum Amount for Deputies and Assistants**

Esquire Moore moved, seconded by Esquire Robinson, to approve the Clerk's Annual Order, Maximum Amount for Deputies and Assistants for the calendar year 2009 at \$265,452.02 for deputies, assistants and other employees. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (6-0). Exhibit "J-120808"

**RE: Treasurer's Report**

Esquire Henning moved, seconded by Esquire Gedling, to approve the December 8<sup>th</sup> Treasurer's Report 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 "K-120808"

**RE: Road Foreman's Report**

Road Foreman, Ernie Nix informed the Court that the salt had arrived. He thanked the Court for purchasing the pickup truck for the road department. He continued that the road department staff was grading, rocking, operating the total patcher and completing minor maintenance on equipment. He also added that the hogs and ditchers were running as well. Esquire O'Donoghue inquired about pothole repairs in his district. Foreman Nix stated that road department staff had repaired potholes on Whispering Oaks last Thursday.

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Esquire Gedling inquired about the quantity of salt delivered. Judge Powers stated that 100 tons of salt was delivered and another 100 tons was scheduled for delivery. However, the County Road Department owed the State Highway Department for 50 tons of salt which would be repaid with the second delivery of salt. He further added that the Court had another 400 tons on allotment at \$66.00 per ton. Subsequent to lengthy discussion, Esquire O'Donoghue 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).

**Regarding Announcements:**

**RE: Courthouse Generator**

Judge Powers stated that the new generator had been installed and tested. EMA Director, Marty Moore added that the delay time was approximately three (3) seconds once the power was shut off. Judge Powers thanked everyone who made the purchase and installation of the new generator possible.

**RE: Cloverport, Fredrick Frazee High School**

Judge Powers congratulated the staff and students of the Fredrick Frazee High School for their rankings in the top 10 of America's Best High Schools.

**RE: Joseph Holt Property**

Judge Powers stated that the Joseph Holt Property was purchased with the \$158,000.00 of grant money received from the Kentucky Heritage Council. Applications for grants for the restoration of the property are in the process, pending the finalizing of purchase. Judge Powers stated that he could not thank Susan Dyer enough for her continual hard work and dedication to this project.

**RE: Adjournment**

Esquire O'Donoghue moved, seconded by Esquire Moore, to adjourn this meeting at 10:50 a.m. with no further business to come before. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (6-0).

**Clerk Certification**

I, Sherrie 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 December 8, 2008.

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Sherrie L. Ashley, Fiscal Court Clerk

Date: December 9, 2008