

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**Special Called Meeting**  
**Friday, May 15, 2009**  
**10:00 A.M.**

**RE: Call to Order**

After leading in the Pledge of Allegiance and a word of prayer, Judge Powers called to order the special called meeting of the Breckinridge County Fiscal Court 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  
Bradley Butler, County Attorney  
Todd Pate, County Sheriff

Staff: Sherrie Ashley, Fiscal Court Clerk

**OLD BUSINESS**

**RE: Payment Approval, County Road Garage Property**

Esquire Moore moved, seconded by Esquire Henning, to approve payment of the County Road Garage Property in the amount of \$60,000.00. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: FY 2009-2010 County Budget**

General Fund: Pool (page 3 of 9)

Judge Powers opened the floor for discussion on the proposed FY 2009-2010 County Budget. Esquire Robinson inquired about the pool's revenues. With revenues less than the expenditures, the pool may not be an asset to the county. Judge Powers stated that the service to the residents of the county was an asset. Esquire Robinson asked how the county obtained ownership of the pool.

Esquire Henning explained that the pool was going to be closed. He agreed that the service was an asset. Judge Powers added that the county received grant money for the initial renovation. Esquire Robinson stated that he did not want to close the pool; he wanted it to break even and made several suggestions on how to increase revenues. Judge Powers added that they have worked on increasing revenues.

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General/Road Fund: Grant Revenues (page 1 of 3)

Esquire O'Donoghue inquired about the grant money listed in the revenues. He asked if it was in writing that the county would receive the budgeted amounts. Judge Powers stated that applications for the grants were submitted. Esquire O'Donoghue added that there was no guarantee that the county would receive the money.

Judge Powers stated no there was not, but he had to include the amounts in the revenues. Judge Powers added that 50% of the \$350,000.00 budgeted FEMA money would be applied for by the end of this month. He further added that the FEMA money could only be used for debris expenses, and he could not move the money anywhere else. Esquire Robinson inquired about the time frame on the FEMA reimbursement. Judge Powers explained the process and added that the reimbursement could take as long as 18 months.

Road Fund: Interim Financing (page 3 of 3)

Esquire Gedling inquired about the KACO Leasing Trust agreement. Judge Powers explained that the \$495,000.00 would supplement the road fund until the FEMA reimbursement was received at which time the \$495,000.00 interim financing would be paid.

General Fund: EMA Director's Salary (page 2 of 9)

Esquire Hay inquired about the EMA Director's Salary of \$38,100.00. He further moved that the salary be decrease to \$30,000.00, so that all county employees would receive the same 2% increase. Esquire Gedling seconded. Judge Powers stated that the EMA Director deserved a little more than that. The assistant road foreman position started at \$32,500.00.

Esquire Gedling added that there will be times when Mr. Moore will not have to work overtime. He further stated that with the economy in the shape that it is in, he agreed with Esquire Hay that a 2% increase for all of the employees was fair. Judge Powers further explained his reasoning and stated that his expertise was worth something. Mr. Moore knows all the FEMA rules and has worked with FEMA. Judge Powers added that he deserves more than \$30,000.00.

Subsequent to discussion, Esquire Hay moved to amend his motion to \$31,000.00, seconded by Esquire Gedling. Judge Powers called for vote on the motion, ALL MEMBERS VOTING AYE (7-0).

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Esquire Hay moved, seconded by Esquire Gedling, to approve the motion as amended. Judge Powers called for a vote on the motion, ESQUIRES HENNING, HAY, GEDLING, ROBINSON, AND O'DONOGHUE VOTING AYE; JUDGE POWERS AND ESQUIRE MOORE VOTING NAY (5-2). MOTION CARRIED.

Road Fund: Crushed Stone and Concrete (page 5 of 9)

Judge Powers explained that a motion needed to be made to put the \$7,100.00 into another line item because the budget had to balance. Esquire Hay moved to add the \$7,100.00 to the Road Fund: line item 0261054090, crushed stone and concrete, seconded by Esquire Robinson. Judge Powers called for vote on the motion, ALL PRESENT VOTING AYE (7-0).

General Fund: Ambulance Service Worker's Compensation (2 of 9)

Esquire Robinson inquired about line item 0151402090, ambulance service worker's compensation. He stated that the ambulance service was a private corporation and asked if the Court had any representation on that board since the Court paid their insurance. Judge Powers explained that he was given an advisor position, a position that could not vote on any issues so, no the Court did not have any representation on the ambulance board.

Esquire Robinson inquired about the legalities pertaining to a Court member serving on the ambulance board since it was a private corporation. County Attorney, Bradley Butler added that legally the Court could not force the ambulance board to provide a position for a Court member.

Esquire Robinson suggested requesting a financial report from the ambulance service on a regular basic. Judge Powers added that the Court could request a regular report and if they did not comply the money could be cut from the budget. County Attorney, Bradley Butler recommended requesting the information before the cut was made.

Esquire Robinson added that he did open the matter up for discussion in order to cut the line item from the budget; he was concerned that the Court did not have any representation on that board. He further explained that since the ambulance service was a private corporation, which was funded by tax dollars from the Court; the Court should have representation on that board. Several members of the Court agreed with Esquire Robinson.

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General Fund: Dispatch Supervisor/911 Coordinator (page 2 of 9)

Esquire Robinson inquired about the job description and responsibilities of the Dispatch Supervisor/911 Coordinator's position. Judge Powers stated that Ms. Brown was the 911 Coordinator, made miscellaneous road signs and other road department secretarial duties, but she was not the dispatcher supervisor. Subsequent to discussion, Esquire Robinson explained that he just wanted to understand why she was listed as the dispatch supervisor/911 coordinator.

General Fund: Animal Shelter (page 3 of 9)

Esquire Robinson inquired about line item 0152057410, animal shelter in the amount of \$20,000.00. Judge Powers explained that the \$20,000.00 was for unexpected expenses. Esquire Hay added that both the animal shelter employees were certified to euthanize animals.

General Fund: Clean-up Costs (page 3 of 9)

Esquire O'Donoghue stated that the county had not had a tire clean-up project for several years. Judge Powers explained that the county was not able to acquire any grants to fund this project. He further added that the clean-up cost in the amount of \$8,500.00 was grant money which had to be used for clean-up projects. Judge Powers added that the tire clean-up project was costly and without grant money available the county could not afford it.

General Fund: Judicial Center Secretary (page 3 of 9)

Esquire Robinson inquired about line item 018001165, judicial center secretary, in the amount of \$1,000.00. Judge Powers explained that occasionally the court wrote the check to the judicial center secretary, but the expense was reimbursed.

Road Fund: New Equipment (page 5 of 9)

Esquire Hay inquired about line item 0261057130, new equipment in the amount of \$300,000.00 (appropriation/expense) and on page 2 of 3 excess equipment sales in the amount of \$200,000.00 (revenues). He asked if the county should sell the trucks this year. Judge Powers stated "yes", and explained why. Esquire Hay asked what the additional \$100,000.00 was for. Judge Powers stated that the road department may need a new tractor, equipment repairs or replace an old vehicle. Esquire Henning inquired about the percentage guarantee on the sell of the trucks. Judge Powers stated 91% of the cost.

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Road Fund: Small Tools (5 of 9)

Esquire Robinson inquired about line item 0261054750, small tools in the amount of \$7,500.00. Judge Powers explained that small tools were chain saws, air compressor or hand tools. Esquire Robinson stated as previously discussed with the Judge, the road department needed a tool cage in order to keep the small tools secured. Esquire O'Donoghue added that the road department garage has a tool cage.

Esquire Robinson added that a purchase order system hopefully would be implemented with restrictions and/or limitations on the number of county employees who were authorized to make purchases. The purchase order system would help the Court keep track of every little item or small tool purchased and the cost of those items. Judge Powers stated that a purchase order system had been setup and Finance Officer, Odessa Hobbs had been working on the system. She just about had the purchase order system under control.

Judge Powers explained that inventory control was part of the assistant road foreman's responsibilities. Esquire Robinson stated that he was not for sure that the Court needed an assistant road foreman. Judge Powers added that he was not sure either.

Esquire Robinson suggested that a road department staff member be appointed to fill-in when the road foreman was absent and paid a higher hourly rate. Esquire Robinson asked if Judge Powers was in agreement with his suggestion. Judge Powers added that he understood, but it was difficult for one person to keep track of the employees and work as well. Although the assistant road foreman position was a working position and Phil Sutton was able to run his grader, he was not committed to the assistant road foreman's responsibilities.

Road Fund: Bridge Construction (page 5 of 9)

Esquire Robinson inquired about line item 0280033120, bridge construction in the amount of \$380,000.00. Judge Powers stated that he had applied for grants for bridge repairs.

General Fund: Travel and Training (page 1 of 9)

Esquire Gedling inquired about the decrease in line item 0150255690, Fiscal Court Travel and Training. Judge Powers explained that it was not used last year. Esquire Gedling inquired about the increase in line item 0150015690, Judge/Executive's Travel. Judge Powers explained that he almost went over the budgeted amount because of the BRAC Road Show and other travels.

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General Fund: Secretary (1 of 9)

Esquire Hay inquired if a secretary was going to be hired. Judge Powers stated that he was still interviewing applicants.

General Fund: Industrial Development Contribution page (2 of 9)

Esquire O'Donoghue moved to amend the budget and remove the \$40,000.00 from the industrial development contribution, and Esquire Gedling seconded. Esquire Hay inquired if the money was removed and they requested funding, could the Court transfer money back into that line item. Judge Powers explained that if the money was removed, it could be difficult to find the funds to transfer. He further stated that the county had invested a lot into economic development and that investment would be lost. He continued to explain the values of economic development and read a letter to the Court from Dave Schoenbachler which addressed the issue.

Esquire Gedling inquired about the total amount invested into economic development over the past few years. Judge Powers stated that \$208,000.00 had been budgeted during his term. Esquire O'Donoghue stated that \$40,000.00 was invested in FY 2006-2007. Subsequent to discussion, Esquire Henning moved to question. Judge Powers called for a vote on the motion, ESQUIRES, GEDLING, HAY AND O'DONOGHUE VOTE AYE; AND ESQUIRES HENNING, ROBINSON, MOORE AND JUDGE POWERS VOTING NAY (3-4). MOTION DID NOT CARRY.

LGEA Fund: Ballparks

Esquire Robinson stated that he had previously asked about how the funds were divided between the ballparks, but he wanted to ask the question again. Judge Powers explained that the Hardinsburg ballpark was a county owned facility and the other ballparks were not county owned. Also, the Hardinsburg ballpark had several more fields to maintain.

Budget Question:

Esquire Hay asked County Attorney, Bradley Butler a question pertaining to the budget. He asked if the Court was required to spend the funds that were listed in the budget. County Attorney, Bradley Butler explained that the Court had certain obligations but just because funds were budgeted did not mean they were required to spend those funds.

Claims Question:

Esquire O'Donoghue inquired about approving the claims with the exclusion of one or two. County Attorney, Bradley Butler explained several scenarios and how each one should be addressed. Esquire O'Donoghue stated that he did not mind approving a payment if he knew what the payment was for.

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Budget Changes:

Judge Powers entertained a motion to adjourn then he withdrew his motion. Subsequent to discussion, Judge Powers entertained a motion to approve the FY 2009-2010 County Budget as amended. Esquire Moore moved, seconded by Esquire Robinson. Judge Powers called for a vote on the motion, ESQUIRES HENNING, GEDLING, HAY, ROBINSON, MOORE AND JUDGE POWERS VOTING AYE; ESQUIRE O'DONOGHUE VOTING NAY (6-1). MOTION CARRIED.

**RE: Adjournment**

Judge Powers entertained a motion to adjourn this meeting at 11:25 a.m. with no further business to come before it. Esquire Henning moved, seconded by Esquire Gedling. 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 Special Called Meeting of May 15, 2009

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Sherrie L. Ashley, Fiscal Court Clerk

Date: May 25, 2009