

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**Special Called Meeting**  
**Friday, February 13, 2009**  
**3:00 P.M.**

**RE: Call to Order**

After leading in the Pledge of Allegiance and a work of prayer, Judge Powers called to order the special called meeting of the Breckinridge County Fiscal Court at 3:00 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  
Bradley Butler, County Attorney  
Bruce Anthony, Chief Deputy

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

**NEW BUSINESS**

**RE: Ice Storm Cleanup**

Judge Powers explained that the state had initially planned to contract cleanup crews to clean the county right of ways and pay 100% of the cost. However, the plan and percentage has changed several times during the past few weeks. The plan went from no cost to the county to the normal FEMA plan: FEMA responsible for paying 75%, the state 12%, and the county 13% of the cleanup expenses. Also, the state had suggested holding the county's 13% of the cost out of the last county road aid check.

Currently the state plans to pay \$5.45 per cubic yard of limbs. The county has 560 miles of county roads with debris on every mile. Calculating the actual cost of cleanup is very difficult. The state requested confirmation if the county was going to participate in the state contracts.

After much deliberation, with no certainty from the state another plan was devised. The county plan consist of four work crews, one work crew in every quadrant of the county

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with a chipper cleaning up our own debris. According to FEMA, we have approximately 6 months to complete the project.

Judge Powers proposed hiring 12 seasonal workers at \$10.97 per hour until May 1, 2009 just for the cleanup project. FEMA will reimburse 75% of a seasonal worker's wages if hired but will not reimburse a regular full-time county worker's wages unless it is over time hours because the cleanup work would be considered normal work requirements.

Esquire Hay inquired if the 12 seasonal workers were hired for cleanup would the road department staff work on repairing the county roads. Judge Powers stated that a portion of the road department staff would supervise the four seasonal cleanup crews. Each four man crew would operate 1 chainsaw, 1 pickup truck and 1 chipper.

Judge Powers continued that FEMA usually reimburses approximately \$3.00 per cubic yard of chips hauled to a nearby landfill. Judge Powers stated that Domtar Paper Mill had agreed to purchase the chips for pulp fuel from the county at approximately \$8.00 to \$10.00 per ton.

Esquire O'Donoghue asked how many tons the semi truck would be able to haul in each load. Judge Powers stated 25 to 30 tons. He added that he had purchased a truck for \$13,300 and was going to purchase a trailer for less than \$5,000. FEMA would reimburse \$84.00 per hour, per day that the truck was used.

Subsequent to discussion, Judge Powers stated that he did not want to participate in the state program. Esquire Hay asked if there was revenue in the budget to cover these added expenditures until we receive the 75% of FEMA reimbursement. Judge Powers stated "to the best of my knowledge at this point we can do this, but you've got to realize that we are not going to be reimbursed for 6 months probably". He further added that even if the county went with the state contractors it would be the same situation on reimbursement.

Judge Powers explained the advantages to completing the project ourselves.

- Hire local county residents (12 seasonal laborers)
- FEMA will reimburse 75% of seasonal workers wages
- Cheaper to complete the project ourselves instead of paying contractors
- State contractors will bring debris from the state right of ways to our dump site for chipping and selling
- Lease industrial grinder at \$500.00 per hour to handle larger debris
- 100% reimbursement on leased equipment
- Industrial grinder will chip two semi truck loads an hour
- FEMA will reimburse hourly rate for all equipment used

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Esquire Robinson inquired about the plans for the 12 seasonal workers. Judge Powers stated that there would be 4 cleanup crews each crew consisting of 1 road department supervisor, 3 seasonal workers, 1 chainsaw and 1 chipper. The chipper will feed directly into the tri axle/dump truck, once full the tri axle/dump truck will haul the chips to the dump site. After several questions, Judge Powers informed the Court that not all of the minor details had been completed.

Esquire Hay inquired if 12 seasonal workers would be enough to complete the project by May. Judge Powers stated that he may ask the Court to hire a few more, but at this time 12 will be enough. He added that until the chips are sold, a long term permanent dump site was the issue.

Subsequent to lengthy discussion, Judge Powers entertained a motion to allow him to hire 12 seasonal employees at \$10.97 per hour, employment to run until May 1 without further additional approval and to authorize him to interview, schedule a pre-employment drug test, physical and run a criminal back ground check on each according to the personal policy. Esquire Hay moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Adjournment**

Esquire Hay moved, seconded by Esquire Robinson, to adjourn this meeting at 3:25 p.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 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 February 13, 2009.

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Sherrie L. Ashley, Fiscal Court Clerk

Date: February 17, 2009