

MINUTES
BRECKINRIDGE COUNTY FISCAL COURT
Regular Meeting
Monday, February 8, 2010
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
Michelle Valora, Finance Officer
Ernie Nix, Road Foreman

RE: Minutes – January 25, 2010

Esquire Henning moved, seconded by Esquire Moore, to approve the January 25th 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 Guests

After welcoming 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. Jim Ball addressed the Court regarding the Insurance Premium Tax and asked each magistrate including Judge Powers if they thought this was a fair tax. Esquires O'Donoghue and Moore stated no. Esquire Robinson inquired if Mr. Ball thought that the library and school taxes were fair. Mr. Ball stated yes. Esquire Robinson stated that he felt the insurance premium tax was fair. Judge Powers explained the three tax choices, ad valorem, occupational and insurance premium tax. He stated that with the property tax not everyone owns property in the county and we do not have an occupational tax but 53 % of the residents work outside of the county and pay an occupational tax. He does not feel that any tax is a fair tax however; the insurance premium tax probably taxes more people than any other tax. Esquires Hay and Gedling replied no and Esquire Henning replied it was the fairest tax with the choices we had. Judge Powers thanked Mr. Ball for his comments and concerns.

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RE: Transfers

Esquire Hay moved, seconded by Esquire Henning, to approve the February 8th 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-020810"

RE: Claims

Esquire Hay moved, seconded by Esquire Moore, to approve the claims as submitted by Finance Officer, Odessa Hobbs. Esquire Robinson inquired about a claim on page 1 of 2 in the General Fund to Paul Combs in the amount of \$1,222.50. Judge Powers explained that was a bill from December. Esquire O'Donoghue inquired about how long would this last and that we have been out almost \$10,000. Judge Powers explained that the administrative code would save money in the long run and was required by the state. Esquire Robinson also inquired about a claim on page 1 of 3 in the Jail Fund to C&T Design & Equipment in the amount of \$6,200.00. Judge Powers stated that was to replace a gas oven at the Detention Center.

Esquire Gedling inquired about a claim on page 2 of 4 in the Road Fund to Lucas Brothers for ratchet straps. Judge Powers explained that the old ratchet straps had to be replaced. The ratchet straps are used to hold down the salters on the trucks. Subsequent to discussion, Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0). Exhibit "B-020210"

OLD BUSINESS

RE: 1st Reading, Ord No. 2010-0208, Road Viewing Committee Requirements

Esquire Hay made a motion to leave the Road Viewing Committee Requirement discussion on the table and Esquire Gedling seconded. Subsequent to discussion Esquire Hay withdrew his motion.

Subsequent to discussion Esquire Hay made a motion to remove the Road Viewing Committee Requirement discussion from the table and Esquire Gedling seconded. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

Subsequent to discussion, Judge Powers entertained a motion to do 1st Reading of Ordinance No. 2010-0208, an ordinance relating to the process of appointment and duties of County Road Viewers. Ordinance died for lack of motion.

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NEW BUSINESS

RE: Hazard Mitigation Plan Update

Judge Powers explained that the Regional Hazard Mitigation Plan Update had been handed out for the Court to review. He explained that the Hazard Mitigation Grant Program provides grants to States and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the program is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster.

RE: Resolution No. 2010-0208, Faces of Coal

Subsequent to explanation by Judge Powers, Esquire Moore moved, seconded by Esquire Gedling, to approve Resolution No. 2010-0208, a resolution in support of the Federation for American Coal, Energy and Security (FACES) and its mission. Judge Powers called for a vote on the motion, ALL PRESENT VERBALLY VOTING AYE (7-0). Exhibit "C-020810"

RE: Treasurer's Report

Esquire Hay moved, seconded by Esquire Robinson, to approve the February 8th 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 "D-020810"

RE: Road Foreman's Report

Foreman Nix stated that the road department crew had been hauling rock but were unable to grade due to the weather. The last two weeks they had focused on snow removal and had the equipment ready for the snow that would be moving in later that night. Esquire Hay inquired about the amount of salt that had been used. Foreman Nix stated he didn't know. Judge Powers stated approximately 300 ton to this point. Esquire Hay stated that he had noticed that several roads were breaking up just like Ballpark Road. Subsequent to discussion, Esquire Hay made a motion, to approve the Road Foreman's Report as explained by Road Foreman, Ernie Nix and Esquire Gedling seconded. Judge Powers called for a vote on the motion, ALL PRESENT VOTING AYE (7-0).

RE: Local Option

Judge Powers informed the Court that a valid petition had been signed for Hardinsburg One and Two precincts for a moist vote on alcohol sales inside the City Limits of Hardinsburg. Judge Powers stated that he would sign an executive order as he was required to do in accordance with KRS 242.020 to order the election. The local option election must take place not earlier than sixty (60) nor later than ninety (90) days after the

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date the petition was filed with the County Clerk's office. The election can not be held on the same day that a primary or general election was held in accordance with KRS 242.030. The local option election will be held on Tuesday, March 30, 2010.

RE: Hiring, Part-Time Animal Shelter Attendant

Judge Powers explained that Animal Shelter Assistant, Stephanie Smith needed to work part-time starting February 23rd to attend college. Judge Powers and Animal Control Officer, Mike Picente recommended hiring an additional part-time employee at the Animal Shelter. Subsequent to discussion, Esquire Hay moved, seconded by Esquire Henning, to authorize Judge/Executive Ray Power to interview and hire an additional part-time Animal Shelter Assistant at an hourly rate of \$8.00. However the two positions can not exceed 40 hours per week. Judge Powers called for a vote on the motion, JUDGE POWERS, ESQUIRES HENNING, HAY, ROBINSON, MOORE AND O'DONOGHUE VOTING AYE AND ESQUIRE GEDLING VOTING NAY (6-1). Motion carries.

RE: Courthouse Bonds


Esquire Hay stated that he had seen a program on KET stating that some counties owed \$40 million dollars in interest on the courthouse bonds that had previously been issued. He stated that they could possibly default and it would then be the counties responsibility to pay the interest. Judge Powers stated that the Judicial Center bond papers had been signed which included a clause stating that the county was not responsible for the debt payment.

RE: Adjournment

Esquire Robinson moved, seconded by Esquire O'Donoghue, to adjourn this meeting at 10:46 a.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 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 February 8, 2010.


Kathina Bell, Fiscal Court Clerk


Ray Powers, County Judge Executive