

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, June 23, 2008
6:00 P.M.

RE: Call to Order

After leading in the Pledge of Allegiance and a word or prayer, Judge Powers called to order the regular meeting of the Breckinridge County Fiscal Court at 6:00 p.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
Cindy Stinnett, Finance Officer
Odessa Hobbs, Judge/Executive Assistant
Randi Flood, County Treasurer
Ernie Nix, Road Department Foreman

RE: Minutes – June 9, 2008

Esquire Henning moved, seconded by Esquire Moore, to approve the June 9th 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 Guests and Comments

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

Mrs. Joan Laslie addressed the court about the status of the Holt Mansion Project. Subsequent to brief review, Judge Powers stated that the district court ruling in favor of selling the property was being appealed on Tuesday, June 24, 2008 by a family member.

Mrs. Laslie also inquired about the District Town Hall Meetings. Judge Powers informed Mrs. Laslie that he hoped to schedule a Town Hall Meeting as soon as his busy schedule permitted. He thanked Mrs. Laslie for her comments.

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RE: Transfers

Esquire Hay moved, seconded by Esquire Moore, to approve the June 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-062308"

RE: Claims

Esquire Hay moved, seconded by Esquire Moore, to approve the claims dated June 18, 2008 and the additional year-end claims dated June 23, 2008 as submitted by Finance Officer, Cindy Stinnett.

Esquire Gedling inquired about the claim on page two (2) of three (3) of the Road Fund to Mago Construction Co. Inc. in the amount of \$102,230.55. He asked if all of the asphalt purchased from Mago went to the Centerview Rough River Lane and if this affected the amount of asphalt purchased for each district. Subsequent to discussion, Judge Powers stated that the asphalt materials were purchased for the Centerview Rough River Lane but this did not affect the districts' portion of the asphalt revenues. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-062308"

OLD BUSINESS

RE: FY 2008-2009 County Budget

Subsequent to explanation by Judge Powers, Esquire Hay moved, seconded by Esquire Moore, to approve Second Reading of the FY 2008-2009 County Budget with the addition of the grant money allocated for the Senior Citizens Center in the amount of \$383,294.00 as submitted by Judge Powers. The FY 2008-2009 Budget totals: General Fund, \$3,623,350.66; Road Fund, \$2,718,331.78; Jail Fund, \$2,035,279.08 and LGEA Fund, \$84,000.00 with a grand total of \$8,460,961.52. Judge Powers called for a vote on the motion, SIX MEMBERS VOTING AYE; ESQUIRE O'DONOGHUE VOTING NAY (6-1). Exhibit "C-062308"

NEW BUSINESS

RE: Resolution No. 062308 – Authorization for Public Properties Corporation

Mr. Keith Brock, a representative from Ross SinClaire explained the Bond Anticipation Notes (BAN's) process to the court. He further added that Fiscal Court authorizes the Public Properties Corporation to issue the BAN's. Subsequent to explanation, Esquire Henning moved, seconded by Esquire Robinson, to approve Resolution No. 062308, a resolution of the Fiscal Court of the County of Breckinridge, Kentucky, authorizing the

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execution of a deed and a lease agreement to the Breckinridge County Public Properties Corporation; authorizing the execution of any other instruments necessary to carry out a plan of financing the cost of the acquisition, construction and equipping of a new courthouse facility; and evidencing the agreement of the county to accept a conveyance of the courthouse facility from the Breckinridge County Public Properties Corporation after the retirement of all obligations issued by said corporation to finance said project. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-062308"

RE: County Employee's Pay Increase

Esquire Hay moved, seconded by Esquire Moore, to approve the FY 2008-2009 County Employees Pay Increase List as submitted by Judge Powers with the Consumer Price Index (CPI) increase of 4.08172% as reported by the U.S. Department of Labor, Bureau of Labor Statistics.

Esquire O'Donoghue inquired about the CPI increase for the Animal Control Officer, Mike Picente. Esquire O'Donoghue stated that Mr. Picente had recently received a pay increase of approximately \$7,200.00 annually. Judge Powers explained that Mike Picente received a promotion from Animal Control Officer to Animal Control Director two (2) months ago. Esquire O'Donoghue asked if Mike Picente was receiving the CPI as well. Judge Powers stated "yes."

Esquire Gedling asked Judge Powers if the state set the maximum salary for the elected officials. Judge Powers explained that the state does set the maximum salary for the elected officials, but the state does not mandate the county employees' pay increases. Esquire Gedling added that the Judge/Executive sets the county employees' pay increases. Judge Powers stated that the CPI was set by the state at 4.08172% for 2008 and pay increases were adjusted according to that number. He further added that the CPI was a fair increase and was included in the budget. Esquire Gedling explained that other counties, whose budgets were tight, gave a lower percentage pay increase to their county employees this year. Esquire Hay stated that the county workers deserved the 4.08172% pay increase. Esquire Gedling added that he did not want to be misunderstood and he agreed that the county workers deserved the pay increase.

Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-062308"

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RE: Road Material Bids for FY 2008-2009

Petroleum Products:

Esquire O'Donoghue moved, seconded by Esquire Gedling, to approve the bid for petroleum products as submitted by Key Oil Company. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "F-062308"

Bituminous Products:

Esquire Robinson moved, seconded by Esquire Gedling, to approve the bid for bituminous products as submitted by Mago Construction Company. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "G-062308"

Emulsified Asphalt:

Esquire Moore moved, seconded by Esquire Henning, to approve the bid for emulsified asphalt as submitted by Asphalt Materials, Inc. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "H-062308"

Crushed Stone:

Esquire Henning moved, seconded by Esquire Gedling, to approve the bid for crushed stone as submitted by White Stone Company. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "I-062308"

Road Tile:

Esquire O'Donoghue moved, seconded by Esquire Robinson, to approve the bid for road tile as submitted by Hardinsburg Tire Service, Inc. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "J-062308"

Crushed Stone:

Esquire Robinson moved, seconded by Esquire Moore, to approve the bid for crushed stone as submitted by Liter's Inc. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "K-062308"

RE: Treasurer's Report

Esquire O'Donoghue moved, seconded by Esquire Gedling, to approve the June 23, 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 "L-062308"

RE: Road Foreman's Report

Esquire Hay moved, seconded by Esquire Robinson, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Judge Powers stated that in several areas of the county, hill slides were a problem especially during the rainy season. He further explained that the use of gabion baskets and rock may solve this continuous

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reoccurrence of slides. Judge Powers added that this could be a cost affected solution in the problem areas of the county. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Library Board of Trustees – Appointment

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Moore, to appoint Anna Sue Brown to the Breckinridge County Public Library Board of Trustees to serve a four year term expiring on June 30, 2012. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit “M-062308”

RE: Insurance Premium Tax

Judge Powers asked if there was any other new business to come before the court. Esquire Gedling addressed the court and summarized what he believed to be the differences between the FY 2007-2008 and FY 2008-2009 budgets.

He stated that the county’s revenue had increased by \$369,000.00 since last year with a carry over of \$400,000.00. He added that the county had made several other changes as follows: increased the number of county employees; hired a full-time EMA Director at \$30,000.00 a year; increased the Animal Control Officer’s pay, and promoted him to Animal Control Director; hired an Assistant Road Foreman at \$30,000.00 a year; increased each county employees’ pay by 4.08172% with no loss of employee benefits; increased other services to the county; purchased additional trucks and property and funded Economic Development.

Esquire Gedling stated: “after studying of the budget, it is obvious to me that we can be solvent without this added burden to the people of the county. Therefore, at this time I make a motion for the County Attorney to draw-up the necessary papers to take off the remainder of the insurance premium tax”. Esquire O’Donoghue seconded.

Judge Powers stated that several of the items mentioned had not been done at this time, but were listed in the FY 2008-2009 budget. He further added that the trucks were needed and Economic Development had been funded. An Assistant Road Foreman had not been hired but would be selected from the current road department staff and placed on salary instead of hourly with a small increase in pay. Judge Powers stated “I don’t have that document in front of me,” and asked if Esquire Gedling would pass it over for him to explain. Judge Powers added that most of the revenue mentioned “above” had not been spent at this time but were budgeted for in the FY 2008-2009 budget.

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He added that it was premature to imply that the county could do without the remainder of the insurance premium tax without knowing what this year could bring.

Esquire Hay moved to postpone this discussion until the first regular Fiscal Court Meeting in January 2009, and Esquire Moore seconded. Esquire Robinson asked Esquire Gedling "what is the reasoning that you've come up with that you want to take the revenue away from the county and hold this county kind of stagnate for the next two years?" Esquire Gedling explained that he believed that the county was in better shape now than it was a year ago. Revenue has gone up \$369,000.00 since the previous year's budget. Judge Powers added that the increase was allocated grant revenues that are required to be included in the budget. Judge Powers added that the budget was a working document and any unexpected expense could affect it. Fuel prices could increase higher than the estimated increase in the budget.

Subsequent to lengthy discussion, Judge Powers called for a vote, to postpone this discussion until the first regular meeting in January, ESQUIRES HAY AND MOORE VOTING AYE; JUDGE POWERS AND ESQUIRES HENNING, GEDLING, ROBINSON, AND O'DONOGHUE VOTING NAY (2-5).

Judge Powers asked if there was any further discussion on the motion made to have the County Attorney draw-up the necessary paperwork to remove the remainder of the insurance premium tax. Esquire Hay added that it would be wrong to remove the remainder of the tax at this time. The cost of living has increased and funding from the state has decreased. Esquire Robinson agreed. Judge Powers called for a vote on the motion, ESQUIRES GEDLING AND O'DONOGHUE VOTING AYE; JUDGE POWERS AND ESQUIRES HENNING, HAY, ROBINSON, AND MOORE VOTING NAY (2-5).

RE: Adjournment

Esquire O'Donoghue moved, seconded by Esquire Gedling, to adjourn this meeting at 6:50 p.m. with no further business to come before it. Judge Powers called for 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 23, 2008.

Sherrie L. Ashley, Fiscal Court Clerk

Date: _____