

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, March 23, 2009
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 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
Bradley Butler, County Attorney
Todd Pate, County Sheriff

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

RE: Minutes – March 9, 2009

Esquire Hay moved, seconded by Esquire Robinson, to approve the March 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 Comment

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.

Ms. Catharine Barnes addressed the court about the indoor air quality study for Breckinridge County and the key findings of the study which were published in the local paper. She requested that the court consider making the county buildings non smoking facilities. Judge Powers thanked Ms. Barnes for her comments. He added that Cheryl Armes was going to present the indoor air quality findings to the court.

RE: Proclamation: Arbor Day

Judge Powers read the proclamation, a Proclamation proclaiming April 3, 2009 as Arbor Day in Breckinridge County and urging all citizens to participate in observance of this day by planting a tree. Exhibit "A-032309"

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RE: Proclamation: Autism Awareness

Judge Powers read the proclamation, a Proclamation proclaiming the month of April 2009 as Autism Awareness Month in Breckinridge County and urging all citizens to take cognizance of this event and participate fittingly in its observance. Ms. McDaniels and Mr. Barry Smith were present to accept the proclamation. Exhibit "B-032309"

RE: Budget, New Line Item: Safety Equipment

Esquire Hay moved, seconded by Esquire Henning, to approve the new line item: 02-6105-4991, safety equipment. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Transfers

Esquire Moore moved, seconded by Esquire Gedling, to approve the March 23rd Transfers as submitted by County Treasurer, Randi Flood. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-032309"

RE: Claims

Esquire Hay moved, seconded by Esquire Moore, to approve the March 19th claims and the March 23rd additional claim as submitted by Judge/Executive Assistant, Odessa Hobbs. Esquire Gedling inquired about a claim on page 2 of 3 of the general fund to Paul Combs and Associates, Inc. in the amount of \$458.75. He added that to date the county had paid a total of \$1,408.00 for consulting services. Esquire Gedling stated that the County Attorney should be able to consult the county on personnel issues. Judge Powers stated that Paul Combs and Associates specialized in labor laws and personnel issues. County Attorney, Bradley Butler added that he handle general legal issues of the court and advised the court to have an expert in the field of labor laws.

Esquire O'Donoghue inquired about a claim on page 2 of 4 of the road fund to Joe Bennett Backhoe and Rental. Judge Powers stated that the trackhoe was rented for the debris removal project and the cost would be reimbursed by FEMA. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-032309"

NEW BUSINESS

RE: Presentation: Cheryl Armes, Clean Air

Judge Powers stated that he had invited Cheryl Armes to present the indoor air quality study key findings to the court. Ms. Armes gave a brief explanation of her position at the Health Department as the Tobacco Coordinator. One of her responsibilities was to teach tobacco prevention and offer sensation to those who wanted to quit. Ms. Armes continued to explain that the purpose of the indoor air quality study was to assess air quality in public venues in Breckinridge County and compare the results to other areas' air quality data collected before and after their smoke-free laws took effect.

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Ms. Armes stated that according to the study the indoor air was not healthy and secondhand smoke was a problem to the health of the residents of Breckinridge County. Ms. Armes added that the next step was to advertise about the health issues of secondhand smoke. Subsequent to explanation and discussion, Judge Powers thanked Ms. Armes for her presentation. He added that he had numerous complaints about the smoke at the courthouse especially on scheduled court days. Exhibit "E-032309"

RE: Appointments: Hospital Board of Trustees

Judge Powers explained that the Breckinridge Health, Inc. (BHI) Board of Trustees submitted a list of BHI Board Members whose terms were expiring at the end of March 2009. All the members listed were interested in re-nomination and willing to serve another term. Judge Powers stated that each one should be voted on individually.

Esquire Henning moved, seconded by Esquire Hay, to re-appoint (1st District) Mr. William Monin to another 3 year term. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Esquire Robinson moved, seconded by Esquire Hay, to re-appoint (4th District) Mr. Donnie Robinson to another 3 year term. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Esquire Moore moved, seconded by Esquire Robinson, to re-appoint (5th District) Mr. Robert Butler to another 3 year term. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Esquire O'Donoghue moved, seconded by Esquire Moore, to re-appoint (6th District) Mr. Paul Ed Butler to another 3 year term. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Judge Powers opened the floor to the BHI President and CEO, Mr. John Monnahan who gave an update on the hospital's construction project. Mr. Monnahan stated that 25% of the project was completed and the completion date was around the middle of August. Judge Powers thanked Mr. Monnahan for the update.

RE: Personnel Appointment: Finance Officer, Odessa Hobbs

Judge Powers explained that Judge/Executive Assistant, Odessa Hobbs had agreed to fill in for Finance Officer, Cindy Stinnett while she was on maternity; however, Cindy Stinnett resigned from her position on January 31, 2009. Judge Powers added that he had offered the position to Odessa because she had been trained in several of the finance officer duties for the past four months.

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Subsequent to explanation, Judge Powers entertained a motion to approve Odessa Hobbs as the new Finance Officer at a salary of \$26,000.00 annually. Esquire O'Donoghue moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). The Fiscal Court congratulated Odessa on her promotion.

RE: Presentation: FY 2009-2010 Jail Fund Preliminary Budget

Jailer, Allen Shrewsberry submitted the Jail Fund Preliminary FY 2009-2010 Budget to the Fiscal Court for review. Jailer Shrewsberry explained that the jail's revenues had decreased due to changes in the state's policies. Esquire O'Donoghue inquired about how many empty beds the jail had at this time. Jailer Shrewsberry stated approximately thirty. He added that the jail has a total of 190 beds and usually houses at least 150 state inmates, today the state inmate count was down to 117. Exhibit "F-032309"

RE: Treasurer's Report

Esquire Gedling moved, seconded by Esquire Robinson, to approve the 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 "G-032309"

RE: Road Foreman's Report

Road Foreman, Ernie Nix stated that the road department staff was grading and rocking when possible and started hauling chips today. Esquire Hay inquired about the percentage of county roads which have had debris removed. EMA Director, Marty Moore stated that as of Friday 25% of the county roads had been cleared. He added that last week, 13.75 miles were cleared of debris but only two chippers were operating. Foreman Nix added that several of the road department staff was still off from work due to injuries.

Equipment Purchase and Personnel

Subsequent to discussion, Judge Powers entertained a motion to purchase another chipper at approximately \$14,000.00 or less and hire an additional 6 seasonal workers at an hourly rate of \$10.97. Esquire Hay moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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

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RE: Proposal: County Roadway Maintenance Garage Site and Building Plan

Judge Powers explained that Smith Engineering and Land Surveys, Inc. had submitted a site and building plan proposal for the County Roadway Maintenance Garage at a fee of 5.6% of the selected contractors bid. Subsequent to discussion, Judge Powers entertained a motion to hire Smith Engineering and Land Surveys, Inc. for the project. Esquire Hay moved, seconded by Esquire Henning. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "H-032309"

RE: Bid Advertisement: Breckinridge Industry's Building Repairs

Judge Powers explained that the membrane roof on the Breckinridge Industry building needed to be repair at approximately \$18,000.00. Esquire Gedling moved, seconded by Esquire Henning to advertise for bids on the repairs. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Nuisance Ordinance

Esquire Robinson inquired about the status of the Nuisance Ordinance. County Attorney, Bradley Butler stated that ordinance will be completed in the near future.

RE: Carter Lane

Esquire Hay inquired about the status of the deed for Carter Lane. County Attorney, Bradley Butler stated that he had received the deed today.

RE: Road Viewing Committee

Esquire Robinson inquired if any one had been appointed to the road viewing committee. Judge Powers stated not at this time, but he would appoint someone as soon as possible.

RE: Adjournment

Esquire Henning moved, seconded by Esquire Gedling, to adjourn this meeting at 7:15 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 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 March 23, 2009.

Sherrie L. Ashley, Fiscal Court Clerk

Date: April 9, 2009

