

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, July 13, 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 regular 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, Sheriff

Staff: Kathina Bell, Fiscal Court Clerk
Odessa Hobbs, Finance Officer
Ernie Nix, Road Department Foreman

Absent: Sherrie Ashley, County Treasurer

RE: Minutes - June 17, 2009

Esquire Robinson moved, seconded by Esquire Gedling, to approve the June 17th Special Called Meeting Minutes as submitted by Fiscal Court Clerk, Kathina Bell. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Minutes – June 22, 2009

Esquire Gedling moved, seconded by Esquire Moore, to approve the June 22nd Regular Meeting Minutes as submitted by Fiscal Court Clerk, Kathina Bell. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Welcome of Guests 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: New Budget Line Items

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Robinson, to approve the new budget line items: 01-7700-6992: Annex Lease, 02-8000-7150: Land

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Purchase, 02-7700-6993: Road Garage Lease, 01-9500-2990: Distributions to Other Government Agencies. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Transfers

Esquire Hay moved, seconded by Esquire Moore, to approve the July 13, 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-071309"

RE: Claims

Esquire Hay moved, seconded by Esquire Henning, to approve the July 13, 2009 claims as submitted by Finance Officer, Odessa Hobbs. Esquire Robinson inquired about a claim on page 4 of 7 in the Road Fund to Jacks Excavating in the amount of \$4410.00. Judge Powers explained that this was for leveling and moving rock for the parking lot at the fairgrounds. He further added that this would be reimbursed from FEMA.

Esquire Gedling inquired about the claim to Paul Combs in the amount of \$1336.25. Judge Powers stated that he was working on the county's administrative code. Esquire Robinson inquired about the claim on page 3 of 5 in the General Fund to Mike Picente. Judge Powers explained that this was for mileage reimbursement. He further added that his truck had been in the shop for damages from the ice storm. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-071309"

OLD BUSINESS

RE: Special Districts, Airport Board

Subsequent to explanation and discussion, Esquire Henning moved, seconded by Esquire Gedling, to accept the FY 2009-2010 Special Districts Airport Board budget. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "C-071309"

NEW BUSINESS

RE: Waterline License: Wesley Allen Lane for Charles F. Hunt

Judge Powers explained that Steven Hunt was requesting the court to grant a waterline license agreement for his brother Charles F. Hunt for Wesley Allen Lane. Subsequent to explanation and discussion, Esquire O'Donoghue moved, seconded by Esquire Gedling,

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to table this matter until all details are investigated. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

RE: County Road Garage Discussion

Judge Powers explained to the court that the Kentucky Department of Labor Cabinet had notified him in regards to the County Road Garage and that the awarded bid sets a new set of guidelines. Judge Powers added that any project over \$250,000.00 was required to be bid with current prevailing wage rates. He further added that the Labor Cabinet stated that this should only add about 5%. Judge Powers explained that he had notified Tim Smith and Greg Stull and that the county had to rebid the County Road Garage project. Judge Powers further explained that prevailing wage rates must be made part of the specifications for the work and made a part of the contract for construction.

Esquire Henning inquired if the county would rebid the County Road Garage exactly the same with the exception of the prevailing wage rates. Judge Powers stated yes or there could be additional fees and added that Smith Engineering would rebid the same project with the required prevailing wage rates at no additional cost to the county. Esquire Henning voiced concerns about the county road garage having only ninety (90) days completion time. Judge Powers explained that this was ninety (90) days once the contract was signed however, the county could make an addendum to the completion time in the contract.

Esquire Hay inquired if anyone locally had bid. Judge Powers stated that several local people had picked up bid packages however, no one had turned them in. Esquire Hay inquired if the county could advertise in a larger area. Judge Powers stated yes.

Esquire Robinson voiced concerns that people was not aware that the county was even building a County Road Garage and inquired if the county could advertise in the Dodge Report. Judge Powers stated yes but fees may be attached. Esquire Robinson inquired if this was the first project Smith Engineering had bid over \$250,000.00. Judge Powers stated that Tim Smith was not aware of the prevailing wage rates. Subsequent to discussion, Esquire Hay moved, seconded by Esquire Henning, to rebid the County Road Garage with an addendum to the contract, adding prevailing wage rates and one-hundred twenty (120) days completion time. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Sheriff's Settlement – 2008 Tax & Franchise Pending Audit

Esquire Robinson moved, seconded by Esquire O'Donoghue, to approve the Sheriff's Settlement 2008 Tax & Franchise pending audit as submitted by Sheriff, Todd Pate.

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Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).
Exhibit "D-071309"

RE: Notice of Decision of State Local Debt Officer

Judge Powers informed the Court that the County had been approved for the COLT loan, a loan not to exceed the amount of \$495,000.00, which will be used by the County to provide cash flow in anticipation of FEMA grant monies for recovery from the 2009 ice storm.

RE: Appointment, Library Board

Judge Powers explained that the Breckinridge County Public Library Board of Trustees had submitted two names: Roberta Anthony and Anne Tritschler for consideration in filling a vacancy on the board (term to expire June 30, 2013). Subsequent to explanation, Esquire Moore moved, seconded by Esquire Gedling, to appoint Roberta Anthony to the Library Board of Trustees. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Check Presentation

On behalf of the Fiscal Court, Esquire Gedling presented to Cloverport Ballpark a check in the amount of \$2,500.00 and Esquire Henning presented to Hardinsburg Sports & Recreation Complex Board a check in the amount of \$5000.00 however, no one was present to accept the check.

RE: Treasurer's Report

Esquire Hay moved, seconded by Esquire Moore, to approve the July 13th Treasurer's Report as submitted by County Treasurer, Sherrie Ashley and explained by Judge Powers. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "E-071309"

RE: Road Foreman's Report

Road Foreman, Ernie Nix informed the Court that the Road Department Staff had been working on mowing, grading, rocking, and running the Total Patcher. Foreman Nix added that the paver and roller had been checked for the start of blacktopping county roads.

Judge Powers stated that at this point the county had completed 87% of debris cleanup and that we still had eighty-five (85) miles of roads left to clear. Esquire Hay thanked the Road Foreman and the Road Department Crew for the excellent work completed in the

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3rd District. Esquire O'Donogue inquired if they had started patching roads with hot mix. Foreman Nix stated no. Subsequent to discussion, Esquire Hay moved, seconded by Esquire Robinson, 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).

RE: Announcement

Judge Powers informed the court that the governor announced a few weeks ago that the state will pay the 13% of the storm cleanup in which the county was originally responsible for. Judge Powers added that the county will keep the revenue incurred from hauling chips which is around \$85,000.00 and that the county has already received \$290,782.05 from FEMA. Judge Powers added that the county plans to pay back the COLT loan with FEMA reimbursements.

RE: July 27th Meeting

Judge Powers informed the court that July 27, 2009 would probably be the last Fiscal Court Meeting at the Courthouse Annex and that our new office will be located at 525 Towne and Country Shopping Center.

RE: Purchase Order System

Judge Powers informed the Court that Finance Officer, Odessa Hobbs had been trying real hard to develop a purchase order system and that recently while working she was able to uncover an overpayment in the county's 2006 KACO premium in the amount of \$3500.00.

RE: Animal Shelter, Euthanization Program

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Robinson, to authorize Judge/Executive Ray Powers, to develop a euthanization program at the animal shelter to include the purchase of an incinerator. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Noise Ordinance

Esquire O'Donoghue inquired if the county had a noise ordinance. County Attorney, Bradley Butler stated no.

RE: Nuisance Ordinance

Esquire Robinson inquired about the status of the Nuisance Ordinance. County Attorney, Bradley Butler stated that he was still working on this.

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RE: Adjournment

Esquire O'Donoghue moved, seconded by Esquire Gedling to adjourn this meeting at 10:50 a.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, Kathina B. 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 July 13, 2009.

Kathina B. Bell, Fiscal Court Clerk

Date: July 23, 2009