

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, August 10, 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
Sherrie Ashley, County Treasurer
Odessa Hobbs, Finance Officer
Ernie Nix, Road Department Foreman

RE: Minutes – July 27, 2009

Esquire Henning moved, seconded by Esquire Gedling, to approve the July 27th Regular Meeting Minutes as submitted by Fiscal Court Clerk, Kathina Bell with the following corrections: the trailer purchase should be in the amount of \$19,950.00 and 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).

RE: Welcome of Guests and Comments

Judge Powers welcomed the guests who were present at the Fiscal Court Meeting; Judge Powers opened the floor to the guests who had signed the guest comment sheet.

Mr. Richard Dowell informed the Court that he had brought a bucket truck for the fiscal court members to look at after the meeting. Esquire Gedling inquired about the price. Mr. Dowell stated that he was asking \$13,500.00. Judge Powers thanked Mr. Richard Dowell for bringing the bucket truck by.

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Mr. Earl Newby addressed the Court requesting that the county start a recycling program. Judge Powers stated that him and Jailer, Allen Shrewsberry was working on this. Judge Powers added that Allen and his inmates had taken down the old county road garage building and in the future plans to put back together at the Jail once all the details are worked out. Judge Powers thanked Mr. Newby for his comment.

RE: Transfers

Esquire Moore moved, seconded by Esquire Henning, to approve the August 10th Transfers as submitted by County Treasurer, Sherrie Ashley. Esquire Gedling stated that this was the first opportunity he had to look at the transfers. Judge Powers stated that the transfers are always handed out the morning of the Fiscal Court Meeting. Esquire Robinson inquired about the transfer of \$350,000.00 to the Road Fund from the General Fund. Judge Powers stated that this was to finish the debris removal.

Esquire Robinson inquired if there was an anticipated date of when the county would receive there money. Judge Powers stated no not at this time. Esquire Robinson inquired if an itemized list of debris removal cost and amount of funds expected back from the state and FEMA could be made available in the next 60 (sixty) days. Judge Powers stated that as soon as this information was available to him he would then make it available to him. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0). Exhibit "A-081009"

RE: Claims

Esquire Henning moved, seconded by Esquire Robinson, to approve the August 7, 2009 Claims as submitted by Finance Officer, Odessa Hobbs. Esquire Robinson inquired about a claim on page 2 of 3 in the General Fund to MasterCard for a ladder in the amount of \$425.99. Judge Powers stated that this was for a scaffling ladder used for maintenance work at the courthouse.

Esquire Gedling inquired about a claim on page 3 of 3 in the General Fund for business cards in the amount of \$125.96. Odessa Hobbs, Finance Officer stated that the business cards were for Marty Moore. Esquire Gedling inquired about the claim on page 2 of 4 in the Road Fund for 4 tiles on Old Glen Dean Axtel Lane. Judge Powers stated that the county had tiles collapsing everywhere and that we have had a bad year and that a lot of tiles have needed replacing for a long time.

Esquire Gedling inquired about a claim on page 2 of 5 in the Jail Fund for two air conditioner units in the amount of \$16,330.00. Allen Shrewsberry, Jailer stated that two units had to be replaced. Esquire Gedling inquired if they were central air units. Judge

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Powers stated yes. Esquire Gedling inquired about a claim on page 2 of 3 in the General Fund to Paul Combs in the amount of \$150.00. Judge Powers stated that this was his monthly retainer fee for three hours of work every month for personnel questions or problems. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-081009"

OLD BUSINESS

RE: Check Presentation

On behalf of the Fiscal Court, Esquire Henning presented to Shirley Bennett a check in the amount of \$5000.00 for the Hardinsburg Ballpark. Shirley Bennett addressed the Court thanking Allen Shrewsberry, Jailer for all of the work completed by his inmates and Ernie Nix, Road Foreman for all his hard work and thanked the Fiscal Court for all there support since 1995.

RE: Debris Cleanup

Judge Powers informed the Court that the debris cleanup was finished and that the seasonal workers had been laid off and that a few chips still had to be hauled off but that we would take care of that. Judge Powers added that they were finished with the waterway debris cleanup at Rock Lick Creek which was made possible through a \$20,000.00 grant from the NRCS office.

NEW BUSINESS

RE: County Road Garage Bids

Judge Powers explained to the Court that the County Road Garage Bids were opened and read aloud Monday August 3rd. The county received three bids: Lanham Brothers for \$603,853.00, Greg Stull for \$434,150.00, and MCM Construction for \$424,662.53. Judge Powers stated that the prevailing wage rates increased the bids and that we would have to look at the budget to see if we could afford to build the county road garage at this time.

Judge Powers added that Matthew Popham with MCM Construction was here and opened the floor to the Fiscal Court for any questions. Esquire Robinson inquired about receiving a copy of the prevailing wage rates. Judge Powers stated that he could get a copy for him to look at. Esquire Robinson inquired about the amount of the last bid from Greg Stull. Judge Powers stated that the bid was for \$350,356.00. Esquire Hay stated that we may have to go a different route. Judge Powers added that this was a possibility but explained that you may save money for the first couple of years but in 8-10 years or less you would need to build a county road garage and at that time it would cost more

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however, with that being said if we can't afford it then we can't afford it. Subsequent to discussion, Esquire Robinson moved, seconded by Esquire Moore, to table the county road garage bid discussion until the next fiscal court meeting. ALL PRESENT VERBALLY VOTING AYE (7-0).

RE: Voting

Esquire Hay voiced concerns about voting being called by name rather than aye or nay and believes that voting should be done by calling your name. Judge Powers stated that was fine and that the voting could be done either way. Judge Powers explained that he had several different discussions with several different people and everyone had a different opinion on how we should vote and what direction we should vote. Judge Powers further explained that he will do a roll call vote and continue to do a roll call vote and that he was only trying to make some people happy. Esquire Hay stated that he had not voted half the time because you went through so fast. Judge Powers stated that he did not have an issue with that but your silence alone is a positive vote and that was the issue with having a roll call vote to start with. Judge Powers added that he was trying to work with people and do some different things people had wanted him to do but that it did not seem to be working out and added that he would be more than happy to do it that way.

RE: Harned VFD Surplus

Esquire Moore moved, seconded by Esquire Robinson, to declare the Harned VFD1970 Model C855 VIN # C85LVG82943 fire truck surplus. Jesse Pile, Fire Chief for Harned VFD addressed the Court in need of a place to store one of the fire trucks due to the amount of equipment on the truck and added that currently Larry Butler is allowing them to park one of the trucks on his property. Judge Powers stated that he would do the best he could and would be happy to work with him but added that they do not have enough room as it is. Jesse added that the fire department had applied for a federal grant that will cover the cost of building a new fire house and said that the chances for approval on the grant application are good. Esquire Gedling inquired if once they moved the surplus fire truck then could they move another fire truck inside. Judge Powers stated no this truck currently sits outside. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Treasurer's Report

Esquire Moore moved, seconded by Esquire Robinson, to approve the August 10th 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 "C-081009"

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RE: Road Foreman's Report

Road Foreman, Ernie Nix explained that the road department staff was working on grading, hauling rock and running the total patcher and will soon start paving and blacktopping county roads. Foreman Nix stated that some changes had been made since Friday's seasonal workers were laid off and Judge Powers added that three employees were off from work for different reasons. Esquire Robinson inquired if we needed to hire additional employees. Judge Powers stated that we were currently short staffed and that he is going to first look at the budget before hiring any additional employees. Esquire Robinson voiced concerns about the road department being short staffed and how it would affect paving. Foreman Nix stated that we will use two to three of Jailer, Allen Shrewsberry's inmates. Judge Powers stated that we still have not ruled out subcontracting out paving of county roads. Esquire O'Donoghue inquired if we had been using inmates with patching and if we had used the inmates with debris removal. Foreman Nix stated yes.

Esquire Gedling inquired if the total patcher was working alright. Foreman Nix stated that the total patcher was running everyday and added that the driver was off today but that someone else had been operating the total patcher along with two inmates. Esquire Gedling inquired if you could rotate drivers for the total patcher. Foreman Nix stated yes and that all full time personnel are trained and added that they only rotate drivers if that driver is off work and it only takes one driver and two inmates to operate the total patcher.

Esquire Hay inquired if we had to receive the money from FEMA before we could start blacktopping. Judge Powers state no and added that this is the reason we have the COLT loan. Esquire O'Donoghue inquired about how the county garage was working out. Foreman Nix stated that they had a little more room. Judge Powers asked if they had enough shed for everything. Foreman Nix stated no. Esquire O'Donoghue inquired about what equipment had been kept under sheds downtown. Foreman Nix stated that we did not have any sheds downtown. Foreman Nix added that the chippers and all trucks were kept inside but that the roller and paver are kept outside. Subsequent to discussion, 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).

RE: Grant, County Clerk Jill Irwin

Judge Powers informed the Court that County Clerk Jill Irwin's office had been awarded a \$17,000 grant from the Department of Libraries and Archives for storage of official records.

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RE: Request for payment

Judge Powers informed the Court that he had requested that the Project Development Board proceed with payment in the amount \$475,000.00 for the County Properties upon completion of the deeds by County Attorney, Bradley Butler.

RE: Demolition of County Annex Building

Judge Powers informed the Court that currently there are bond issues with the Construction Manager of the Judicial Center and that the AOC (Administrative Office of the Courts) will not allow demolition of the County Annex Building until all bond issues have been resolved and that this should be taken care of any day.

RE: Employee Time Clock

Esquire O'Donoghue inquired if the time clocks were working and if everyone was punching in. Judge Powers stated that yes everyone was punching in if they're here or he was authorizing to sign off on their time sheets. Esquire O'Donoghue inquired if some employees were keeping their own time. Judge Powers stated yes that some are keeping their own time because they are not here and are out on the road and that was one item that the auditors had requested was that all employees time cards are signed off by the employee and there supervisor.

Esquire O'Donoghue inquired about the personnel policy and stated that in the policy it states that you must be employed one year before you can take vacation time as a full time employee. Judge Powers stated yes. Esquire O'Donoghue voiced concerns that the personnel policy had not been enforced. Judge Powers asked "what do you mean?" Esquire O'Donoghue states that Marty Moore was not hired as a full time employee until August of last year and that he took his vacation last month. Judge Powers stated that he had offered him several days off without pay and added that he had put in an awful lot of time and that he needed some time off. Esquire O'Donoghue inquired if he was salary. Judge Powers stated yes and that he was not paid for that time off.

RE: Road Viewing Committee

Subsequent to discussion, Esquire Hay moved, seconded by Esquire Robinson to request the Road Viewing Committee to inspect 0.3 of a mile of the Norman Pollock Road for consideration into the county road maintenance system. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

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RE: Adjournment

Esquire Henning moved, seconded by Esquire Gedling, to adjourn this meeting at 10:55 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 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 August 10, 2009.

Kathina Bell, Fiscal Court Clerk

Date: August 20, 2009