

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Tax Rate Hearing / Regular Meeting
Monday, September 22, 2008
6:00 P.M.

RE: Call to Order

After leading in the Pledge of Allegiance and a word of prayer, Judge Powers called to order the Tax Rate Public Hearing 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, Sheriff
Bradley Butler, County Attorney

Staff: Sherrie Ashley, Fiscal Court Clerk
Odessa Hobbs, Judge/Executive Assistant
Cindy Stinnett, Finance Officer
Randi Flood, County Treasurer
Ernie Nix, Road Foreman

RE: Tax Rate Public Hearing

Judge Powers explained that the tax rates would remain the same as last year at 11.2% for real property per \$100.00 of assessed value. Judge Powers opened the floor to the public for comments regarding the proposed tax rates.

Since no comments were made, Esquire Henning moved, seconded by Esquire Gedling, to adjourn the Tax Rate Public Hearing. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Call to Order, Regular Meeting

Judge Powers called to order the regular meeting of the Breckinridge County Fiscal Court with all members present.

RE: Minutes – September 8, 2008

Esquire Moore moved, seconded by Esquire Henning, to approve the September 8th Minutes as submitted by Fiscal Court Clerk, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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RE: Welcome Guests

After welcoming the guests who were present at the Fiscal Court Meeting, Judge Powers added that he wanted to thank everyone involved in the storm cleanup. He thanked all of the countless volunteers, fire departments, sheriff's department and law enforcement, the three cities: Hardinsburg, Cloverport, and Irvington, Meade County RECC, road department, and his staff. He further stated that the county may receive some assistance with the cleanup expenses from the state.

Judge Powers once again welcomed the guests; however, no one had signed the guest comment sheet.

RE: Budget, New Line Item: Communication Equipment

Subsequent to discussion, Esquire Henning moved, seconded by Esquire Robinson, to approve the new line item: 01-8001-7030, Communication Equipment. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-092208"

RE: Transfers

Esquire Robinson moved, seconded by Esquire Moore, to approve the September 22, 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 "B-092208"

RE: Claims

Judge Powers stated that there were additional claims and two (2) corrections to the LGEA Fund claims to David Hayes that needed to be changed. The claim in the amount of \$115.40 would be paid to Owensboro/Daviess County Tourism and the claim in the amount of \$207.60 would be paid to Trophy House.

Subsequent to explanation, Esquire Hay moved to vote on the claim in the Road Fund to Equipment Marketing Company in the amount of \$55,900.00 separately.

Subsequent to discussion, Judge Powers entertained a motion to approve the claims and additional claims excluding the Road Fund claim to Equipment Marketing Company in the amount of \$55,900.00. Esquire Hay moved, seconded by Esquire Robinson. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Judge Powers moved, seconded by Esquire Moore, to approve the claim to Equipment Marketing Company in the amount of \$55,900.00. Judge Powers called for a vote on the motion, FIVE MEMBERS PRESENT VOTING AYE; ESQUIRES HAY AND ROBINSON VOTING NAY (5-2). Exhibit "C-092208"

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OLD BUSINESS

RE: Bids: Ballpark Bathroom / Shelter Project

Judge Powers opened and stated the amounts of the following bids received on the ballpark project: Willoughby's Lumber, framing materials \$8,804.90 and block materials \$4,935.00 for a total of \$13,739.90; Bland Concrete & Construction, Inc. flatwork labor \$900.00; Kenneth Roberts Masonry, block materials and labor \$24,143.68; Breck County Ready Mix, concrete \$3,219.00; Lowe's Concrete Products, block materials \$5,154.78; Payne's Plumbing, plumbing \$5,600.00 and Payne's Water Systems and Electric Service, electrical \$5,368.00.

Subsequent to lengthy discussion, Esquire Hay moved to table approving the bids at this time and Esquire O'Donoghue seconded. David Allen addressed the court about approving some of bids in order not to delay construction. Subsequent to explanation, Esquire Hay withdrew his motion to table and Esquire O'Donoghue removed his second. The court agreed to approve several of the bids submitted and advertise the labor on the concrete block walls and partitions again.

Plumbing – Materials and Labor

Esquire O'Donoghue moved, seconded by Esquire Moore, to approve the bid submitted by Payne's Plumbing in the amount of \$5,600.00 for materials and labor. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-092208"

Electrical – Materials and Labor

Esquire Gedling moved, seconded by Esquire O'Donoghue, to approve the bid submitted by Payne's Water Systems and Electric Service in the amount of \$5,368.00 for electrical materials and labor. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-092208"

Concrete block walls and partitions – Materials Only

Esquire Hay moved, seconded by Esquire Robinson, to approve the bid submitted by Willoughby's in the amount of \$4,935.00 for block materials. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "F-092208"

Concrete Materials

Esquire Henning moved, seconded by Esquire O'Donoghue, to approve the bid submitted by Breck County Ready Mix in the amount of \$3,219.00 for concrete materials. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "G-092208"

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Concrete Labor

Esquire Henning moved, seconded by Esquire Robinson, to approve the bid submitted by Bland Concrete & Construction, Inc. in the amount of \$900.00 for concrete labor. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "H-092208"

Framing & Roofing – Materials Only

Esquire Hay moved, seconded by Esquire Robinson, to approve the bid submitted by Willoughby's in the amount of \$8,804.90 for framing and roofing materials. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "I-092208"

Concrete block walls – Labor Only

Esquire Moore moved, seconded by Esquire Henning to **re-bid** the concrete block wall laying at the Hardinsburg Sports and Recreation Complex. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "J-092208"

RE: Bids: Courthouse Generator

Esquire O'Donoghue moved, seconded by Esquire Moore, to remove the Courthouse Generator bids from the table. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Subsequent to lengthy discussion, Esquire Henning moved, seconded by Esquire Moore, to approve the bid submitted by Tool Shed Rentals LLC in the amount of \$32,500.00. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "K-092208"

RE: Update: Mack Truck Sale

Judge Powers stated that the new red Mack Trucks were delivered and the old Mack Trucks sold for \$92,000.00 each at auction on Thursday, September 10, 2008. Judge Powers explained that the old trucks were purchased for \$98,300.00 last year and sold for \$92,000.00. The cost for use of the two trucks was approximately \$6,300.00 each for the year or approximately \$10.00 a day.

NEW BUSINESS

RE: 2008 Property Tax Rates

Judge Powers stated the property tax rates would remain the same as last year at 11.2% for real property and 13.1% for personal property per \$100.00 of assessed value. Esquire Moore moved, seconded by Esquire Gedling to approve the 2008 tax rates.

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Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "L-092208"

2009 Motor Vehicle and Watercraft Property

Judge Powers stated that 2009 Motor Vehicle and Watercraft Property tax rate would remain the same as last year at 13.1% per \$100.00 of assessed value. Esquire Henning moved, seconded by Esquire Robinson, to approve the 2009 Motor Vehicle and Watercraft Property tax rate. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE, (7-0). Exhibit "M-092208"

RE: Waterline Discussion

Judge Powers explained that the Breckinridge County Fiscal Court was notified by the Kentucky Infrastructure Authority on September 11, 2008 about the awarding of the grant money for the waterline extensions in the amount of \$700,000. Receipt date of the grant money was not known at this time. Judge Powers added the City of Hardinsburg had agreed to secure interim financing at their expense and start these projects this fall until the grant money was available.

Subsequent to explanation, Judge Powers entertained a motion that the Breckinridge County Fiscal Court allow the Breckinridge County Judge/Executive to sign a Memorandum of Understanding to reimburse the City of Hardinsburg for the money it has expended up to \$700,000.00 when and if the grant funds are made available on projects WX-21027012 and WX21027036. All documents also have to meet the approval of the Breckinridge County Attorney. Esquire Gedling moved, seconded by Esquire O'Donoghue. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0).

RE: Haynes Cemetery Road

Judge Powers explained that after extensive research a deed was found for the Haynes Cemetery Road which included the entire length of the road. However, only one mile was added to the County Road Map. County Attorney, Bradley Butler advised the court to follow the necessary procedure for accepting a road into the County Road System. Esquire Hay moved to bring it in and put it on the map, seconded by Esquire Robinson.

Judge Powers stated that the court would follow the procedures and have the Haynes Cemetery Road put on the map. Esquire Hay stated that he had already requested the road view committee to inspect the road. Judge Powers called for a vote, ALL MEMBERS PRESENT VOTING AYE (7-0).

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Esquire Hay inquired about the status of Tiffany Estates. Judge Powers added that we were waiting for one property owner's signature on the deed.

RE: Treasurer's Report

Esquire O'Donoghue moved, seconded by Esquire Moore, to approve the Treasurer's Report for September 22, 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 "N-092208"

RE: Road Foreman's Report

Road Foreman, Ernie Nix informed the court that the road department had finished chipping and sealing before the storm hit the county on September 14th. Since that time the road department had been working on storm cleanup. Subsequent to discussion, Esquire Hay thanked Road Foreman, Ernie Nix and Road Department Staff including Steve Critchelow who was present at the meeting for all the work completed in the 3rd District and Esquire Robinson did as well.

Esquire Hay moved, seconded by Esquire O'Donoghue to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0).

RE: Laura's Lane

Subsequent to explanation, Esquire Robinson moved, seconded by Esquire Hay to remove Laura's Lane from the County Road System. Judge Powers explain that the process to remove a road from the County Road System would be followed. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Russelburg Lane

Esquire Gedling moved, seconded by Esquire Hay, to request the road viewing committee to inspect the full length of the lane. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Mary's Lane

Esquire O'Donoghue moved, seconded by Esquire Hay, to request the road viewing committee to inspect Mary's Lane off of Tules Landing Shores. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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RE: Adjournment

Esquire Moore moved, seconded by Esquire O'Donoghue, to adjourn this meeting at 7:10 p.m. with no further business to come before. 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 September 22, 2008.

Sherrie L. Ashley, Fiscal Court Clerk

Date: September 25, 2008