

**MINUTES**  
**BRECKINRIDGE COUNTY FISCAL COURT**  
**LGEA & CRA Hearing/Regular Meeting**  
**Monday, June 8, 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 Breckinridge County Fiscal Court Public Hearing regarding the proposed use of Local Government Economic Assistance (LGEA) and the County Road Aid (CRA) funds 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  
Justin Magness, Sheriff's Deputy

Staff: Kathina Bell, Fiscal Court Clerk  
Odessa Hobbs, Finance Officer  
Sherrie Ashley, County Treasurer  
Ernie Nix, Road Foreman

Judge Powers opened the floor to the public for comments and recommendations on the use of the LGEA and the CRA funds. No comments were made. Judge Powers entertained a motion to adjourn the proposed use hearing. Esquire Hay moved, seconded by Esquire Robinson, ALL PRESENT VOTING AYE (7-0).

**RE: Call to Order**

Judge Powers called to order the Regular Meeting of the Breckinridge County Fiscal Court at 10:05 a.m.

**RE: Appointment: Temporary Fiscal Court Clerk**

Judge Powers entertained a motion for approval to have Kathina Bell to fill in as Temporary Fiscal Court Clerk at the current salary until a permanent appointment could be made. Esquire Robinson moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Minutes – May 28, 2009**

Esquire Henning moved, seconded by Esquire Gedling, to approve the May 28<sup>th</sup> 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 of Guest and Comments**

Judge Powers welcomed the guests who were present at the Fiscal Court Meeting; however, no one had signed the guest comment sheet.

**RE: Transfers**

Esquire Henning moved, seconded by Esquire Moore, to approve the June 8, 2009 Transfers as submitted by County Treasurer, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-060809"

**RE: Claims**

Esquire Henning moved, seconded by Esquire Robinson, to approve the May 28, 2009 Claims as submitted by Finance Officer, Odessa Hobbs. Esquire Hay inquired about stopping all contracted labor claims. Esquire Hay expressed concerns about the length of time and labor being used for the debris removal cleanup. He further stated that they should consider stopping all contracted labor as soon as possible in order for the road department staff to resume their regular duties.

Judge Powers remarked that he understood his concerns about the contracted labor costs, however; the current claims submitted were for services already provided and must be paid at this time. Esquire Hay voiced concerns about receiving money from FEMA and the state. Judge Powers added that he had spoken with Steve Varney and that he had submitted for approval of 56.2% of the FEMA allocations so far. Esquire O'Donoghue expressed concerns regarding the roads in his district being in such terrible shape.

Subsequent to Discussion, Judge Powers called for a vote on the motion, JUDGE POWERS, ESQUIRES HENNING, GEDLING, ROBINSON, MOORE, AND O'DONOGHUE VOTING AYE AND ESQUIRE HAY VOTING NAY (6-1). Motion carried. Exhibit "B-060809"

**OLD BUSINESS**

**RE: 2<sup>nd</sup> Reading, Ordinance No. 2009-0511A, KACO Leasing Trust**

Subsequent to Discussion, Esquire Robinson moved, seconded by Esquire Moore, to approve the 2<sup>nd</sup> reading of Ordinance No. 2009-0511A KACO Leasing Trust. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-060809"

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**RE: Road Salt**

Judge Powers stated that he was still receiving information from salt vendors. Esquire Robinson inquired as to whether any salt remained from last winter's allotment. Judge Powers reported that 100 ton was remaining in allocation from 2008.

**RE: Courthouse Annex Temporary Office Space**

Judge Powers informed the court that he had considered several buildings. The Joe Tabor property next to the bypass, consisting of 4,000 sq. ft., at \$7.00 per sq. ft. and would require extensive renovation. Judge Powers explained that several other buildings were not adequate to accommodate the needs of the current Annex facilities. Judge Powers further explained that the Old Lucas Brothers Building located in the Town & Country Shopping Center was available, consisting of 6,000 sq. ft. at \$3,500 per month. Judge Powers remarked that the building space is larger than the present facility, and could possibly provide office space for the American Red Cross. The owner, Carl Austin, agreed to complete the renovations. Esquire O'Donoghue inquired about how many square feet were needed. Judge Powers stated that 3,500 sq. ft. without a Courtroom, and 4,500-5,000 sq. ft. with a Courtroom.

Esquire O'Donoghue asked why we couldn't hold the Fiscal Court Meetings in the present Courthouse Courtroom. Judge Powers stated that we could do that if necessary. Esquire Hay voiced his concerns about the Town and Country building having a raised entrance and being open to the public. Judge Powers stated that the building was presently handicapped accessible and certainly would be open to the public. Judge Powers explained that the renovation should be completed in approximately 60 days, with a 2 year lease, followed by a month by month agreement thereafter. County Attorney, Bradley Butler, stated that this was a 2 year guaranteed lease.

Judge Powers moved, seconded by Esquire Henning, to lease the Old Lucas Brothers Property in the Town and Country Shopping Center for the new County Annex. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**NEW BUSINESS**

**RE: Replacement on Archives Board, Bobby Priest**

Esquire Robinson moved, seconded by Esquire Gedling to approve Bobby Priest as the new replacement on the Archives Board. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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**RE: Appointment: Breckinridge County PVA Board of Appeals**

Judge Powers explained that the Breckinridge County PVA Board of Appeals had submitted three candidates: Larry Butler, Joyce Kissling, and Frankie Anthony for consideration in filling a vacancy on the board. Judge Powers opened the floor and entertained a motion to select one of the candidates. Subsequent to discussion, Esquire Gedling moved, seconded by Esquire O'Donoghue, to appoint Larry Butler to the PVA Board of Appeals. Judge Powers call for a vote on the motion, ALL PRESENT VOTING AYE; JUDGE POWERS ABSTAINED (6-0).

**RE: Budget: Special Districts**

Subsequent to explanation and discussion, Esquire Robinson moved, seconded by Esquire Moore, to accept the four Special Districts Budgets; Conservation District, Breckinridge County Public Library, Breckinridge Extension District, Breckinridge County Health Taxing District. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "D-060809"

**RE: Personnel: Pool Employees**

Subsequent to discussion, Judge Powers entertained a motion to hire Kayla Hinton as a lifeguard, at an hourly rate of \$6.75 and also to hire gate attendants Haylee Lee, Daniel Bruington, Robin Brumfield, and Chelsee Hutchinson at an hourly rate of \$6.55. Esquire Henning moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Personnel: Road Department 5yr Incremented Pay Increase**

Subsequent to explanation and discussion, Esquire Hay moved, seconded by Esquire Gedling, to approve a 5 year incremented pay increase for Road Department Employee Larry Henning to an hourly rate of \$13.69. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE; ESQUIRE HENNING ABSTAINED (6-0).

**RE: Treasurer's Report**

Esquire Hay moved, seconded by Esquire Robinson, to approve the June 8<sup>th</sup> Treasurer's Report as submitted and explained by County Treasurer, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-060809"

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**RE: Road Foreman's Report**

Road Foreman, Ernie Nix reported that the Road Department crew was presently working on grading and hauling rock. He further stated that the road department was using one truck for chipping. The grader is was currently down and needed new tires. One truck had a window out and another truck had the air conditioner out. Foreman Nix stated that the repairs should be completed later today. He further stated that the large chipper was down. Esquire O'Donoghue inquired about which chipper Foreman Nix was referring to, the large or small one. Foreman Nix stated that the large chipper had broken a push rod and had to be replaced, and he was expecting the part to be delivered later today. He further added that they were working as fast and as hard as they possibly could.

Foreman Nix submitted a report containing a general breakdown of the current mileage and hours on all Road Department equipment as previously requested by Esquire Robinson. With no further discussion, Foreman Nix concluded his report. Esquire Henning moved, seconded by Esquire O'Donoghue, to approve the Road Foreman's Report. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Waterline License: Ova Wright Road**

Subsequent to explanation and discussion, Judge Powers entertained a motion to approve the Ova Wright Road Waterline License. Esquire Moore moved, seconded by Esquire Henning. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Park View Lane**

Subsequent to explanation and discussion, Judge Powers entertained a motion to accept Park View Lane into the County Road Maintenance System. Esquire Hay moved, seconded by Esquire O'Donoghue. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Park View Lane Deed Claim**

Subsequent to explanation and discussion from County Attorney Bradley Butler, Judge Powers entertained a motion to approve the claim of \$17.00 for the recording of the Park View Lane deed. Esquire O'Donoghue moved, seconded by Esquire Hay. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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**RE: Treasurer's Bond Increase**

Judge Powers entertained a motion to increase the County Treasurer's Bond to \$500,000. Esquire Robinson moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

**RE: Airport Board**

Judge Powers informed the court that the Airport Board had been awarded a \$350,000 grant for airport renovations.

**RE: FEMA**

Judge Powers further added that the county should soon be receiving a check from FEMA in the amount of \$410,000. Currently about 73% of the county roads have been cleared and the debris removal project should be completed in the next 2-3 weeks.

**RE: Personnel: Finance Officer Position**

Judge Powers stated that an ad had been placed in the newspaper for the County Finance Officer's position.

**RE: Contract Labor**

Esquire Hay entertained a motion that all "contract labor be ceased by July 1<sup>st</sup>," and thereafter we use our trucks, part-time help, and county road crews for the remainder of the cleanup. Judge Powers called for a second on the motion. Esquire O'Donoghue suggested that the Court wait and see where we stood with the debris cleanup at the next fiscal court meeting. Motion died for lack of second.

**RE: Change of Voting Order**

Esquire Gedling entertained discussion concerning the present voting order of the court and recommended reversing the vote. Subsequent to discussion, Esquire Robinson suggested that the voting order be changed for the remainder of this term. Subsequent to discussion, the Court agreed to reverse the voting order.

**RE: Meador Lane**

Esquire Robinson inquired about the status of the Meador Lane deed. County Attorney, Bradley Butler stated that he had received all necessary paperwork.

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**RE: Bucket Truck Purchase**

Esquire Robinson entertained discussion concerning the purchase of a 35 ft. bucket truck that could be used for cleaning up tree limbs that were hanging over county roads. Judge Powers stated that the purchase may fall under the FEMA category in regards to the storm cleanup. Subsequent to discussion, Esquire Robinson agreed to collect several estimates to present to the Court at the next regular Fiscal Court Meeting.

**RE: Bids: County Road Garage**

Judge Powers stated that the County Road Garage Building bids had been opened. The county received three bids: Greg Stull for 350,356.00, MCM Construction for \$405,022.00, and Kentucky Industrial Metals for \$385,000.00.

**RE: Adjournment**

Esquire Robinson moved, seconded by Esquire Moore, to adjourn this meeting at 11:21 a.m. with no further business to come before it. Judge Powers called for a vote on the motion, ALL MEMBERS PRESENT VOTING AYE (7-0).

**Clerk Certification**

I, Kathina Bell, 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 8, 2009.

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Kathina Bell, Fiscal Court Clerk

Date: June 17, 2009