

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
LGEA & CRA Hearing/Regular Meeting
Monday, June 09, 2008
10:00 A.M.

LGEA & CRA Proposed Use Hearing:

RE: Call to Order

After leading in the Pledge of Allegiance and a word of prayer, Judge Powers called to order the Breckinridge County Fiscal Court Public Hearing regarding the proposed use of the Local Government Economic Assistance (LGEA) and the County Road Aid (CRA) funds 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
 Todd Pate, County Sheriff
 Bradley Butler, County Attorney

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

After explaining that the LGEA funds were restricted and the CRA funds were for county road maintenance, Judge Powers opened the floor to the public for comments and recommendations on the use of the LGEA and the CRA funds. Subsequent to discussion, Esquire Henning moved, seconded by Esquire Gedling, to adjourn the LGEA and CRA Proposed Use Hearing. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Call to Order

Judge Powers called to order the regular meeting of the Breckinridge County Fiscal Court at 10:30 a.m.

RE: Minutes – May 23, 2008

Esquire Robinson moved, seconded by Esquire Moore, to approve the May 23rd Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
LG&A & CRA Hearing/Regular Meeting
Monday, June 9, 2008
10:00 A.M.

RE: Welcome of Guests and Comments

After welcoming the guests who were present at the Fiscal Court Meeting, Judge Powers opened the floor to the guests who had signed the guest comment sheet.

Mr. Kenneth Rogers addressed the court about several issues pertaining to the Hopewell Church road: speeding problems, pests, and road conditions. He asked if the county could place speed limit signs on the road, spray for mosquitoes and ticks, and chip and seal the road in the near future.

Judge Powers explained that the current speed limit on a county road was 55 miles per hour, and the county did not have a county wide ordinance in place lowering that limit at this time. He further added that each county road may need to be addressed individually.

Judge Powers stated that the county did not spray for pests, but were currently mowing every working day. Esquire O'Donoghue stated that the extension office usually provides this service. Judge Powers further added that several roads would be chipped and sealed this year as revenues permit. He thanked Mr. Rogers for his concerns and comments.

Ms. Kathleen Bethge addressed the court about the three extensions off of Timbercrest Lane which had been blacktopped by the residents. She stated that she wanted the three extensions taken into the county maintenance system. Esquire O'Donoghue added that the three extensions meet the county requirements, however; he did not have the length of each road at this time.

Ms. Bethge further inquired about the tiles which had not been installed. Judge Powers added that the tiles would be installed as soon as possible. Michael Durnil added that the residents were afraid that the tiles would be stolen. Road Foreman, Ernie Nix stated that the backhoe is currently being repaired, once completed the road department will be installing the tiles. Judge Powers thanked Ms. Bethge for her comments.

Mrs. Anna Voyles and Mr. Joe Voyles addressed the court about the speeding problem on the J.E. Haynes Lane. Mr. Voyles also added that he would like for the J.E. Haynes lane to be chipped and sealed. Judge Powers stated that several county roads would have to be evaluated individually in order to set a proper speed limit. He further added that several roads would be chipped and sealed this year. He thanked Mr. and Mrs. Voyles for their comments and concerns.

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
LGEA & CRA Hearing/Regular Meeting
Monday, June 9, 2008
10:00 A.M.

Ms. Beveline Philpot thanked the court for the resent work completed on the Lookout Loop from the bottom of the hill to the blacktop. She added that she still would like for the hill to be repaired. Judge Powers thanked Ms. Philpot for her comments.

Mr. John Vorbrink thanked the court for the resent work on the Lookout Loop as well. He further stated that the court should consider not taking any more roads into the county maintenance system and just take care of the roads that they currently have. Judge Powers stated that the court could not put a freeze on accepting roads into the county maintenance system due to demand. Mr. Vorbrink asked if Lookout Loop was on the chip and seal list. Judge Powers stated yes, however; with the continuous rising costs in materials, the number of chipped and sealed miles completed this year would be limited. Judge Powers thanked Mr. Vorbrink for his comments.

Judge Powers once again thanked the guests for their concerns and comments and added that the court appreciated their participation.

RE: Transfers

Esquire Hay moved, seconded by Esquire Moore, to approve the June 9, 2008 transfers as submitted by County Treasurer, Randi Flood. Judge Powers opened the floor to discussion. Esquire Robinson inquired about the \$3,614.46 transfer for dump clean-up and added that he had a few in his district that needed to be addressed. Judge Powers added that these projects were funded with grant monies. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-060908"

RE: Claims

Judge Powers explained that the claim on page three (3) of six (6) in the Road Department Fund to Hobdy, Dye and Read, Inc. was incorrect; the correct amount was \$304.56. Esquire Hay moved, seconded by Esquire O'Donoghue, to approve the claims dated June 5, 2008 as submitted by Finance Officer, Cindy Stinnett with the correction. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-060908"

OLD BUSINESS

RE: Ordinance No. 042808 – Sexually Oriented Businesses Regulations

The Fiscal Court Clerk present for Second 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.

MINUTES
BRECINRIDGE COUNTY FISCAL COURT
LG&A & CRA Hearing/Regular Meeting
Monday, June 9, 2008
10:00 A.M.

Esquire Henning moved, seconded by Esquire Moore, to approve Second Reading of Ordinance No. 042808. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-060908"

RE: Sheriff's 2008 Advancement

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Gedling, to approve the Sheriff's 2008 Advancement as submitted on December 20, 2007, and recorded in Court Order Book No. 25, page 260 but not recorded in the December 20, 2007 Minutes. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Sheriff's Department, Additional Funding

Esquire Robinson moved, seconded by Esquire Moore, to remove discussion of the Sheriff's Department additional funding from the table. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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. Sheriff, Todd Pate explained that additional funding to the Sheriff's Department would increase the quantity and quality of services provided to the residents of Breckinridge County. He further added that it was his duty to the residents of Breckinridge County to periodically request additional funding from the court. He thanked the court for the opportunity to request additional funding at this time.

Judge Powers explained that First Reading of the FY 2008-2009 budget had just been approved by the state and this was not the time to request additional funding. He further added that the cuts from the state and from the insurance premium tax to the county budget had limited the county budget.

Subsequent to lengthy discussion, Judge Powers called for a vote on the motion, ESQUIRES GEDLING, HAY, AND O'DONOGHUE VOTING AYE, AND JUDGE POWERS AND ESQUIRES HENNING, ROBINSON, AND MOORE VOTING NAY (3-4).

RE: Addendum to MOA, State Board of Elections

Esquire Moore moved, seconded by Esquire Henning, to approve the Addendum to the Memorandum of Agreement between the Commonwealth of Kentucky State Board of Elections and the County of Breckinridge. Both parties desire to extend the MOA beyond the duration of the June 30, 2008, established in Paragraph "K" of the Agreement through an Addendum to the original MOA.

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
LG&A & CRA Hearing/Regular Meeting
Monday, June 9, 2008
10:00 A.M.

This Addendum shall be effective through June 20, 2010. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-060908"

NEW BUSINESS

RE: County Attorney's Lease Agreement

Esquire Robinson moved, seconded by Esquire Gedling, to approve the County Attorney's FY 2008-2009 Lease Agreement for the Child Support Division of his office. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-060908"

RE: Resolution No. 060908: V-TAC Grant

Esquire Hay moved, seconded by Esquire Moore, to approve Resolution No. 060908, a resolution of the County of Breckinridge, Kentucky authorizing the Judge/Executive to make application for and, upon approval, to enter into an agreement with the Kentucky Office of Homeland Security (KOHS), to execute any documents which are deemed necessary by KOHS to facilitate and administer the project and to act as the authorized correspondent for the project. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "F-060908"

RE: Statewide Emergency Management Mutual Aid Agreement

Esquire Henning moved, seconded by Esquire Gedling, to approve the Statewide Emergency Management Mutual Aid and Assistance Agreement, an agreement, endorsed by the Kentucky Division of Emergency Management, is between each local entity in the Commonwealth of Kentucky that officially approves and adopts the agreement and thereby becomes a party to the agreement. Each party agrees to execute the agreement and provide mutual aid and assistance to other parties under the terms and conditions contained in the agreement during time of emergency or disaster. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "G-060908"

RE: Treasurer's Report

Esquire Gedling moved, seconded by Esquire Robinson, to approve the June 9, 2008 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 (7-0). Exhibit "H-060908"

RE: Road Foreman's Report

Esquire Hay moved, seconded by Esquire O'Donoghue, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix.

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
LG&A & CRA Hearing/Regular Meeting
Monday, June 9, 2008
10:00 A.M.

Judge Powers added that a four (4) day, ten (10) hour work week had been considered due to the rising cost in fuel and materials. Foreman Nix added that the blacktop plant supervisor agreed to work with the road department if the work week schedule changed. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Announcement

Judge Powers announced that the Breckinridge County Fiscal Court and Emergency Management will be conducting the first stage of testing on the One-Call Now Emergency Alert System on the following dates: June 16, 2008 at 1:00 p.m. CST and June 24, 2008 @ 7:00 p.m. CST.

RE: Adjournment

Esquire Henning moved, seconded by Esquire Hay, to adjourn this meeting at 11:30 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 June 9, 2008.

Sherrie L. Ashley, Fiscal Court Clerk

Date: _____