

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Friday, May 23, 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 Meeting 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
Charlie Hay, Magistrate, District 3
Ronnie Robinson, Magistrate, District 4
Sam Moore, Magistrate, District 5
Joe O'Donoghue, Magistrate, District 6
Bruce Anthony, Chief Deputy
Bradley Butler, County Attorney

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

RE: Minutes – May 12, 2008

Esquire Hay moved, seconded by Esquire Henning, to approve the May 12th Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Welcome of Guest 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 O'Donoghue moved, seconded by Esquire Moore, to approve the May 23, 2008 transfers as submitted by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-052308"

RE: Claims

Esquire Robinson moved, seconded by Esquire Moore, to approve the claims dated May 19, 2008 as submitted by Finance Officer, Cindy Stinnett, with the claim corrections and additional claims dated May 23, 2008 as submitted by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-052308"

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Friday, May 23, 2008
10:00 A.M.

OLD BUSINESS

RE: Ordinance No. 042808 – Sexually Oriented Businesses Regulations

The Fiscal Court Clerk presented for First Reading Ordinance No. 042808, an ordinance establishing reasonable and uniform regulations relating to sexually oriented businesses and their employees within the jurisdiction of Breckinridge County in order to promote the health, safety and general welfare of the citizens of Breckinridge County. It is neither the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material. There is convincing evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the down-grading of property values. The Breckinridge County Fiscal Court desires to minimize and control these adverse effects.

Subsequent to brief discussion, Esquire Henning moved, seconded by Esquire O'Donoghue, to approve First Reading of Ordinance No. 042808. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-052308" (Summary)

RE: Ordinance No. 051208 – Flood Damage Prevention

The Fiscal Court Clerk presented for Second Reading Ordinance No. 051208, an ordinance which applies to all areas of special flood hazard within the jurisdiction of Breckinridge County, as identified by the Federal Insurance Administration, and mandates that no structure or land in said areas shall hereafter be located, or extended, converted or structurally altered without compliance with its provisions; requires the obtaining of a permit from the County Judge/Executive/Mayor as administrator and the Kentucky Division of Water; permitting of manufactured homes within areas of special flood hazard; requires that all new construction and substantial improvements be constructed with materials and utility equipment resistant to flood damage; provides that in all areas of special flood hazard, the lowest floor of any residential structure constructed or substantially improved shall have the lowest floor elevated to or above base flood elevation or has said floor flood proofed; and provides penalties of \$500.00 or imprisonment of not more than 10 days for each day a violation of this ordinance continues.

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Friday, May 23, 2008
10:00 A.M.

Esquire Robinson moved, seconded by Esquire Moore, to approve Seconded Reading of Ordinance No. 051208. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-052308"

RE: Ordinance No. 051208A – Alfred Woods – 15 MPH Speed Limit

The Fiscal Court Clerk presented for Second Reading Ordinance No. 051208A, an ordinance of the Breckinridge County Fiscal Court finding and declaring that travel on certain county roads located in Breckinridge County, Kentucky, at the speed of 55 miles per hour is extremely hazardous to the health, safety, and general welfare of the citizens of Breckinridge County. Therefore, the speed limit on the Alfred Woods Lane, CR1611 shall be 15 miles per hour.

Esquire Henning moved, seconded by Esquire Gedling, to approve Second Reading of Ordinance No. 051208A. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-052308"

RE: FY 2008-2009 County Budget

Subsequent to explanation by Judge Powers, Esquire Hay moved, seconded by Esquire Moore, to approve First Reading of the FY 2008-2009 County Budget with the additions and corrections as submitted by Judge Powers. The FY 2008-2009 County Budget totals: General Fund, \$3,240,056.66; Road Fund, \$2,718,331.78; Jail Fund, \$2,035,279.08 and LGEA Fund, \$84,000.00 with a grant total of \$8,077,667.52. Judge Powers called for a vote on the motion, FIVE MEMBERS VOTING AYE; EQUIRES GEDLING AND O'DONOGUE VOTING NAY (5-2). Exhibit "F-052308" (Additions and Corrections)

NEW BUSINESS

RE: Bids, Breck Central

Judge Powers opened and stated the amount of each of the three bids received on Breck Central's 1999 Ford Expedition: Frank Jones bid \$2000.00, Jason M. Carlisle bid \$1,575.00 and Jesse W. Pile bid \$1,656.00. Esquire Henning moved, seconded by Esquire Moore, to accept the bid of \$2000.00 as submitted by Frank Jones. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "G-052308"

RE: FY 2006-2007 Fiscal Court Audit

Subsequent to brief discussion, Esquire Hay moved, seconded by Esquire Moore, to approve the FY 2006-2007 Fiscal Court Audit. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "H-052308"

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Friday, May 23, 2008
10:00 A.M.

RE: Hiring of Pool Employees

Subsequent to discussion, Esquire Robinson moved, seconded by Esquire Moore, to hire three more pool employees: Lifeguard, Kristen Whitworth at \$6.75 per hour; Gate Attendants, Benjamin Bruington and Regina Fentress at \$5.85 per hour. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "I-052308"

RE: FY 2008-2009 Standing Orders

Esquire Hay moved, seconded by Esquire Robinson, to approve the FY 2008-2009 Standing Orders. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "J-052305"

RE: Treasurer's Report

Esquire Hay moved, seconded by Esquire Gedling, to approve the Treasurer's Report for May 23, 2008 as submitted and explained by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "K-052308"

RE: Road Foreman's Report

Subsequent to brief discussion, Esquire Hay moved, seconded by Esquire Robinson, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Esquire Hay thanked the Road Foreman and the Road Department Crew for the excellent work completed in the 3rd District. Esquire Gedling added that Tar Springs was in desperate need of repair. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Priority Waterline Projects

Judge Powers stated that Lincoln Trail had advised that the Fiscal Court priorities some of the waterline projects in the county. Judge Powers explained that in order for a project to be placed on the priority list the engineering had to be completed, and the project must be attached to a current project. Subsequent to lengthy discussion, Esquire Henning moved, seconded by Esquire Moore, to approve an extension of Web Road, estimated project cost of \$180,000.00 and an extension of Hwy 144 along US 60 connecting to Hardinsburg, estimated project cost of \$480,000.00 as top priority waterline projects. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Friday, May 23, 2008
10:00 A.M.

RE: Announcement

Judge Powers announced that BRAC is hosting a federal hiring symposium at the Rough River State Resort Park on June 10, 2008. The symposium will inform the citizens of Breckinridge County about job openings, qualifications, etc. that will be available during the expansion of Fort Knox. Judge Powers added that information and registration about the event can be completed on-line at oneknox.com on June 6th at 10:00 a.m.

RE: Sheriff's Department Funding

Esquire O'Donoghue moved, seconded by Esquire Gedling, to add \$20,000.00 to the Sheriff's line-item from the run-off election line-item. Subsequent to lengthy discussion, Esquire Hay moved, seconded by Esquire Robinson, to table this motion until the June 9th Fiscal Court Meeting. Judge Powers called for a vote on the motion, FIVE MEMBERS VOTING AYE, JUDGE POWERS AND ESQUIRE O'DONOGHUE VOTING NAY (5-2).

RE: Jim Richardson Road

Esquire Robinson inquired about the Jim Richardson Road consisting of three tenths (3/10) of a mile which he had brought before court several months ago. He further stated that the residents wanted to rename the road the Circle R Lane.

RE: Adjournment

Esquire Robinson moved, seconded by Esquire Moore to adjourn this meeting at 11.45 a.m. with no further business to come before it. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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 May 23, 2008.

Sherrie L. Ashley, Fiscal Court Clerk

Date: _____