

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, July 27, 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
Justin Magness, Sheriff's Department

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

RE: Minutes – July 13, 2009

Esquire Hay moved, seconded by Esquire Henning, to approve the July 13th 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: Transfers

Judge Powers informed the Court that County Treasurer, Sherrie Ashley did not have any transfers to submit for approval.

RE: Claims

Esquire Hay moved, seconded by Esquire Moore, to approve the Claims and the additional claims as submitted by Finance Officer, Odessa Hobbs. Esquire Gedling inquired about the claim to Lincoln Resource Conservation Development Area. Judge

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Powers explained that this was for 2009 area dues. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "A-072709"

OLD BUSINESS

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

Subsequent to discussion, Esquire O'Donoghue moved, seconded by Esquire Moore, to remove the Waterline License for Wesley Allen Lane from the table. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

NEW BUSINESS

RE: Appointment, Library Board

Judge Powers explained that the Breckinridge County Public Library Board of Trustees had submitted two names: Michelle Dean and Greta Akridge 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 Michelle Dean to the Library Board of Trustees. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Waterline License, Tar Springs Road for City of Cloverport

Subsequent to discussion, Judge Powers entertained a motion, to grant the Waterline License Agreement for Tar Springs Road for the City of Cloverport and to authorize Judge/Executive, Ray Powers to sign and execute the agreement once completed by County Attorney, Bradley Butler. Esquire Gedling moved, seconded by Esquire Hay. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

RE: Waterline License, US60-Webb Road for City of Hardinsburg

Subsequent to discussion, Judge Powers entertained a motion, to grant the Waterline License Agreement for the US60-Webb Road for the City of Hardinsburg and to authorize Judge/Executive, Ray Powers to sign and execute the agreement once completed by County Attorney, Bradley Butler. Esquire Hay moved, seconded by Esquire Moore. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

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RE: Treasurer's Report

Esquire Henning moved, seconded by Esquire Robinson, to approve the July 27th Treasurer's Report as submitted and explained by County Treasurer, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0). Exhibit "B-072709"

RE: Treasurer's 2008-2009 Final Settlement

Esquire Moore moved, seconded by Esquire Gedling, to approve the Treasurer's 2008-2009 Final Settlement as submitted by County Treasurer, Sherrie Ashley. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0). Exhibit "C-072709"

RE: Road Foreman's Report

Esquire Hay moved, seconded by Esquire Henning, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix. Judge Powers informed the Court that 95% of the roads had been cleared of debris and that the road department had completed one round of mowing the county right of ways and had started with the second round. Esquire Robinson thanked the road department staff for the bush hogging work that had been done in the fourth district. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

RE: Trailer Purchase

Judge Powers informed the court that he had found a trailer to buy for the use of hauling the paver, roller, chipper, grader, etc. Esquire Henning inquired about what type of brakes the trailer had. Road Foreman, Ernie Nix stated that the trailer had air brakes. Esquire Hay inquired about when the county could get the trailer. Judge Powers stated immediately. Esquire Gedling asked if we could pull the trailer with the tractor that the county already had. Judge Powers stated yes. Esquire O'Donoghue inquired about the type of flooring the trailer had. Judge Powers stated that the trailer had a metal floor with fold out wings. Esquire O'Donoghue inquired about the length of the trailer. Judge Powers stated that the trailer was 38 (thirty-eight) feet long.

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Gedling, to approve the purchase of a trailer in the amount of \$19,950.00. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

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RE: Surplus Equipment

Subsequent to discussion, Esquire Robinson moved, seconded by Esquire Henning, to declare the submitted list of equipment as surplus. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0). Exhibit "D-072709"

RE: 941 Deposits

Judge Powers informed the Court that he had been in contact with the IRS and that the county owed \$75,281.76 in penalties and interest for the past two years. Judge Powers stated that the county will not be refunded any of the interest but could possibly be refunded for the penalties totaling \$66,583.19. However, this amount will not come back to us because several payments had not been made in the first quarter. Judge Powers explained that the county has looked at filing with errors and omissions insurance and that he has issued a letter to the IRS requesting that the penalties be refunded to us. Judge Powers stated that the Kentucky State Police investigation is still ongoing.

RE: Paving Roads

Esquire Robinson inquired about when the county would start paving roads. Judge Powers stated that he was working on this.

RE: Contracting of Blacktop Roads

Esquire Hay inquired about the County contracting blacktop roads. Judge Powers stated that he was looking into this.

RE: Assistant Road Foreman

Esquire Robinson inquired if the county was going to fill the assistant road foreman position. Judge Powers stated not at this time.

RE: Last Meeting

Judge Powers informed the Court that this would be the last meeting at this location. Judge Powers added that the annex building would be closed Monday and Tuesday August 3rd and 4th in order to move the offices to the new location at 525 Towne and County Plaza and that we would re-open on Wednesday August 5th for business.

RE: Road Viewing Committee

Subsequent to discussion, Esquire Robinson moved, seconded by Esquire Hay to request the road viewing committee to look at Terry Board Road for consideration into the county road maintenance system. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0).

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RE: Adjournment

Esquire Hay moved, seconded by Esquire Robinson, to adjourn this meeting with at 6:40 p.m. with no further business to come before it. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY 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 27, 2009.

Kathina B. Bell, Fiscal Court Clerk

Date: August 6, 2009