



# Fiscal Court Orders

Mar. 6, 2012  
REGULAR SESSION OF NELSON FISCAL COURT

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COURT MET IN REGULAR SESSION, PRESENT COUNTY JUDGE-EXECUTIVE DEAN WATTS AND THE FOLLOWING NAMED MAGISTRATES: KEITH METCALFE, SAM HUTCHINS, BERNARD ICE, JEFF LEAR AND JERRY HAHN.

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MINUTES APPROVED - FEB. 7 AND FEB. 21

On motion of Sam Hutchins, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the minutes of the Feb. 7 and of the Feb. 21 sessions of Nelson Fiscal Court.

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BILLS

On motion of Bernard Ice, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to authorize the County Treasurer to pay the following bills:

**Nelson County Fiscal Court  
General Funds Bills for Court Approval  
March 6, 2012**

| Name                        | Memo  | Account                                  | Amount      |
|-----------------------------|---|--|-------------|
| <b>01 General Fund</b>      |   |  |             |
| ADP                         | W2 processing                               | 9100301 · Payroll Processing             | \$ 2,014.02 |
| ADP                         | PR 021012                                   | 9100301 · Payroll Processing             | 469.38      |
| Bachman Parts               | Sensor for Larry's truck                    | 5205340 · Vehicle Expense                | 93.60       |
| Bardstown Alarm             | Alarm battery                               | 5085329 · Building Main Contracts        | 20.00       |
| Bardstown Housing Authority | Bethany Haven - Mar 12                      | 5315399 · Emergency Shelter for Children | 300.00      |
| Bardstown Super Vac         | Sweeping parking lot                        | 5081329 · Justice Center Main Contracts  | 500.00      |
| Bardstown Super Vac         | Sweeping parking lot                        | 5415329 · Building Contract Services     | 100.00      |
| Beaven Equipment            | Riley                                       | 5105340 · Vehicle maintenance            | 315.00      |
| BMS LLC                     | Monthly admin fees                          | 9400205 · Employee Health Insurance      | 110.00      |
| Bumper to Bumper            | Ford Ranger                                 | 5115340 · Vehicle Maintenance            | 119.72      |
| Bumper to Bumper            | Water pump                                  | 5205340 · Vehicle Expense                | 52.98       |
| Bumper to Bumper            | Wiper motor, spark plugs, crankshaft        | 5340340 · Comm Svc Vehicle Main          | 191.41      |
| Buzick                      | Basement renovation                         | 5085741 · Sutherland Bldg renovation     | 398.54      |
| Cardmember                  | Microsoft Office 2010 Software              | 5001445 · CJE Office supplies            | 147.47      |
| Cardmember                  | CJE Winter Conference - Lodging             | 5001577 · CJE Travel                     | 238.18      |
| Cardmember                  | MS Office 2010, postage                     | 5040445 · Treasurer Office Supplies      | 156.57      |
| Cardmember                  | Mold testing                                | 5080329 · Courthouse Main Contracts      | 30.00       |
| Cardmember                  | Code books                                  | 5115427 · Technical supplies             | 145.30      |
| Cardmember                  | Postage                                     | 5205445 · Office supplies                | 85.50       |
| Central Ky Community Action | Staffing for Voluntary Action               | 5301315 · Community Action Services      | 1,014.00    |
| City of Bardstown           | Voluntary Action voucher                    | 5301515 · Vol Action General Assistance  | 100.00      |
| Conway Heaton               | EMA Vehicle maintenance, brakes, oil change | 5135340 · Vehicle maintenance            | 506.27      |
| Corvin's Furniture          | Basement remodel                            | 5085741 · Sutherland Bldg renovation     | 5,719.40    |
| Corvus Janitorial           | Annex cleaning contract - Mar 2012          | 5085329 · Building Main Contracts        | 1,195.00    |
| Economy Pest Control        | Portable toilet rental Feb/Mar 2012         | 5405348 · Recreation Program Support     | 70.00       |
| Humane Society              | Contracted services                         | 5205315 · Humane Society Contract        | 4,216.67    |
| Jackie's Copy Dots LLC      | County ordinances                           | 5205445 · Office supplies                | 46.00       |
| JBK, Inc.                   | Roof repairs - scuppers, caulking           | 5080329 · Courthouse Main Contracts      | 1,757.59    |
| JBK, Inc.                   | Repair leak in flat roof area               | 5081329 · Justice Center Main Contracts  | 849.90      |
| KMCA                        | Legislative training - Bernard, Jeff        | 5025569 · Magistrates Conferences        | 100.00      |
| Ky Home Electronics         | Basement renovation                         | 5085741 · Sutherland Bldg renovation     | 109.92      |
| Ky Home Electronics         | Batteries                                   | 5090427 · Supplies                       | 5.99        |
| Leo Talbott & Son, Inc.     | Boiler                                      | 5080329 · Courthouse Main Contracts      | 1,465.00    |
| Leo Talbott & Son, Inc.     | Furnace                                     | 5305329 · Bldg Main Contracts            | 85.00       |
| Leo Talbott & Son, Inc.     | Heat pump control wiring                    | 5415329 · Building Contract Services     | 495.00      |
| Lincoln Trail Health Dept   | FY 2012 Appropriation #3                    | 5231507 · Health Dept Appropriation      | 141,365.00  |
| Lowe's                      | Basement renovation                         | 5085741 · Sutherland Bldg renovation     | 2,098.31    |
| Lowe's                      | Furniture dolly, traffic cones              | 5090427 · Supplies                       | 232.51      |
| Mattingly, Joe              | Contracted services 100111-033112           | 5145548 · Central Dispatch LOC Projects  | 2,250.00    |
| Nelson EMS                  | Coroner transport                           | 5020308 · Autopsy & Services             | 75.00       |
| Patrons Home Center         | Keys for old library building               | 5001445 · CJE Office supplies            | 3.96        |
| Patrons Home Center         | Door knobset, keys, screws                  | 5080329 · Courthouse Main Contracts      | 21.95       |
| Patrons Home Center         | Toilet seat, batteries                      | 5081329 · Justice Center Main Contracts  | 32.98       |
| Patrons Home Center         | Bulbs                                       | 5085329 · Building Main Contracts        | 354.63      |
| Patrons Home Center         | Basement renovation                         | 5085741 · Sutherland Bldg renovation     | 479.57      |
| Patrons Home Center         | Keys, red tape, drill flex, plugs           | 5090427 · Supplies                       | 92.34       |

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|-------------------------------------|---|--|-------------------|
| Patrons Home Center                 | Bathroom repairs                        | 5105329 · Bldg Main Contracts            | 39.77             |
| Patrons Home Center                 | Keys                                    | 5105427 · Supplies                       | 2.99              |
| Pineiroa, Ramon                     | Reimburse in service meals              | 5105577 · Travel                         | 44.17             |
| Priority 1, Inc                     | Training - Metcalfe, Ice, Hutchins      | 5025569 · Magistrates Conferences        | 270.00            |
| Quick Care Oil Lube Express         | Oil changes, battery, tail light        | 5105340 · Vehicle maintenance            | 90.95             |
| Quill Corporation                   | Floor mat                               | 5040445 · Treasurer Office Supplies      | 42.49             |
| RCS                                 | Front partition for 2011 Van            | 5105340 · Vehicle maintenance            | 675.00            |
| RCS                                 | Monthly agreement                       | 5135336 · Equipment Repairs              | 385.00            |
| Ronnie's Custom Care                | Monthly cleaning                        | 5081329 · Justice Center Main Contracts  | 4,000.00          |
| Smith, Karen                        | Feb 2012                                | 5415329 · Building Contract Services     | 850.00            |
| Tatum Auto Supply                   | Throttle sensor                         | 5205340 · Vehicle Expense                | 34.99             |
| Thyssenkrupp                        | Quarterly elevator main                 | 5081329 · Justice Center Main Contracts  | 546.37            |
| Total 01 General Fund               |   |  | <u>177,211.39</u> |
| <b>02 Road Fund</b>                 |   |  |                   |
| Bluegrass Seed & Fertilizer         | Straw, seed                             | 6105431 · Fences & ROW                   | 176.00            |
| Bluegrass Seed & Fertilizer         | Culvert cap                             | 6105457 · Bridge & Culvert Materials     | 39.50             |
| BMS LLC                             | Monthly admin fees                      | 9400205 · Employee Health Insurance      | 22.00             |
| Bumper to Bumper                    | Garage supply                           | 6105427 · Garage supplies                | 15.90             |
| Bumper to Bumper                    | 120G, Mechanic truck, D Mattingly truck | 6105443 · Parts                          | 244.79            |
| Buzick                              | Culvert materials                       | 6105457 · Bridge & Culvert Materials     | 111.57            |
| Irving Materials Inc.               | Icetown Rd/Nat Rogers; Timber Creek     | 6105457 · Bridge & Culvert Materials     | 787.00            |
| KY Concrete                         | Hobbs Lane                              | 6105457 · Bridge & Culvert Materials     | 568.00            |
| Limestone Farm Lawn                 | Boom mower, 6615 Tractor                | 6105443 · Parts                          | 195.42            |
| Lowe's                              | Rollers for garage doors                | 6103329 · Building Main Contracts        | 19.92             |
| Patrons Home Center                 | Key hook                                | 6103445 · Office Supplies                | 9.49              |
| Tatum Auto Supply                   | Tire sealant                            | 6105427 · Garage supplies                | 29.99             |
| Tatum Auto Supply                   | Gradall, Dually, Boom Mower             | 6105443 · Parts                          | 220.40            |
| Total Truck Parts, Inc.             | Threadlocks                             | 6105427 · Garage supplies                | 37.21             |
| Truck Parts & Service               | Grease gun, coolant, hubcaps            | 6105427 · Garage supplies                | 236.70            |
| Truck Parts & Service               | Truck 304                               | 6105443 · Parts                          | 78.53             |
| Total 02 Road Fund                  |   |  | <u>2,792.42</u>   |
| <b>03 Jail Fund</b>                 |   |  |                   |
| BMS LLC                             | Monthly admin fees                      | 9400205 · Employee Health Insurance      | 5.50              |
| Bob Barker                          | Soap                                    | 5101453 · Prisoner Hygiene               | 350.94            |
| Clems                               | Food                                    | 5101425 · Food                           | 1,881.51          |
| Flowers Baking Co                   | Bread                                   | 5101425 · Food                           | 352.96            |
| Goldenrod Dairy                     | Milk                                    | 5101425 · Food                           | 1,455.41          |
| Ky Standard                         | Annual subscription                     | 5101428 · Canteen Inventory              | 660.00            |
| Leo Talbott & Son, Inc.             | Walk in freezer                         | 5101329 · Building Main Contracts        | 450.00            |
| Livers Body Shop                    | Vehicle repair                          | 5101329 · Building Main Contracts        | 156.27            |
| Louisville Bone & Joint Specialists | Inmate medical                          | 5101549 · Routine Medical                | 715.00            |
| Maxima Supply                       | Inventory purchases                     | 5101428 · Canteen Inventory              | 928.40            |
| O'Dell Equipment, Inc.              | Washer repairs                          | 5101336 · Equipment Repairs              | 780.94            |
| Patrons Home Center                 | Drain opener                            | 5101329 · Building Main Contracts        | 141.59            |
| Securus                             | Phone cards                             | 5101428 · Canteen Inventory              | 1,264.60          |
| U S Postal Service                  | Postage                                 | 5101428 · Canteen Inventory              | 1,350.00          |
| Total 03 Jail Fund                  |   |  | <u>10,493.12</u>  |
| <b>09 Ambulance Fund</b>            |   |  |                   |
| Airgas Mid America                  | Oxygen                                  | 5140550 · Medical supplies & Materials   | 99.15             |
| Beaven Equipment                    | Sq 38 42                                | 5140340 · Vehicle Maintenance & Repairs  | 320.00            |
| Beaven Equipment                    | Sq 38 42                                | 5140443 · Vehicle Parts                  | 1,013.15          |
| BMS LLC                             | Monthly admin fees                      | 9400205 · Employee Health Insurance      | 27.50             |
| Buzick                              | Returns                                 | 5140334 · Building maintenance           | (184.59)          |
| Buzick                              | Building repairs                        | 5140334 · Building maintenance           | 108.00            |
| Cardmember                          | Computer memory upgrade                 | 5140336 · Equipment Maintenance & Repair | 288.70            |
| Cardmember                          | Ink, USB drive, software licenses       | 5140445 · Office Supplies                | 278.73            |
| Cardmember                          | Driver history records                  | 5140551 · Dues                           | 185.00            |
| Cardmember                          | Postage                                 | 5140563 · Postage                        | 365.30            |
| Cardmember                          | Telephone cases                         | 5140573 · Telephones                     | 157.90            |
| Conway Heaton                       | Sq 32 39                                | 5140340 · Vehicle Maintenance & Repairs  | 719.00            |
| Conway Heaton                       | Sq 32 39                                | 5140443 · Vehicle Parts                  | 939.95            |
| Credit Clearing House               | Delinquent collections                  | 5140320 · Collection services            | 836.61            |
| Culler, Christopher                 | Software maintenance                    | 5140336 · Equipment Maintenance & Repair | 250.00            |
| Ferrell Gas                         | Propane Station I                       | 5140578 · Utilities                      | 312.80            |
| Financial Forms & Supplies          | Laser invoices                          | 5140445 · Office Supplies                | 307.37            |
| Galls                               | Uniforms                                | 5140481 · Staff Uniforms                 | 43.84             |
| Holt Computers                      | Service call - Joe's computer           | 5140336 · Equipment Maintenance & Repair | 60.00             |
| Jackson's Auto                      | Sq 32                                   | 5140340 · Vehicle Maintenance & Repairs  | 15.00             |
| Livers Body Shop                    | Sq 41                                   | 5140340 · Vehicle Maintenance & Repairs  | 88.00             |
| Lou's Gloves Inc                    | Gloves                                  | 5140550 · Medical supplies & Materials   | 142.00            |
| Lowe's                              | Building maint                          | 5140334 · Building maintenance           | 89.29             |

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| Mohawk Medical          | Medicine and supplies  | 5140550 · Medical supplies & Materials | 322.20               |
| Patrons Home Center     | Exit sign, wall sensor | 5140334 · Building maintenance         | 142.19               |
| Patrons Home Center     | Tissue                 | 5140411 · Custodial supplies           | 44.99                |
| Pat's Alterations       | Uniform alterations    | 5140481 · Staff Uniforms               | 10.00                |
| PMI Supply              | Medical supplies       | 5140550 · Medical supplies & Materials | 197.62               |
| QuadMed Inc             | Medical supplies       | 5140550 · Medical supplies & Materials | 506.07               |
| Tatum Auto Supply       | Mini bulbs             | 5140334 · Building maintenance         | 8.71                 |
| Tatum Auto Supply       | Dome, parking lights   | 5140443 · Vehicle Parts                | 13.96                |
| Total 09 Ambulance Fund |                        |  | 7,708.44             |
| <b>Total</b>            |                        |  | <b>\$ 198,205.37</b> |

## Nelson County Fiscal Court PIC Bills for Court Approval March 6, 2012

| Name                       | Memo                                 | Account                               | Amount             |
|----------------------------|--------------------------------------|---------------------------------------|--------------------|
| <b>13 Solid Waste Fund</b> |                                      |                                       |                    |
| BMS LLC                    | Monthly admin fees                   | 9400205 · Employee Health Insurance   | \$ 11.00           |
| Bumper to Bumper           | Truck 414                            | 5215443 · Parts                       | 19.84              |
| Fastenal                   | Stain/odor remover                   | 5215548 · Dead Animal Program Expense | 80.96              |
| Patrons Home Center        | Truck 406                            | 5215443 · Parts                       | 91.66              |
| Patrons Home Center        | Wire rope clip                       | 5215548 · Dead Animal Program Expense | 7.74               |
| Tatum Auto Supply          | Truck 412                            | 5215443 · Parts                       | 105.98             |
| Tatum Auto Supply          | Vehicle maintenance supplies         | 5215548 · Dead Animal Program Expense | 41.98              |
| Truck Parts & Service      | Tire patching, nuts                  | 5215443 · Parts                       | 38.20              |
| Total 13 Solid Waste Fund  |                                      |                                       | 397.36             |
| <b>15 Landfill Fund</b>    |                                      |                                       |                    |
| BMS LLC                    | Monthly admin fees                   | 9400205 · Employee Health Insurance   | 5.50               |
| Bumper to Bumper           | Truck 413                            | 5210443 · Parts                       | 103.49             |
| Cardmember                 | Credit card machine (replacement)    | 5210445 · Office Expense              | 194.51             |
| Cardmember                 | Internet equipment & svc             | 5210578 · Utilities                   | 69.95              |
| Edelen, Dennis             | Boot allowance                       | 5210481 · Uniforms                    | 69.95              |
| Fastenal                   | Cups                                 | 5210445 · Office Expense              | 53.80              |
| Kimberland, David          | Office cleaning Feb 2012             | 5210329 · Maintenance Contracts       | 340.00             |
| Patrons Home Center        | Light controls for outside lights    | 5210329 · Maintenance Contracts       | 11.99              |
| Scott-Gross Co             | Torch supplies                       | 5210427 · Main supplies               | 38.71              |
| Tatum Auto Supply          | Trucks 402, 826C                     | 5210443 · Parts                       | 423.68             |
| Tatum Auto Supply          | Water pump, micro-v belts            | 5217340 · Recycling vehicle expense   | 196.99             |
| TLC Graphics & Signs       | Decals                               | 5210427 · Main supplies               | 635.00             |
| Total 15 Landfill Fund     |                                      |                                       | 2,143.57           |
| <b>97 PIC</b>              |                                      |                                       |                    |
| Cardmember                 | Annual filing fees - Ky Sec of State | 5001445 · CJE Office supplies         | 30.00              |
| Cardmember                 | Floor leveling                       | 5082329 · SOB Maint Contracts         | 215.76             |
| Lowe's                     | Repair tile floor                    | 5082329 · SOB Maint Contracts         | 90.06              |
| Patrons Home Center        | Bathroom, tile repairs; bulbs        | 5082329 · SOB Maint Contracts         | 298.65             |
| Total 97 PIC               |                                      |                                       | 634.47             |
| <b>Total</b>               |                                      |                                       | <b>\$ 3,175.40</b> |

## Nelson County Fiscal Court Additional Bills for Court Approval March 6, 2012

| Name                             | Memo  | Account                              | Amount     |
|----------------------------------|---|--------------------------------------|------------|
| <b>01 General Fund</b>           |   |                                      |            |
| Bardstown Electric Supply        | Bulbs - baseball fields DWP                         | 5405348 · Recreation Program Support | \$ 51.75   |
| Brite Wholesale                  | Bulbs   | 5085329 · Building Main Contracts    | 56.46      |
| Brite Wholesale                  | Bulbs   | 5415329 · Building Contract Services | 56.46      |
| Flaget Memorial Hospital         | Suspect testing                                     | 5105547 · Drug Testing               | 24.00      |
| K&B Sales and Service Inc        | Clean, strip floors @ Health Dept                   | 5415329 · Building Contract Services | 1,279.25   |
| Kleinholter Construction Company | Draw #7   | 5305741 · Senior Center Complex      | 117,000.00 |
| Ky Home Electronics              | Basement renovation                                 | 5085741 · Sutherland Bldg renovation | 30.45      |
| Leo Talbott & Son, Inc.          | Insulate, straighten and bolt chiller lines on roof | 5080329 · Courthouse Main Contracts  | 760.00     |
| Lowe's                           | Plunger   | 5090427 · Supplies                   | 5.10       |
| Northside Funeral Home           | Coroner transports                                  | 5020308 · Autopsy & Services         | 800.00     |
| Northside Funeral Home           | Cremation   | 5330344 · Pauper Burials             | 950.00     |
| Patrons Home Center              | Keys  | 5080329 · Courthouse Main Contracts  | 5.93       |
| Patrons Home Center              | Basement renovation                                 | 5085741 · Sutherland Bldg renovation | 75.55      |
| Patrons Home Center              | Hole saw, fuel cylinder                             | 5090427 · Supplies                   | 43.48      |
| Patrons Home Center              | Building maint                                      | 5105329 · Bldg Main Contracts        | 10.15      |
| Quick Care Oil Lube Express      | Oil change, rotate tires                            | 5105340 · Vehicle maintenance        | 57.90      |
| Wells, Dennis                    | Meals - in service                                  | 5105569 · Staff Training             | 27.05      |
| Total 01 General Fund            |   |                                      | 121,233.53 |

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**02 Road Fund**

|                           |  |                                      |               |
|---------------------------|--|--------------------------------------|---------------|
| Ky Home Electronics       | Antenna  | 6105339 · Radio Repair and Maint     | 34.99         |
| Lawson Products           | Garage supplies                                    | 6105427 · Garage supplies            | 134.88        |
| Sublet Contractors        | Depot Street Bridge - City of B'field to reimburse | 6105457 · Bridge & Culvert Materials | 489.10        |
| Total Truck Parts, Inc.   | Cleaners   | 6105427 · Garage supplies            | 31.13         |
| Truck Parts & Service     | Wire   | 6105427 · Garage supplies            | 48.00         |
| <b>Total 02 Road Fund</b> |  |                                      | <b>738.10</b> |

**09 Ambulance Fund**

|                                |                 |                                |                 |
|--------------------------------|-----------------|--------------------------------|-----------------|
| Buzick                         | Building repair | 5140334 · Building maintenance | 5.16            |
| Cardmember                     | Uniforms        | 5140481 · Staff Uniforms       | 351.82          |
| Cardmember                     | New Truck       | 5140723 · EMS Vehicles         | 691.62          |
| Newcomb                        | Fuel            | 5140429 · Fuel & Oil           | 8,272.40        |
| <b>Total 09 Ambulance Fund</b> |                 |                                | <b>9,321.00</b> |

**13 Solid Waste Fund**

|                                  |                |                             |              |
|----------------------------------|----------------|-----------------------------|--------------|
| Curtsinger, Jonathon             | Boot allowance | 5215481 · Employee uniforms | 75.00        |
| <b>Total 13 Solid Waste Fund</b> |                |                             | <b>75.00</b> |

**15 Landfill Fund**

|                               |                                    |                                 |               |
|-------------------------------|------------------------------------|---------------------------------|---------------|
| Ky Division of Compliance     | Recertification - Landfill Manager | 5210569 · Staff Training        | 150.00        |
| Lowe's                        | Bathroom exhaust fan               | 5210329 · Maintenance Contracts | 41.01         |
| <b>Total 15 Landfill Fund</b> |                                    |                                 | <b>191.01</b> |

**97 PIC**

|                     |                          |                               |                     |
|---------------------|--------------------------|-------------------------------|---------------------|
| Etown Winnelson     | Toilet, related supplies | 5082329 · SOB Maint Contracts | 144.03              |
| <b>Total 97 PIC</b> |                          |                               | <b>144.03</b>       |
|                     |                          |                               | <b>\$131,702.67</b> |

**NELSON COUNTY FISCAL COURT  
PAID BILLS FOR COURT APPROVAL  
March 6, 2012**

| Fund/Vendor                | Description                            | Account                              | Amount              |
|----------------------------|--|--------------------------------------|---------------------|
| <b><u>General Fund</u></b> |  |                                      |                     |
| Justin Rogers              | Contract labor - basement renovation   | 5085741 · Sutherland Bldg renovation | \$ 432.00           |
| Lincoln Trail ADD          | Grant administration fee               | 5076742 · Senior Center CDBG Grant   | 2,500.00            |
| <b><u>Road Fund</u></b>    |  |                                      |                     |
| Wayne Supply               | Mauldin 1550D Asphalt Paver            | 6105713 · Road Equipment             | 78,945.00           |
| <b><u>PIC Fund</u></b>     |  |                                      |                     |
| Justin Rogers              | Contract Labor - State Office Building | 5082329 · SOB Maint Contracts        | 432.00              |
| <b>TOTAL PAID BILLS</b>    |  |                                      | <b>\$ 82,309.00</b> |

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PLANNING AND ZONING – REZONING ORDINANCE (SECOND READING)

KOC NUMBER 920.664 #2361

NELSON COUNTY AMENDED ORDINANCE  
KOC 920.598, BOOK 32, PAGE 522, DATE 4/3/2007

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ZONING MAP ENTITLED "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN AND NELSON COUNTY, KENTUCKY"

BY CHANGING THE DISTRICT CLASSIFICATION OF PROPERTY LOCATED IN NELSON COUNTY AS HEREINAFTER DESCRIBED FROM A-1, AGRICULTURAL DISTRICT TO BE REZONED AS I-2, HEAVY INDUSTRIAL DUTY.

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on January 9, 2007 held a public hearing under the provisions of KRS Chapter 100, and after careful consideration, the Commission on January 23, 2007, voted 6-4 to approve and recommend the amendment to the Fiscal Court of Nelson County.

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WHEREAS, the Court held a public hearing on February 26, 2007 and March 20, 2007 and first reading on March 20, 2007 and April 3, 2007 and after due advertisement held a second reading and adoption on April 3, 2007, and after due consideration,

UPON MOTION OF Sam Hutchins, SECONDED BY Jerry Hahn, AND A VOTE BEING HAD AND THE COUNTY JUDGE ANNOUNCING THAT THE MOTION CARRIED,

WHEREAS, the Court after due advertisement held a first reading on February 7, 2011, and a second reading and adoption on March 6, 2012, after due consideration, upon motion of Jeff Lear and seconded by Bernard Ice and a vote being had, the County Judge announcing motion carried,

NOW THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF NELSON COUNTY, COMMONWEALTH OF KENTUCKY:

SECTION I: Boundaries of the district as shown on district map entitled "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN AND NELSON COUNTY, KENTUCKY" be and the same are hereby amended for reasons adopted and stated in the recommendation of the Joint City-County Planning Commission all of which is made a part hereof as if fully set out herein, including the letter of recommendation dated January 29, 2007, from the said Joint City-County Planning Commission of Nelson County to the Nelson County Fiscal Court, so that the following described property of Nally & Haydon Holdings, LLC (Applicant/Owner), Wednesday Holdings, LLC, Greg & Rebecca Brothers, Dorothy & Tandy Wayne Combs, Jr., (Co-Applicants/Owners), is presently A-1, Agricultural District be and the same is placed as I-2, Heavy Industrial District and said property is described as follows:

Nally & Haydon Holding – "Beginning at a 5/8" iron pin (set) with I.D. cap "KRIMM 3611", corner to County of Nelson Public Improvement Corporation (DB 320, p 380), and being 20 feet from the center of Airport Road, as the Point of Reference; thence S 31-45-58 E 50.15 ft. to a point, corner to Wednesday Holding, LLC (DB 413, p 41) as the Point of Beginning; thence with right-of-way of Airport Road through the following calls: S 31-45-58 E 937.05 ft.; thence 532-07-20 E 711.41 ft.; thence S 32-45-46 E 271.78 ft. to a point in the right-of-way of Airport Road; thence leaving said right-of-way, S 56-59-02 W 386.39 ft. to a corner to Wednesday Holding, LLC; thence N 41-52-55 W 412.75 ft.; thence N 49-14-55 E 198.23 ft.; thence N 49-25-45 W 1510.14 ft.; thence N 54-01-37 E 713.99 ft. to the point of beginning containing 20.58 acres."

Wednesday Holding, LLC – "Beginning at a 5/8" iron pin (set) with I.D. cap "KRIMM 3611", corner to County of Nelson Public Improvement Corporation (DB 320, p 380), and being 20 feet from the center of Airport Road, as the Point of Beginning; thence with right-of-way of Airport Road through the following calls: S 31-45-58 E 50.15 ft.; to a point, corner to Nally & Haydon Holding, LLC (DB 413, p 311); thence with Nally & Haydon, S 54-01-37 W 713.99 ft.; thence S 49-25-45 E 1510.14ft.; thence S 49-14-55 W 198.23 ft.; thence S 41-52-55 E 412.75 ft.; thence S 56-59-02 W 325.94 ft. to a point in the east line of Tandy Wayne Combs (DB 378, p 83); thence with Combs, N 35-33-42 W 733.80 ft.; thence S 65-54-01 W 153.98 ft.; thence N 30-58-52 W 724.94 ft.; thence S 54-05-37 W 1014.99 ft. to a point, corner to Greg & Rebecca Brother (DB 292, p 489); thence with Brothers, N 28-55-42 W 2018.61 ft.; thence N 68-48-07 E 331.52 ft.; thence N 13-08-10 E 67.00 ft.; thence S 84-48-16 E 694.80 ft. to an existing iron

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pin with I.D. cap (HIBBS 2981); thence S 28-53-21 E 1073.39 ft. to an existing iron pin with I.D. cap (KRIMM 3611); thence N 54-01-37 E 934.69 ft. to the point of beginning containing 57.24 acres.

Wednesday Holding, LLC – “Beginning at an existing 5/8” iron pin with ID. Cap “3260”, corner to Wednesday Holdings, LLC (DB 413, p 041) and Tandy Wayne Combs (DB 378, p 083), thence with Combs, N 82-54-42 W 810.11 ft. to a Nail & Disk (3260) in a 14” Maple, corner to Combs and Greg & Rebecca Brothers (DB 378, p 764); thence with Brothers, N 81-50-30 W 592.38 ft. to an existing 5/8” iron pin with I.D. cap “HIBBS 2981”, corner to Brothers and Michael & Tammy Mudd Brothers (DB 323, p 729); thence with Brothers, N 07-41-41 W 1532.00 ft. to a 5/8” iron pin (set) with LD. cap “KRIMM 3611” by a post, corner to Brothers and County of Nelson Public Improvement Corporation (DB 320, p 380); thence with County of Nelson, N 55-07-17 E 564.96 ft. to a 5/8” iron pin (set) with I.D. cap “KRIMM 3611” in stone pile on north side of branch; thence S 63-07-43 E 66.00 ft. to a 5/8” iron pin (set) with ID. cap “KRIMM 3611”; thence S 84-05-08 E 423.23 ft. to an existing nail in a 12” crooked Cedar, corner to County of Nelson and Wednesday Holdings, LLC; thence with Wednesday Holdings, LLC, S 13-08-10 W 67.00 ft. to an existing 5/8” iron pin with ID. cap “KRIMM 3611”; thence S 68-48-07 W 331.52 ft. to an existing axle by post; thence S 28-55-42 E 2018.61 ft. to the point of beginning, containing 40.51 acres.”

Tandy Wayne Combs – “Beginning at a nail & disk (3260) in a 14” Maple, corner to Greg & Rebecca Brothers (DB 292, p 489 & DB 378, p 764), and Tandy Wayne Combs (DB 378, p 083); thence with Combs, S 82-54-42 E 810.11 ft., to a point corner to Wednesday Holding, LLC (DB 413, p 41); thence with Wednesday Holding, LLC, N 54-05-37 E 1014.99 ft.; thence S 30-58-52 E 724.94 ft.; thence N 65-54-01 E 153.98 ft.; thence S 35-33-42 E 733.80 ft.; thence with a new division across Combs S 54-59-02 W 1102.37 ft.; thence N 37-12-53 W 1040.35 ft.; thence N 57-21-25 W 209.18 ft.; thence N 78-37-01 W 297.24 ft.; thence S 83-33-34 W 194.77 ft.; thence S 33-27-02 W 149.31 ft.; thence S 37-32-28 W 140.43 ft.; thence S 40-32-27 W 224.57 ft.; thence S 61-25-52 W 45.00 ft.; thence N 0-07-09 E 710.90 ft. to the point of beginning, containing 42.03 acres.”

Greg & Rebecca Brothers – “Beginning at an existing 5/8” iron pin with LD. Cap “HIBBS 2981”, corner to Michael & Tammy Mudd Brothers (DB 323, p 729), and Greg & Rebecca Brothers (DB 292, p 489), S 81-50-30 E 592 38 ft to a nail & disk (3260) in a 14” Maple, corner to Tandy Wayne Combs (DB 378, p 083); thence with Combs, S 00-07-09 W 710.90 ft. to an existing iron pin; thence with a new division across Greg & Rebecca Brothers (DB 378, p 764), S 63-06-44 W 504.70 ft. to a point in the east line of Brothers; thence N 07-30-12 W 1032.05 ft. to the point of beginning, containing 10.43 acres.” (TOTAL: 170.79 ACRES)

SECTION II: The above rezoning is subject to the following binding elements:

- A. The use of the above described property shall be restricted to a limestone quarry operation only, unless otherwise approved by the Joint City-County Planning Commission of Nelson County and the Nelson County Fiscal Court.
- B. The quarry operations must be phased and developed as shown on the Applicant’s Exhibits “N” and “T” and as described in items 1 through 3 of the Applicant’s Binding Elements (Applicant’s Exhibit “Z”). All exhibits can be found in the record of the hearing on the application in the Joint City-County Planning and Zoning Commission of Nelson County office.
- C. The entrance for the proposed quarry shall be constructed as shown in Applicant’s Exhibit “O” and no further entrances shall be installed, unless otherwise approved by the Joint City-County Planning Commission of Nelson County and the Nelson County Fiscal Court.
- D. The berming and screening shall be implemented as shown in the Applicant’s Exhibits “N,” “O,” and “T” and as described in Items 1 through 3 of Applicant’s Binding Elements (Applicant’s Exhibit “Z”), with the exception of the White Pines being 20 foot on center instead of 40 foot on center.
- E. The quarry operations must comply with the performance standards set forth in the “Conditions Imposed on Operations for the Conditional Use Permit,” Application Exhibit “A.”
- F. All quarry vehicular traffic shall utilize Airport Road and Boston Road (US 62), until such time as Ben Irvin Road (KY 2737) is improved to a rural collector road or a southwest bypass road is

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- constructed.
- G. All industrial uses shall be served by public sanitary sewer, unless a planned unit development designation is approved by the Joint City-County Planning and Zoning Commission of Nelson County and the Nelson County Fiscal Court.
  - H. The operator of the Quarry shall be required to procure and maintain in full force and effect comprehensive general liability insurance coverage, providing affirmative coverage for blasting damage to adjoining property owners, with minimum policy limits not less than \$5,000,000.00.
  - I. The operator of the Quarry shall be required to post and maintain on a continuous basis a letter of credit with the Nelson Fiscal Court, in the amount of \$250,000.00. Such letter of credit shall provide that, if reasonable grounds exist to believe that any leak or other environmental release detected by the Nelson County Landfill Groundwater Monitoring System, or any damage to such system, is attributable to Quarry Operations, the County shall be permitted to draw against such letter of credit to apply toward the costs of required testing and remedial work, with ultimate liability for such testing and remedial action required being allocated to the responsible party. The letter of credit referenced herein shall be suspended until such time as the operation of the Quarry re-commences blasting operations on the property set out in this ordinance.
  - J. The Quarry Operator shall be required to place two (2) seismographs at or in close proximity to the Nelson County Groundwater Monitoring Wells, as selected by the County, for continuous monitoring of Quarry blasting activities for the life of such Quarry. Seismograph reports shall be maintained by the Operator and shall be available for inspection and/or copying by county officials upon request.
  - K. Prior to the commencement of any quarry operations the Applicant shall construct, with its forces, at its expense, and utilizing its own property for any needed right-of-way the intersection of Airport Road and Boston Road (US 62) according to the plans identified as "Airport Road Intersection Design" prepared by American Engineers, Inc., dated March 19, 2007, and presented at the Public Hearing held on March 20, 2007 as Applicant's Exhibit "II". This binding element is subject to the quarry being permitted and is subject to the approval of the Commonwealth of Kentucky, Department of Highways. The plans may only be altered upon the approval of the Nelson Fiscal Court.

SECTION III: This Ordinance becomes effective immediately upon passage by the Fiscal Court of Nelson County.

SECTION IV: This Ordinance shall be published in the Kentucky Standard newspaper by title and summary within 30 days after adoption.

SECTION V: This Order or parts of Orders in conflict herewith are repealed to the extent of such conflict.

Adopted this 6 day of MAR, 2007, by 5 ayes and 0 nays.

NELSON FISCAL COURT

\_\_\_\_\_  
County Judge/Executive

ATTEST:

  
Elaine G. Silvestro  
Nelson County Court Clerk

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DEPARTMENT REPORTS

**\*\*JAIL**

JAIL BUDGET - As required by statute, a draft of the 2012-13 Jail budget was presented to Nelson Fiscal Court.

REGULAR REPORT - Regular Jail report was presented by Doug Karr:

**NELSON COUNTY JAIL**

|                 | Total | Hardin Co | HIP | State | W-End | In House |
|-----------------|-------|-----------|-----|-------|-------|----------|
| <b>FEBRUARY</b> |       |           |     |       |       |          |
| Wed 22          | 124   | 3         | 2   | 32    | 7     | 112      |
| Thur 23         | 120   | 3         | 2   | 32    | 7     | 108      |
| Fri 24          | 120   | 3         | 2   | 33    | 7     | 108      |
| Sat 25          | 123   | 3         | 2   | 31    | 7     | 111      |
| Sun 26          | 121   | 3         | 2   | 31    | 7     | 109      |
| Mon 27          | 122   | 3         | 2   | 31    | 7     | 110      |
| Tue 28          | 120   | 3         | 2   | 31    | 6     | 109      |
| Wed 29          | 121   | 3         | 2   | 31    | 6     | 110      |
| <b>March</b>    |       |           |     |       |       |          |
| Thur 01         | 117   | 3         | 2   | 31    | 6     | 106      |
| Fri 02          | 118   | 3         | 3   | 31    | 7     | 105      |
| Sat 03          | 121   | 3         | 3   | 28    | 2     | 113      |
| Sun 04          | 118   | 3         | 3   | 28    | 2     | 110      |
| Mon 05          | 117   | 3         | 3   | 28    | 3     | 108      |
| Tue 06          | 117   | 3         | 5   | 28    | 6     | 103      |

**\*\*EMS**

REGULAR REPORT - Joe Prewitt presented his regular report as follows:

03/05/2012

Monthly EMS Run Totals  
As of February 2012

| Area                         | Monthly Completed Runs | Monthly Non Transport | Monthly Total Calls | Year-To-Date Calls | Monthly Charges      | Year-To-Date Charges   | Average Charge per Run |
|------------------------------|------------------------|-----------------------|---------------------|--------------------|----------------------|------------------------|------------------------|
| Bardstown Area               | 367                    | 60                    | 427                 | 3582               | \$ 262,382.30        | \$ 2,193,789.20        | \$ 612.45              |
| Bloomfield Area              | 14                     | 8                     | 20                  | 235                | \$ 10,500.65         | \$ 131,026.55          | \$ 557.56              |
| New Haven Area               | 16                     | 5                     | 21                  | 245                | \$ 13,169.90         | \$ 128,803.25          | \$ 525.73              |
| Boston Area                  | 13                     | 7                     | 20                  | 109                | \$ 9,384.50          | \$ 68,197.65           | \$ 625.67              |
| Cox's Creek Area             | 14                     | 5                     | 19                  | 119                | \$ 10,865.65         | \$ 63,687.85           | \$ 535.19              |
| <b>TOTAL</b>                 | <b>424</b>             | <b>83</b>             | <b>507</b>          | <b>4290</b>        | <b>\$ 306,283.00</b> | <b>\$ 2,585,504.50</b> | <b>\$ 602.68</b>       |
| Average Per Day              | 14.6                   | 2.9                   | 17.5                | 17.8               | \$ 10,942.30         | \$ 10,801.03           |                        |
| Collections (YTD)            |                        |                       |                     |                    |                      | \$ 1,259,843.00        |                        |
| Collection Per Run           |                        |                       |                     |                    |                      | \$ 293.67              |                        |
| Cost Per Run                 |                        |                       |                     |                    |                      | \$ 339.68              |                        |
| Difference                   |                        |                       |                     |                    |                      | \$ (46.01)             |                        |
| Previous Year 2011           | Totals                 |                       | 499                 | 4061               | \$ 288,688.70        | \$ 2,064,070.00        |                        |
| Previous Year Difference     |                        |                       | 8                   | 229                | \$ 17,594.30         | \$ 481,434.50          |                        |
| Previous Year 2010           | Totals                 |                       | 472                 | 3821               | \$ 277,823.17        | \$ 2,064,070.00        |                        |
| Difference From Current Year |                        |                       | 35                  | 469                | \$ 28,759.83         | \$ 481,434.50          |                        |
| Previous Year 2009           | Totals                 |                       | 407                 | 3782               | \$ 230,980.00        | \$ 2,042,181.00        |                        |
| Difference From Current Year |                        |                       | 100                 | 33                 | \$ 75,333.00         | \$ 543,343.50          |                        |
| Previous Year 2008           | Totals                 |                       | 481                 | 3838               | \$ 245,443.15        | \$ 2,080,141.80        |                        |
| Difference From Current Year |                        |                       | 86                  | 464                | \$ 60,839.85         | \$ 535,362.90          |                        |
| Previous Year 2007           | Totals                 |                       | 390                 | 3639               | \$ 193,173.80        | \$ 1,786,616.08        |                        |
| Difference From Current Year |                        |                       | 117                 | 651                | \$ 113,109.20        | \$ 829,888.48          |                        |

Monthly Summary  
Feb 2012

|                  | Beginning Mileage | Ending Mileage | GALLONS (Actual) | LOADED MILES (PER TRIP) | TOTAL TRIP MILES | DEAD MILES      | Actual Monthly Miles | Actual Monthly MPG | Mileage after Available | Total All Miles X Fuel Cost | Dead Miles + 10-8 Miles X Fuel Cost | Loaded Miles X Fuel Cost | Diesel Fuel Cost: | Gasoline Fuel Cost: |
|------------------|-------------------|----------------|------------------|-------------------------|------------------|-----------------|----------------------|--------------------|-------------------------|-----------------------------|-------------------------------------|--------------------------|-------------------|---------------------|
|                  |                   |                |                  |                         |                  |                 |                      |                    |                         |                             |                                     |                          | \$3.89            | \$3.48              |
| Squad 31         | 34,414.0          | 38,926.0       | 409.5            | 1,650.0                 | 3,216.0          | 1,566.0         | 4,512.0              | 11.0               | 1,296.0                 | \$1,592.96                  | \$652.87                            | \$582.53                 |                   |                     |
| Squad 32         | 155,523.0         | 157,288.0      | 228.5            | 766.6                   | 1,631.0          | 864.4           | 1,765.0              | 7.7                | 134.0                   | \$888.87                    | \$435.32                            | \$386.06                 |                   |                     |
| Squad 33         | 788.0             | 4,526.0        | 190.5            | 738.7                   | 1,444.0          | 705.3           | 3,737.0              | 19.6               | 2,293.0                 | \$741.05                    | \$139.88                            | \$146.48                 |                   |                     |
| Squad 34         | 222,392.0         | 225,590.0      | 282.0            | 1,138.5                 | 2,356.0          | 1,217.5         | 3,198.0              | 11.3               | 842.0                   | \$1,096.98                  | \$417.63                            | \$390.53                 |                   |                     |
| Squad 35         | 145,947.0         | 146,827.0      | 115.0            | 347.1                   | 618.0            | 270.9           | 880.0                | 7.7                | 262.0                   | \$447.35                    | \$137.71                            | \$176.45                 |                   |                     |
| Squad 36         | 137,874.0         | 140,350.0      | 245.5            | 968.8                   | 1,841.5          | 872.7           | 2,476.0              | 10.1               | 634.5                   | \$965.00                    | \$336.60                            | \$373.87                 |                   |                     |
| Squad 37         | 196,207.0         | 196,665.0      | 48.0             | 139.4                   | 299.4            | 160.0           | 458.0                | 9.5                | 158.6                   | \$188.72                    | \$65.23                             | \$66.83                  |                   |                     |
| Squad 38         | 221,090.0         | 223,753.0      | 238.0            | 892.6                   | 1,890.1          | 997.5           | 2,663.0              | 11.2               | 772.9                   | \$925.82                    | \$346.79                            | \$310.32                 |                   |                     |
| Squad 39         | 206,807.1         | 208,148.5      | 124.5            | 524.9                   | 1,029.8          | 504.9           | 1,341.4              | 10.8               | 311.6                   | \$484.31                    | \$182.29                            | \$189.51                 |                   |                     |
| Squad 41         | 224,573.0         | 225,799.0      | 142.0            | 498.7                   | 980.3            | 481.6           | 1,226.0              | 8.6                | 245.7                   | \$494.16                    | \$194.10                            | \$201.01                 |                   |                     |
| Squad 42         | 296,028.0         | 296,128.0      | 16.5             | 26.9                    | 68.0             | 41.1            | 100.0                | 6.1                | 32.0                    | \$64.19                     | \$26.38                             | \$17.27                  |                   |                     |
| Medic 1          | 82,230.0          | 82,442.0       | 16.5             | 0.0                     | 1.0              | 1.0             | 212.0                | 12.8               | 211.0                   | \$67.42                     | \$123.98                            | \$0.00                   |                   |                     |
| Medic 5          | 166,513.0         | 166,802.0      | 4.0              | 0.0                     | 3.0              | 3.0             | 40.0                 | 10.0               | 37.0                    | \$13.92                     | \$1.04                              | \$0.00                   |                   |                     |
| <b>Total All</b> |                   |                | <b>2060.5</b>    | <b>7692.2</b>           | <b>15378.068</b> | <b>7688.868</b> | <b>22608.4</b>       | <b>11</b>          | <b>7230.332</b>         | <b>\$7,948.72</b>           | <b>\$2,959.81</b>                   | <b>\$2,830.56</b>        |                   |                     |

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VEHICLES - Joe Prewitt explained condition and cost of needed repair of a 2005 Ford 4WD which is experiencing engine problems; estimated cost for rebuilding top of engine and replacing burned-out pistons is \$6,400. Total potential needed repair is over \$13,000. Considering monies already spent on truck repair, Court members were asked to look at purchase of another vehicle. Prewitt also noted that a second EMS vehicle is expected to be in the same condition soon. At this time, there is \$50,000 remained in the budget for use in purchasing a vehicle. He recommended that, considering that this is a 6.0 engine, and that several dollars have already been spent on repairs, no further money should be spent on this vehicle. Court asked Prewitt to look on-line for good used 4-WD ambulances and to report his findings back at the next meeting.

TORNADO AID - Prewitt reported that the State had called EMS on Saturday for deployment of the mobile triage unit to West Liberty to help there; service there included stopping at the U of K Hospital to pick up various drugs and medications needed in the tornado-stricken area. The local unit helped with re-supplying local trucks and supply rooms.

DISPATCH - Accurate deposit amount for wireless phones for February (for first quarter) is \$42,297.39. This should be a close estimate for each quarter based on the number of phones.

EMA WEATHER ACTION - Report was given related to action taken by EMA in reaction to recent tornadic weather and weather forecasts.

## \*\*LANDFILL/SOLID WASTE

ON-GOING - Noting that the bulky-item project is in progress, Brad Spalding told Court members that he had received two quotes for tire disposal; one was from a company which requires that tires be delivered to them (not what was specified). Report will be brought back later.

## \*\*ROAD DEPARTMENT

SIGN MAINTENANCE - BLANKET REPLACEMENT - Following explanation of Federal regulations that will require all road signs to be reflective within the next few years, on motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following sign maintenance policy:

### **BLANKET REPLACEMENT METHOD**

#### **Sign Maintenance Policy - County of Nelson**

##### **For Maintaining Minimum Sign Retroreflectivity Compliance as Required by the FHWA Manual on Uniform Traffic Control Devices, 2009 Edition**

This policy statement describes the evaluation and assessment method employed by the County of Nelson for the general maintenance of traffic signage and adequate sign retroreflectivity. The method described herein consists of routine daytime reviews for post or sign misalignment, damage, theft or deterioration and a nighttime every two years visual assessment of all signs in a specified area to assure adequate retroreflectivity.

Individual operators and maintenance crews travel the County of Nelson streets to and from specific work assignments each work day in all parts of our service area. These staffers have been instructed to report any apparent problems (i.e. vision obstruction, vandalism, collision damage or substandard appearing traffic control devices) immediately to the office staff, where a maintenance work order for any needed repairs will be initiated. Local police officers who patrol the streets have also been requested to report any traffic control device deficiencies that are observed, including any collision damage. Other public service staff, including meter readers, zoning and parks personnel have also been advised to report observed traffic control device deficiencies that might be observed during work travels throughout the community.

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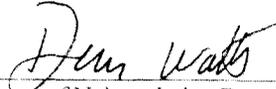
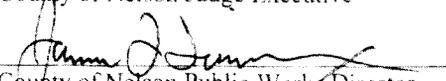
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To assure continued compliance with minimum retro-reflectivity requirements the County of Nelson has adopted a "blanket replacement" method for all required traffic control signs. Based on this approach, all signs within a pre-determined area or of a certain sign type are replaced every 9 to 12 years, based on sign type, regulatory nature and manufacture's guidelines for expected sign life. After the initial investment in replacement signs is made adequate funding is then budgeted annually to replace approximately 10% of all signs in the County of Nelson service area. Our service area may be roughly divided into x number of zones or x number of sign types and therefore signs are completely replaced in one of these ten zones or one of these sign types each and every year as needed.

A sign inventory is maintained in this office in either a paper or electronic form that records initial install dates and the date of sign replacements. Based on the replacement dates recorded for the zone or type in question a repair work order is generated and the necessary signs are replaced in a timely manner.

3/6/12  
Date

  
County of Nelson Judge Executive  
  
County of Nelson Public Works Director

BRIDGEPOINT BOND RELEASE  
**To:** Dean Watts, NCJE  
**From:** James F. Lemieux, P.E., County Engineer  
**Date:** 02/29/12  
**Subject:** Bridgepointe, Phase 2, Site Inspection

Dean,

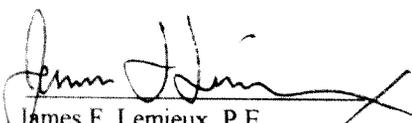
Bernard Ice and myself inspected the Bridgepointe, Phase 2 Roads for Final Inspection at the Developer's (Jimmy Cross) request. Attached is my report. The roadways meet minimum County Standards.

Recommend the Roadway Performance Bond for

**Delaware Ct. - 990 LF 22 feet wide, w/cul-de-sac**  
**Bay Court - 200 LF 22 ft wide, w/cul-de-sac**

be released and the roadways be accepted into the Nelson County Roadway maintenance system contingent on the following:

"Prior to Bond Release- A new Performance bond secured with a Letter of Credit in the amount of \$15,000 be provided for incomplete sidewalks as required by County Policy adopted on November 6, 2002 (\$1000/lot x 15 lots without sidewalks)."

  
James F. Lemieux, P.E.  
County Engineer

On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to release bond as described and to accept Bay Court and Delaware Court into the county road system, this action contingent on completion of sidewalks.

RURAL SECONDARY ROAD AGREEMENT (BULL RUN CREEK - NAT ROGERS RD)

The following agreement and resolution is approved on motion of Keith Metcalfe, second of Bernard Ice, and by unanimous vote of the Court:

## R E S O L U T I O N

Fiscal Court of Nelson County

**Resolution adopting and approving the execution of a Rural Secondary Program Agreement between the Fiscal Court and**

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the Commonwealth of Kentucky,  
Transportation Cabinet, Department of  
Rural and Municipal Aid.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Agreement and does hereby accept said Agreement and by such acceptance agrees to all the terms and conditions therein stated; and

The County Judge/Executive of the county is hereby authorized and directed to sign said Agreement as set forth on behalf of the Fiscal Court of Nelson County, and the County Clerk of Nelson County is hereby authorized and directed to certify thereto.

The vote taken on said Resolution, the result being as follows:

| <u>AYES</u>                      | <u>NAYS</u> |
|----------------------------------|-------------|
| <u>Magistrate Keith Metcalfe</u> | _____       |
| <u>Magistrate Bernard Ice</u>    | _____       |
| <u>Magistrate Sam Hutchins</u>   | _____       |
| <u>Magistrate Jeff Lear</u>      | _____       |
| <u>Magistrate Jerry Hahn</u>     | _____       |
| <u>CJ/E Dean Watts</u>           | _____       |

COMMONWEALTH OF KENTUCKY ) SS:  
NELSON COUNTY)

I, Elaine A Filiatreau, County Clerk of Nelson County certify that the foregoing is a true copy of the Order above. Given under my hand and seal of office this the 6 day of March, 2012.

SIGNED *Elaine A Filiatreau*

CLERK OF NELSON COUNTY

## AGREEMENT

This Agreement, entered into by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid (hereinafter called the Department) and the Nelson County Fiscal Court (hereinafter called the County);

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WITNESSETH:

WHEREAS, it would be to the benefit of the traveling public to perform reconstruction on KY 46 (Nat Rogers Road) at Bull Run Creek from 1.791 miles N.W. of US 31E (MP 5.160), S.E. to 1.631 miles N.W. of US 31E (MP 5.320), which shall hereinafter be referred to as the Project; and

WHEREAS, the County has expressed its desire to perform the work for the aforementioned Project and to be responsible for all phases of the Project;

NOW THEREFORE, in consideration of these premises and the mutual covenants contained herein, the parties agree as follows:

1. The Department shall be responsible for providing Rural Secondary funding in an amount not to exceed \$647,292 for the abovementioned Project.

2. If Project is performed by Contract, the County shall employ only contractors prequalified by the Kentucky Transportation Cabinet and shall comply with all legal bidding requirements including, but not limited to, the provisions of KRS 45A and 424. **Concurrence must be obtained by the County through the District 4 Chief District Engineer in Elizabethtown prior to the awarding of any contract for work or materials to be used on this Project.**

3. The County shall cause the Project to be constructed to a level which meets applicable county road and bridge standards (all bridges will be required to meet or exceed an H-20 loading); and all materials paid for by the Department used on, or incorporated into, the Project shall meet the requirements specified in the Highway Department's Specifications for Road and Bridge Construction, Edition of 2008 State Specifications. The County will obtain any required permits or approval of plans for work to be accomplished on state-owned right-of-way from the Cabinet's District 4 Office in Elizabethtown, KY. The County hereby agrees to put forth a reasonable effort to do maintenance on roads listed herein prior to bituminous surface being applied. Maintenance being defined but not limited to proper ditching, cleaning or replacement of clogged or deficient drain tiles, proper shouldering, surface preparation, and any other obvious maintenance the road may need. The minimum thickness of any bituminous surface applied shall be one inch.

4. The County shall indemnify and hold harmless the Department and all of its officers, agents, and employees from all suits, actions, or claims of any character because of any injuries or damages received by any person, persons, or property resulting from construction of the Project.

5. The Department shall reimburse the County up to \$647,292 for completion of work by the County under the obligations of this agreement, which shall represent the total obligation of the Department.

6. The County agrees to be responsible for all cost above \$647,292.

7. The County shall maintain for a period of three (3) years all records of material, equipment, and labor costs involved in the performance of the work for the Project. **In order to obtain reimbursement from the Department for the Project, the County shall submit to the**

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**Office of Rural and Secondary Roads documented invoices of materials, equipment, and labor used on the Project, including certification that the work was accomplished on a publicly maintained facility in accordance with this agreement.**

8. The County may submit current billing reflecting the actual cost of the project during any given work period. This bill should indicate if it is for partial payment or final payment. The current billings will be paid within a reasonable time after receipt of same by the Department; however, in no event is the County to submit billings for work performed for less than a thirty-day (30) period.

9. The Department reserves the right to inspect the methods used in order to perform the work necessary to successfully complete the Project and also reserves the right to cease all work commenced under the terms of this agreement at any time.

10. The County will pass the attached Resolution and a copy of that resolution shall be attached to and made a part of this Agreement.

**IN WITNESS WHEREOF**, the parties have caused this agreement to be executed by its officers, thereunto duly authorized.

NELSON COUNTY FISCAL COURT

By \_\_\_\_\_ Date: \_\_\_\_\_  
COUNTY JUDGE/EXECUTIVE

DEPARTMENT OF RURAL AND MUNICIPAL AID

By \_\_\_\_\_ Date: \_\_\_\_\_  
COMMISSIONER

COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET

By \_\_\_\_\_ Date: \_\_\_\_\_  
SECRETARY

APPROVED AS TO FORM  
AND LEGALITY:

By \_\_\_\_\_ Date: \_\_\_\_\_  
OFFICE OF LEGAL SERVICES





# Fiscal Court Orders

Mar. 6, 2012  
REGULAR SESSION OF NELSON FISCAL COURT

Book 36  
Page 75

|  |                |                |                |                |                |                |  |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|--|----------------|
| 61. Capital Outlay (Outright purchases on tangible assets lasting in nature)   |                |                |                |                |                |                |  |                |
| 62. Office Equipment   | \$90,000.00    | \$1,044.04     | \$1,014.57     | \$533.49       | \$79,025.00    | \$81,617.10    |  | \$81,617.10    |
| 63. Vehicle  |                |                |                |                |                |                |  |                |
| 64.  |                |                |                |                |                |                |  |                |
| 65.  |                |                |                |                |                |                |  |                |
| 66.  |                |                |                |                |                |                |  |                |
| 67. Total Official Expenses  | \$927,010.37   | \$152,928.53   | \$162,216.80   | \$187,569.15   | \$258,567.92   | \$761,282.40   |  | \$761,282.40   |
| For offices that fee pool, pay fees to county prior to December 31, or counties over 70,000 in population, show payments made on lines 68 and 69 |                |                |                |                |                |                |  |                |
| 68. Payments to County Treasurer   |                |                |                |                |                |                |  |                |
| 69. Payments to State Treasurer  |                |                |                |                |                |                |  |                |
| Enter total of lines 28, 67, 68 and 69 on line 70  |                |                |                |                |                |                |  |                |
| 70. Total Disbursements  | \$9,864,517.37 | \$2,548,914.15 | \$2,388,784.92 | \$2,396,770.75 | \$2,049,631.41 | \$9,384,101.23 |  | \$9,384,101.23 |

Copy the figure shown on Line 70 in the Budget Estimate column to the Summary on page 1, column 1, line 2. Copy the figure shown on Line 70 in the Total VTD column to page 1, column 2, line 2. Copy the figure shown on Line 70 in the Unpaid column (use for 1231 report only) to page 1, line 10.

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Following discussion of circumstances surrounding ability to dispose of properties that are considered nuisances or that devalue surrounding properties, County Attorney addressed Court members concerning the process involved before any action can be taken.

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On motion of Bernard Ice, second of Jeff Lear, and by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the Mar. 6 session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A. FILIATREAU, NELSON COUNTY CLERK

# Fiscal Court Orders