

Fiscal Court Orders

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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.

Judge Watts called for a moment of silence in honor of and respect for Judge Larry Raikes, citing Judge Raikes' prudence with county funds and in his work with the county, as well as his goodness as a person.

Prior to opening the meeting to regular business, Judge Watts introduced North Nelson Water District Chairman Bob Robinson and Cole Cissell, who will become General Manager upon the retirement of Steve Allgeier. Cissell reviewed the history of Northeast Nelson Water District from its inception in the 1960's/70's to the present, noting its initial purpose of servicing the northwestern portion of Nelson County. Growth in the area, as well as inclusion of portions of Bullitt and Spencer Counties, has led the district to build infrastructure and purchase water, beginning in 1998, from the Louisville Water Company--about 50% of North Nelson's water is supplied through Louisville, the other 50% comes from Bardstown. Cissell explained lines now under construction along KY 245 which will be able to supply a maximum of 3,000,000 daily, this in addition to the 12" line which now can supply about 500,000 a day, water purchased from the Louisville Water Company and considered necessary for anticipated additional customers as well as to help alleviate problems during drought situations. Cissell and Robinson gave Court members an overview of the North Nelson Water District as it exists and as plans are underway for future expansion and service.

BUSINESS MEETING CALLED TO ORDER

Judge Watts called the regular business session of Nelson Fiscal Court to order at 9:28 a.m.

MINUTES CORRECTED/APPROVED - AUG. 21

On motion of Sam Hutchins, second of Jerry Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the minutes of the Aug. 21 session of Nelson Fiscal Court, after correcting Pp 269-70 to reflect that the ordinance setting property tax rates for the 2012-13 Nelson County budget was approved after a "first" reading.

BILLS

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

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Nelson County Fiscal Court General Funds Bills for Court Approval September 5, 2012

Name	Memo	Account	Amount
01 General Fund			
ADP	PR 082012	9100301 · Payroll Processing	\$ 35.36
Bardstown Ambulatory	Employee medical	9400547 · Employee Medical/WC Claims	236.63
Bardstown Electronics	LCD TV w/stand	5305709 · Sr Center Furniture & Fixtures	1,398.00
Bluegrass Uniforms Inc.	SO Uniforms	5105481 · Uniforms	1,402.64
Brite Wholesale	Bulbs	5080329 · Courthouse Main Contracts	146.70
Brite Wholesale	Bulbs	5085329 · Building Main Contracts	146.70
Brite Wholesale	Bulbs	5415329 · Building Contract Services	146.70
Bumper to Bumper	Air tank supplies	5090340 · Vehicle Maintenance	26.61
Bumper to Bumper	Quick connect blade	5105340 · Vehicle maintenance	7.98
Bumper to Bumper	Valve	5340427 · Comm Svc Supplies	0.48
Buzick	Caulk, cooler spigot	5090427 · Supplies	48.94
Buzick	Ceiling panels	5305329 · Bldg Main Contracts	187.00
Buzick	Ceiling panels	5415329 · Building Contract Services	51.90
Buzick	New door install	5415742 · Civic Center	101.22
Cardmember	Telephone - Greta's office; clipboards	5001445 · CJE Office supplies	120.00
Cardmember	Local Issues Conference	5040569 · Treasurer Staff training	175.00
Cardmember	Ink cartridges - Keith	5090445 · Office Expense	99.88
Central Ky Community Action	Staffing for Voluntary Action	5301315 · Community Action Services	1,014.00
City of Bardstown	Voluntary Action Vouchers	5301515 · Vol Action General Assistance	200.00
Creative Product Source Inc	Suspect testing supplies	5105427 · Supplies	71.90
Economy Pest Control	Portable toilet rental Aug/Sept 2012	5405348 · Recreation Program Support	70.00
Flaget Memorial Hospital	Testing fee	5105547 · Suspect Testing	24.00
GBA	Pics of old courthouse roof	5001445 · CJE Office supplies	76.96
Hall, Thomas	Legal services	5310332 · Public Defender Contract	750.00
Hillyard	Custodial supplies	5105411 · Custodial Supplies	563.37
Hurst Discount Drugs	Employee medical	9400547 · Employee Medical/WC Claims	119.75
Kenway	Cleaning supplies	5080411 · Courthouse Custodial Supplies	976.37
Kenway	Custodial supplies	5081411 · Justice Center Custodial Supply	976.38
Kenway	Custodial supplies	5085411 · Custodial Supplies	976.37
Kenway	Custodial supplies	5415411 · Building Custodial Supplies	976.37
Ky County Fees	HB388 County Fees	5175903 · Public Advocacy Program	4,685.00
Mattingly, Joe	Contracted services	5145548 · Central Dispatch LOC Projects	2,250.00
Parr Public Safety Equipment	Equipment for new vehicles	5105723 · Automobiles	2,708.42
Petty Cash	Deeds & vehicle tags, deeds, plats	5001445 · CJE Office supplies	138.80
Quick Care Oil Lube Express	Oil changes, air filter, rotate tires, wiper blades	5105340 · Vehicle maintenance	941.52
RCS	Monthly agreement	5135336 · Equipment Repairs	385.00
Salt River	Voluntary Action Vouchers	5301515 · Vol Action General Assistance	340.89
Simplex Grinnell	Class K Fire Extinguisher - range system	5305709 · Sr Center Furniture & Fixtures	235.00
Sirchie Finger Print Lab	Finger printing supplies	5105427 · Supplies	112.40
Total 01 General Fund			22,924.24
02 Road Fund			
A & G Tree Service	Remove trees on Ky 46/Balltown Park	6105431 · Fences & ROW	300.00
Big Three Tractor	Bush hog	6105443 · Parts	931.81
Bischoff, Donald	30 bales straw	6105431 · Fences & ROW	105.00
Bluegrass Seed & Fertilizer	Weed killer, straw, Ky 31	6105431 · Fences & ROW	750.05
Bluegrass Seed & Fertilizer	Materials	6105457 · Bridge & Culvert Materials	213.75
Bumper to Bumper	Rivets	6105427 · Garage supplies	5.49
Bumper to Bumper	Truck 301, Fuel Truck	6105443 · Parts	58.57
Buzick	Concrete	6105457 · Bridge & Culvert Materials	29.52
Cardmember	Postage	6103445 · Office Supplies	2.50
CTW Electrical	Paint primer	6105427 · Garage supplies	43.88
Irving Materials Inc.	Hall Simpson Ln	6105457 · Bridge & Culvert Materials	1,226.50
Kenway	Cleaning supplies	6105427 · Garage supplies	897.73
Larue County Ready Mix	D7 Dozer - starter	6105443 · Parts	300.00
Lewis Auto Salvage	Engine - 2000 Ford F150	6105336 · Equipment repairs	600.00
Mago Construction	Striping - Thomas Nelson HS (reimbursable)	730-02 · Thomas Nelson HS	1,143.40
Safety Kleen	Parts wash service	6105427 · Garage supplies	169.46
Saf-ti-Co	Weight limit, No Dumping, Speed Limit, Stop	6105469 · Signs & Posts	2,149.20
Sublet Contractors	Steel	6105427 · Garage supplies	31.21
Tatum Auto Supply	Truck 305, 301; Boom mower	6105443 · Parts	355.10
Total Truck Parts, Inc.	Trucks 305, 306	6105443 · Parts	46.38
Zep Sales and Service	Zep 40, wasp/hornet killer	6105427 · Garage supplies	253.67
Total 02 Road Fund			9,613.22

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03 Jail Fund

Cardmember	TV's (2), canteen inventory, paper	5101428 · Canteen Inventory	363.26
Cardmember	Office supplies	5101445 · Office Supplies	12.90
Cardmember	Shower liners	5101453 · Prisoner Hygiene	16.31
Clems	Food	5101425 · Food	1,783.53
Duncan Septic Service	Clean grease traps	5101336 · Equipment Repairs	250.00
Flowers Baking Co	Bread	5101425 · Food	323.08
FSI	Hygiene products	5101453 · Prisoner Hygiene	762.77
KY Cavern Water	Water	5101445 · Office Supplies	32.94
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	944.88
MP Biomedics	Inmate medical	5101549 · Routine Medical	581.92
Nu Life Cartridge	Toner, ink, paper, folders, tags	5101445 · Office Supplies	771.24
Securus	Phone cards	5101428 · Canteen Inventory	1,264.60
Total 03 Jail Fund			7,107.43

04 LGEA Fund

Mago Construction	Boone Mill	6105405 · Hot and cold mix	6,619.37
Mago Construction	Chowning Lane	6105405 · Hot and cold mix	4,222.98
Mago Construction	Cooksey Ln	6105405 · Hot and cold mix	2,102.12
Mago Construction	Hardin Leslie	6105405 · Hot and cold mix	694.16
Mago Construction	High Pine Ct	6105405 · Hot and cold mix	2,049.36
Mago Construction	Thomas Ln	6105405 · Hot and cold mix	1,053.40
Mago Construction	Timber Creek	6105405 · Hot and cold mix	1,026.52
Mago Construction	Walter Hall	6105405 · Hot and cold mix	658.30
Mago Construction	Wetherby	6105405 · Hot and cold mix	3,863.64
Total 04 LGEA Fund			22,289.85

09 Ambulance Fund

Airgas Mid America	Oxygen	5140550 · Medical supplies & Materials	77.99
Bluegrass Uniforms	Uniforms	5140481 · Staff Uniforms	769.51
Buzick	Door	5140334 · Building maintenance	165.98
Cardmember	Batteries, sirens, vehicle recorder, decals	5140443 · Vehicle Parts	1,997.84
Cardmember	Chair, paper, printer, toner, cash box, supplies	5140445 · Office Supplies	622.50
Cardmember	Postage	5140563 · Postage	649.95
Conway Heaton	Sq 41	5140340 · Vehicle Maintenance & Repairs	1,323.30
Conway Heaton	2010 Ford Expedition	5140439 · Oil, lubes	34.95
Conway Heaton	Sq 41, 2010 Ford Expedition	5140443 · Vehicle Parts	3,157.13
Culler, Christopher	Software maintenance	5140336 · Equipment Maintenance & Repairs	250.00
Culvertown Truck Service	Sq 35	5140340 · Vehicle Maintenance & Repairs	195.00
Culvertown Truck Service	Sq 35	5140443 · Vehicle Parts	67.56
Galls	Uniforms	5140481 · Staff Uniforms	411.00
Holt Computers	Service call	5140336 · Equipment Maintenance & Repairs	60.00
Kenway	Custodial supplies	5140411 · Custodial supplies	43.72
Parr Public Safety Equipment	Inboard LED	5140443 · Vehicle Parts	187.01
Pat's Alterations	Uniform alterations	5140481 · Staff Uniforms	8.00
QuadMed Inc	Medical supplies	5140550 · Medical supplies & Materials	622.20
Quartermasters	Uniforms	5140481 · Staff Uniforms	39.05
Tatum Auto Supply	Tailpipe, license indicator, lens, mirror	5140443 · Vehicle Parts	21.73
Total 09 Ambulance Fund			10,704.42

\$ 72,639.16

Nelson County Fiscal Court PIC Bills for Court Approval September 5, 2012

Name	Memo	Account	Amount
13 Solid Waste Fund			
Bardstown Ambulatory	Employee medical	9400547 · Employee Medical/WC Claims	\$ 78.31
Cissell, Amanda	Replace damaged trash can	5215571 · Property repairs	68.86
Flaget Memorial Hospital	Employee medical	9400547 · Employee Medical/WC Claims	450.20
Fulkerson, Ronnie	Boot allowance	5215481 · Employee uniforms	75.00
Mackin's Wrecker	Tow Truck 414	5215336 · Equipment Repair	300.00
Raben Tire Co	Tires, repairs	5215479 · Tires	946.70
Tatum Auto Supply	Truck 410	5215443 · Parts	55.75
TLC Graphics & Signs	Decals	5215427 · Garage supplies	635.00
Total 13 Solid Waste Fund			2,609.82

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15 Landfill Fund

Cardmember	Internet equipment & svc	5210578 · Utilities	69.95
Earthmoving Equipment	Rear idler - D6 dozer	5210443 · Parts	950.00
GBA	Paper	5210445 · Office Expense	56.97
Hub City Printing	Service tickets	5210445 · Office Expense	1,065.48
Iron Works, Inc.	Highlift bucket - welding repairs	5210336 · Equipment Repairs	1,200.00
Quill Corporation	Wall chart/graph	5210445 · Office Expense	210.81
Southern Sales Co.	Leachate pump repair	5210336 · Equipment Repairs	1,965.19
Tatum Auto Supply	Rings	5210443 · Parts	2.98
Total 15 Landfill Fund			5,521.38

97 PIC

Bobkat Termite & Pest Control	Annual termite renewal insurance	5085329 · Building Main Contracts	120.00
Kenway	Custodial supplies	5082411 · SOB Custodial Supplies	976.37
Total 97 PIC			1,096.37

\$ 9,227.57

**NELSON COUNTY FISCAL COURT
PAID BILLS/TRANSERS FOR COURT APPROVAL
September 5, 2012**

Fund/Vendor	Description	Account	Amount
<u>General Fund</u>			
Communicare, Inc.	IDT Evaluation	5301357 · Indigent Person Services	\$ 210.00
Rogers, Justin	Contract labor - extension office	5415329 · Building Contract Services	96.00
Sexauer	Air control valves - holding cell area	5081329 · Justice Center Main Contracts	305.98
Less Discount			(3.06)
<u>EMS Fund</u>			
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	626.23
Less Discount			(6.19)
<u>Landfill Fund</u>			
Lawson Products	Shop supplies	5210427 · Main supplies	81.15
Less Discount			(0.81)
Modern Supply	Welding supplies	5210443 · Parts	240.00
Less Discount			(1.20)
TOTAL PAID BILLS AND TRANSFERS			\$ 1,548.10

**Nelson County Fiscal Court
Additional Bills for Court Approval
September 5, 2012**

Name	Memo	Account	Amount
01 General Fund			
ADP	PR 082412	9100301 · Payroll Processing	\$ 396.63
Bardstown Housing Authority	Bethany Haven - Sep 2012	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
Holt Computers	Setup copier for network, printer for Dean	5001445 · CJE Office supplies	129.00
Kenway	Custodial supplies	5081411 · Justice Center Custodial Supply	22.98
Kenway	Custodial supplies	5080411 · Courthouse Custodial Supplies	22.98
Kenway	Custodial supplies	5085411 · Custodial Supplies	22.98
Kenway	Custodial supplies	5415411 · Building Custodial Supplies	22.98
Lowe's	Cove base	5415329 · Building Contract Services	38.86
Lowe's	Bulbs	5081329 · Justice Center Main Contracts	18.03
Lowe's	Replace waterlines at football field restrooms	5405348 · Recreation Program Support	119.91
Quick Care Oil Lube Express	V-belts, AC Plug, brake pads, rotors, oil cooler line	5105340 · Vehicle maintenance	839.97
S & P Cleaning Service Inc	Cleaning service 0812	5085329 · Building Main Contracts	1,430.00
Thyssenkrupp	Quarterly elevator main	5081329 · Justice Center Main Contracts	546.37
Total 01 General Fund			4,510.69

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09 Ambulance Fund			
Kenway	Custodial supplies	5140411 · Custodial supplies	12.78
Lowe's	Maint supplies, bulbs, weed killer	5140334 · Building maintenance	149.81
Total 09 Ambulance Fund			162.59
15 Landfill Fund			
Kimberland, David	Office cleaning Aug 2012	5210329 · Maintenance Contracts	340.00
Total 15 Landfill Fund			340.00
23 Occupational Tax Fund			
Holt Computers	Battery back-up for server	5047445 · OLF Office supplies	189.00
Total 23 Occupational Tax Fund			189.00
97 PIC			
Kenway	Custodial supplies	5082411 · SOB Custodial Supplies	22.98
Total 97 PIC			22.98
 Total			\$ 5,225.26

PLANNING AND ZONING – REZONING ORDINANCE (SECOND READING)

#2369 Ruth Hutchins Estate KOC NUMBER 920.667

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 CONDITIONS OF APPROVAL FOR 1.09 ACRES OF ZONING MAP AMENDMENT #2249.

WHEREAS, the Joint City-County Planning Commission of Nelson County, Kentucky, on July 10, 2012 held a public hearing under the provisions of KRS Chapter 100, and after careful consideration, the Commission on July 24, 2012, voted to approve and recommend the amendment to the Fiscal Court of Nelson County.

WHEREAS, the Court held a first reading on August 21, 2012 and after due advertisement held a second reading and adoption on September 5, 2012, and after due consideration,

UPON MOTION OF Jeff Lear, SECONDED BY Jerry Hahn, AND A VOTE BEING HAD AND THE COUNTY JUDGE ANNOUNCING THAT THE 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 July 30, 2012, from the said Joint City-County Planning Commission of Nelson County to the Nelson County Fiscal Court. This zoning map amendment amends the conditions of a prior rezoning

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adopted October 16, 2007 to allow 2 entrances from the below described property to Lutheran Church Road. Said property is described as follows:

Beginning at a point, corner to Joe Burks and 20 ft. from the center of Lutheran Church Road; thence with said road N 86-23-52 W 200.00 ft., to a point, 20 ft. from the center of the road, corner to BRH, LLC; thence leaving the road with BRH, LLC N 00-34-31 W 284.60 ft.; thence with a line across Ruth Hutchins Estate S 86-28-13 E 189.10 ft., to a point, corner to Ruth Hutchins Estate and Burks; thence with Burks S 03-03-27 E 249.90 ft. to the point of beginning, containing 1.09 acres.

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

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

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

Adopted this 5th day of September, 2012, by 5 ayes and 0 nays.

NELSON FISCAL COURT



County Judge/Executive

ATTEST:



Nelson County Court Clerk

ORDINANCE - PROPERTY TAX RATES FOR NELSON COUNTY FOR 2012-13 BUDGET (SECOND READING)

The following ordinance setting property tax rates for funding the 2012-13 Nelson County budget is approved and adopted after a second reading on motion of Bernard Ice, second of Keith Metcalfe, and by affirmative vote of all Court members:

ORDINANCE RELATING TO THE SETTING OF PROPERTY TAX RATES TO FUND THE 2012-2013 BUDGET OF THE COUNTY OF NELSON

WHEREAS the County adopted a budget for the 2012-13 fiscal year on June 5, 2012; and

WHEREAS property tax rates to fund the said budget could not be adopted prior to the County's receipt of the State Local Finance Officer's Certification of the Maximum Permissible Revenue from ad valorem taxes in accordance with KRS 68.245, which was received July 23, 2012; and

WHEREAS the said certification establishes compensating and maximum tax rates for the County;

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

SECTION ONE: There is levied for the year 2012 the ad valorem tax rates per \$100.00 assessed valuation on all taxable property with the County for General Fund as indicated:

<u>PROPERTY</u>	<u>RATE</u>	<u>GROSS ESTIMATED REVENUE</u>
Real Estate	14.3	\$ 3,367,573
Personal Property	16.1	227,485
Motor Vehicles	16.1	449,664
Franchise Co. R.E.	14.0	15,937
Franchise Co. Per	16.1	89,767

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Distilled Spirits	16.1	618,849
Water Craft	16.1	11,923
Bank Deposits	.025 on deposits	Varies
Aircraft	01.5	271
TOTAL ESTIMATED TAX REVENUE		<u>\$ 4,781,469</u>

SECTION TWO: The said revenues shall be expended in accordance with the provisions of the budget adopted by the Fiscal Court of the County of Nelson on June 5, 2012.

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

SECTION FOUR: This Ordinance becomes effective immediately upon passage and publication.

NELSON FISCAL COURT

Dean Watts

Nelson County Judge Executive

ATTEST:

Ernie C. Sebastian

Nelson County Clerk

DEPARTMENT REPORTS

****JAIL**

Jailer Dorcas Figg presented her regular report as follows:

	Total	Hardin Co	HIP	State	W-End	In House
AUGUST						
Wed. 22	133	3	1	27	14	115
Thur. 23	132	3	1	27	14	114
Fri. 24	134	3	0	28	13	118
Sat. 25	135	3	1	28	3	128
Sun. 26	130	3	1	28	2	124
Mon. 27	128	3	1	27	12	112
Tue. 28	133	3	2	27	12	116
Wed. 29	128	3	2	27	13	110
Thur. 30	124	3	2	28	13	106
Fri. 31	123	3	2	28	13	105
SEPTEMBER						
Sat. 01	121	3	1	26	3	114
Sun. 02	115	3	1	26	2	109
Mon. 03	118	3	1	26	6	108
Tue. 04	116	3	1	25	7	105
Wed. 05	121	3	1	27	12	105

****LANDFILL/SOLID WASTE**

Brad Spalding reported a) that he has applied for \$7,500 in grant funding to help defray expenses related to the dead animal program, and b) the '98 mechanic's truck needs to be replaced (maintenance now costs more than the truck is worth). On motion of Jerry Hahn, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to authorize Brad and Judge Watts to get two or three quotes for a vehicle that fits the needs of the landfill mechanic, with members of the Equipment Committee to be involved in the process of choosing this vehicle.

****ROAD DEPARTMENT**

POTTERSHOP ROAD BRIDGE - Jim Lemieux told Court members that Hornback Construction should begin construction on the Pottershop Rd. bridge

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on Tuesday; road will be closed. He also told Court members that estimated cost for added time and material if bridge rocks are to be salvaged will be around \$5,000. On motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve a change order for salvage of the Pottershop Rd. bridge stones.

DISTRICT 2 BLACKTOP LIST - The following blacktop list for District 2 is approved on motion of Sam Hutchins, second of Jerry Hahn, and by affirmative vote of all Court members:

Road Name	Comments	Inspection Date	Funding Source	Location to be Paved	LF ft	width ft	curbside	depth in	Patching Wedging req'd	tons (approx)	cost/ton	Total County Funds FY 2012/2013	KY RS Funding	Other Roads	Date Complete
Woodlawn Road		02/17/12		First 2840 ft. to bridge can use overlay non-structural base overlay not required	6100	18		1.25		745.56	\$69.00	\$51,443.33	\$1,000.00		
Woodlawn Road		08/16/12		End of KYTC RS paving to Tom Greer R	1000	18	1	1.25		162.22	\$69.00	\$10,500.33			
Woodlawn Road		02/16/12		Tom Greer Road to Helen Lane	2725	15		1.25		312.24	\$69.00	\$21,044.63			
Hutchins Ridge Road	Middle section poor - 1250 LF	02/17/12		MB 72 to MB 304 if we pave entire Road	1250 2375	22 22	1	1.25 1.25		210.07 429.13	\$69.00 \$69.00	\$14,484.79			
Seminole Court	Overlay Required	02/17/12		Nevajo Drive to End	1540	22	1	1.25		268.81	\$69.00	\$18,627.58			
Grass Ave	Overlay Required	07/17/12		Lincoln Ave to End	810	26	1	1.25		0.00	\$69.00	\$0,069.13			
Kennedy Ave	Overlay Required			Lincoln Ave to end (going west)	220	26	1	1.25	surface	73.69	\$69.00	\$5,084.92			
Pottershop Road Bridge				UPPER END TO END (GOING EAST)	550	26	1	1.25	surface	155.13	\$69.00	\$10,702.83			
				KYTC Contract Funds = \$100,000						1.00	\$18,037.00	\$18,037.00			could wait? not required
										1.00	\$14,000.00	\$14,000.00			could wait? not required
Oak Knoll Road	can wait - crack seal	12/28/10						1.25	surface	0.00					\$0.00
Oak Knoll Road	can wait	12/28/10		Greer Lane to White Oak	1020	26		1.25		202.58					\$0.00
Oak Knoll Road	been patched			White Oak to Black Oak	650	26		1.25		129.10					\$0.00
Oak Knoll Road	been patched (worse Straps)			Black Oak to Red Oak	810	26		1.25		121.16					\$0.00
White Oak	can wait - crack seal			Red Oak to End	1120	26	1	1.25		252.44					\$0.00
Black Oak	can wait - crack seal			Oak Knoll to end	310	22	1	1.25		82.10					\$0.00
Red Oak	can wait - crack seal			Oak Knoll to end	225	22	1	1.25		67.81					\$0.00
	wedge & overlay req'd - Inp 05/03/12			Oak Knoll to end	700	22	1	1.25	0.1	182.40	\$69.00	\$11,206.79			\$0.00
TOTAL															
Tot Tons 36244.7															
FY 2012/2013															
\$114,933.11															
\$72,370.92															
\$18,706															
\$126,000															

Nelson County Fiscal Court
2012 Paving Estimates
District 2, Sam Hutchins

as of 09/03/12
Asphalt @ \$69.00 per sq yd June 2012

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DISTRICT 5 PAVING LIST - On motion of Jerry Hahn, second of
Jeff Lear, IT IS HEREBY ORDERED to add Eastland Loop to the District 5 road
paving list for 2012-13:

Road Name	Date Inspected/ Comments	Funding source -funded?	Location to be Paved	LF ft	width ft	cub/yd	depth IN	Patching/ Wedging Req'd	material	tons (10easr)	cost/ton	Total County Funds FY 2010/2011	Total KYTC RS-Funds	Other Roads	Comments	
Murrays Run Road	02/15/12-Overlay widist # 4 RS fund 02/15/12 asph patch areas 03/18/11 03/18/11 07/31/12		Plum Run Road to MB 1711 (Bridge at Cox Crk) MB 1711 (Bridge at Cox Crk) to Hobbs Lane Hobbs Lane to 8600 LF (MB ??) MB ?? 8600 LF to KY 48	9100 6100 8600 13900	19 16 17 17		1.25 1.25 1.25 1.25		Priority # 1 Priority # 2 Priority # 4 Priority # 3	1320.76 838.75 1118.81 1888.19	\$69.00		\$91,132.71		Complete	
Chowing Lane (to Boat Dock)	Note: 3100 LF in Nelson County ~ 3300 LF in Spencer County 06/27/12		High View Church to Spencer County	3100	20		1.25	0.1		520.97	\$69.00			\$35,947.08		
Countryside Drive	WO # 5047 06/27/12	County	Bloomfield Road to Erd	640	24	1	1.25			147.33	\$69.00	\$10,166.00			PONCRD1279 issued 08/22/12	
Whispering Oaks Drive Whispering Oaks Loop	needs overlay 07/24/12 needs overlay- 07/27/12 08/22/12	County	KY 162 to end Entire Rd (Whispering Oaks Dr to Whispering Oak entire Road	1580 900	22 22	1	1.25 1.25			295.53 151.25	\$69.00	\$20,391.42 \$10,436.25			PONCRD1279 issued 08/22/12	
Eastland Loop	Entire Road needs overlay 08/22/12	County	entire Road	570	20		1.25	0.05		91.44	\$69.00	\$6,306.19				
Timber Creek Road			Green Chapel road to new Asphalt Joint	2800	15		1.25	0		297.92	\$69.00			\$20,556.25		
Wilkinson Road			Plum Run Road to Murrays Run Road	7780	16		1.25		surface	960.89	\$69.00			\$65,611.33	has been patched worse than remath of Plum Run	
Dugan Lane	12/28/10		US 62 to KY 162	9200	15		1.25		surface	1054.17	\$0.00			\$0.00	not too bad wait ~ 2 years	
Yates Cooney Neck (total Length= 23950)	overlay NOT required 12/28/10		Paved in FY 07/08 (KY 65 to 8250 LF) From Asphalt Joint 2007 to 7400 LF Paved Asphalt Joint 2009 for 5300 LF Remainder Sections: Inspect 08/19/10 ~ Remainder good shape-paved in year 2002	8150 7400 5300	15 15 15		1.25 1.25 1.25		surface surface surface	847.92 607.29	\$65.00 \$65.00	Paved 2007 Paved 2009 Paved 2010		\$55,660.00 \$21,505.00	paved in year 2002	
Stimpson Creek Road			City of Bloomfield Line to Stevens Lane (per LTADDmeas-1400 LF to Pleasant View=COE	6050	14		1.25		surface	647.01	\$69.00			\$44,843.96		
Glenview Drive	needs overlay 03/23/11		US 62 to Erd at Cul-de-sac	2880	22	2	1.25	0		544.00	\$69.00	\$37,536.00			PONCRD1279 issued 08/22/12	
Andrea Court	Needs overlay 03/23/11		Glenview Drive to End	1250	22	1	1.25			240.07	\$69.00	\$16,864.79			PONCRD1279 issued 08/22/12	
Broadway - Chapfn	Overlay need - bad shape 08/10/11		KY 1734 to US62	1500	17		1.25			194.79	\$69.00	\$13,440.63			PONCRD1279 issued 08/22/12	
Copperfield Copperfield Way	needs five large patches 11/15/10		Plum Run Rd to Alder/Tulp Intersec	1980	22		1.25		surface	332.75	\$69.00			\$22,959.75		
Tot.Tons 13006.2												\$114,844.27	\$91,132.71	\$266,853.38		
allowed												\$120,000	KYDOT RS	\$91,133	\$211,133	

9/15

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RESOLUTION AND AGREEMENT - RURAL SECONDARY ROAD FUNDS (FLEX)---
On motion of Bernard Ice, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following resolution regarding the State's Rural Secondary Road Fund program, authorizing the County Judge-Executive to sign this resolution; it is also ordered to approve the following agreement which lists the Nelson County roads that will be resurfaced using the \$302,299 rural secondary road funds that have been allocated to Nelson County:

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 the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, and accepting all roads and streets referred to therein as being a part of the County Road System.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby certify that all roads and streets referred to in said Agreement are county roads as defined in KRS 178.010 (1) (b); and

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>County Judge Executive Dean Watts</u>	_____
<u>Magistrate Bernard Ice</u>	_____
<u>Magistrate Sam Hutchins</u>	_____
<u>Magistrate Jerry Hahn</u>	_____
<u>Magistrate Jeff Lear</u>	_____
<u>Magistrate Keith Metcalfe</u>	_____

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COMMONWEALTH OF KENTUCKY) SS:
NELSON COUNTY)

I, Elaine 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 5th day of September, 2012.

SIGNED



AGREEMENT BETWEEN KYTC AND NELSON COUNTY, PERFORM BITUMINOUS RESURFACING ON VARIOUS COUNTY ROADS (SEE ATTACHMENT). \$302,299 CB06 RURAL SECONDARY FUND.

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);

WITNESSETH:

WHEREAS, it would be to the benefit of the traveling public to perform bituminous resurfacing with hot mix asphalt on various county roads (see attachment), 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 \$302,299 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

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Construction, Current Edition. 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 \$302,299 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 \$302,299 however, the County shall not be required to expend any more than \$302,299.

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 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.**

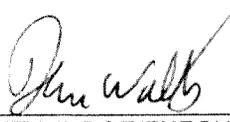
8. The County may submit current billing reflecting the actual cost of the project during any given work period. This bill should indicate if it is for partial payment or final payment. The current billings will be paid within a reasonable time after receipt of same by the Department; however, in no 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 
COUNTY JUDGE/EXECUTIVE

Date: 9/5/12

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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

ATTACHMENT FOR NELSON COUNTY \$302,299 CB06 RURAL SECONDARY FUND

1. EDDIE MILES ROAD (CR 1149)
FROM 0.975 MI. NORTHEAST OF KY 247 (MP 0.975), E.
TO JIM CLARK ROAD (MP 2.424)
1.45 MI - BIT. RESURFACE
2. WOODLAWN ROAD (CR 1012)
FROM MARKS LANE (MP 0.593), E.
TO 4.071 MI. SOUTHWEST OF KY 55 (MP 1.748)
1.16 MI - BIT. RESURFACE
3. MURRAY RUN ROAD (CR 1063)
FROM 1.723 MI. NORTHEAST OF PLUM RUN ROAD (MP 4.914), SW.
TO PLUM RUN ROAD (MP 6.637)
1.72 MI - BIT. RESURFACE
4. CARDINAL HILL ROAD (CR 1144)
FROM US 31E (MP 0.000), N. AND LOOPING BACK
TO CARDINAL HILL ROAD (MP 0.644)
0.64 MI - BIT. RESURFACE
5. SEMINOLE COURT (CR 1099)
FROM NAVAJO DRIVE (MP 0.000), S.
TO CUL-DE-SAC (MP 0.284)
0.28 MI - BIT. RESURFACE
6. RAISOR LANE (CR 1356C)
FROM KY 245 (MP 0.000), NE.
TO CUL-DE-SAC (MP 0.405)
0.41 MI - BIT. RESURFACE

LETTER OF CREDIT CALLED - BLAZER HEIGHTS -- On motion of Jerry Hahn, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to accept Blazer Heights roads into the County system and to approve work as described in the following memorandum:

MEMORANDUM

To: Dean Watts, NCJE, Jerry Hahn, Area Magistrate, Other Dist. Magistrates
From: James F. Lemieux, P.E., County Engineer
Date: 09/01/12
Subject: Blazer Heights, Phase 7, Roadways listed as follows:

Iroquois Trail (approx 700 LF - 22 ft wide pavement w/ditches)
Apache Court (577 LF, to cul-de-sac - 22 ft wide pavement w/ditches)

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Dean and Jerry

As we have previously discussed, the developer (Wayne Colvin) has not completed the roadways listed above (Blazer Heights, Phase 7) in accordance with the County's Performance Bond requirements. The Performance Bond (secured with Letter of Credit # 05-113 From Springfield State Bank) expires Sept 1, 2012 and has been "called" by the County Judge. Springfield State Bank has provided funds in the amount of \$36,300.00.

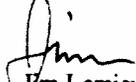
MAGO Construction Co. has estimated the repair/completion cost to be \$31,395.00 (see attached estimate)

My recommendations are as follows:

1. Accept the Blazer Heights, Phase 7 Roadways (listed above) into the County Roadway Maintenance System. The List will be sent to Lincoln Trail Area District for inclusion into the County's roadway list.

2. Authorize a Purchase Order be issued to MAGO Construction Co. to repair and asphalt overlay the roads per MAGO's proposal. The County's Contract Unit Prices for asphalt paving shall be utilized for the paving work. Any additional costs to complete the roads (ditch repair) would be paid from the left over funds from Springfield State Bank. Any funds not used will be returned to the Bank.

Thank You


Jim Lemieux



SPRINGFIELD STATE BANK
125 EAST MAIN STREET
SPRINGFIELD, KENTUCKY 40069

August 29, 2012

RE Blazer Heights Development
James F. Lemieux, P.E.
820 W. Stephen Foster Ave
Bardstown, KY 40004

Dear Jim,

Following are the costs associated with the completion of the paving of Blazer Heights per our discussion and your inspection report

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
BASE FAILURE REPAIRS	280	S.Y.	\$ 33.00	\$ 9,240.00
CLEANING	1	L.S.	\$ 500.00	\$ 500.00
BITUMINOUS SURFACE (1.5 INCHES)	305	TONS	\$ 71.00	\$21,655.00
TOTAL				\$31,395.00

We should meet on site prior to performing the base failure repairs to re-mark the locations

If you have any questions or other suggestions, please give me a call

Sincerely,



Mike Rogers, P.E.
Vice President
Mago Construction Company



June 28, 2012

Springfield State Bank

125 East Main Street • P.O. Box 231 • Springfield, Kentucky 40069
(859) 336-3939 • Fax (859) 336-5920
e-mail: bank@springfieldstate.com

James F. Lemieux, PE
County Engineer
Nelson County Fiscal Court

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Courthouse
Bardstown, KY 40004

RE: Irrevocable Standby Letter of Credit (#05-113) Extension
Wayne Colvin
Blazer Heights, Phase VII, Lots 97-111
Street Final Surface & Final Grade & Seeding

Dear Sir:

We hereby extend the irrevocable letter of credit number (05-113) in your favor available by your drafts drawn at sight on the Springfield State Bank, Springfield, Kentucky and accompanied by documents specified below.

Available by your draft at sight on the Springfield State Bank, P O Box 231, Springfield KY 40069 for any sum or sums not to exceed \$36,300.00 (Thirty-six thousand, three hundred and 00/xx dollars). Nelson County Fiscal Court may draw upon said letter of credit only upon written notice that the required work in Blazer Heights had not been performed to the required specifications.

Each draft so drawn must be marked "Drawn under Springfield State Bank, P.O. Box 231, Springfield KY Credit No (05-113) and accompanied by a signed statement from the Nelson Co Fiscal Court that Wayne Colvin has failed to honor his obligations to the Nelson Co Fiscal Court in completing the street and final grading and seeding of Blazer Heights.

This irrevocable standby letter of credit is subject, so far as applicable, to "The Uniform Customs and Practice for Documentary Credits, 1983 Revision, The International Chamber of Commerce Publication No 400".

We hereby agree that all drafts under and in compliance with the terms of this credit will be duly honored if drawn and presented for payment to our main office, Springfield State Bank, 125 E. Main Street, Springfield KY 40069. A fifteen day notice will be given to the Nelson Co Fiscal Court prior to the expiration of this letter.

This letter of credit will expire September 1, 2012.

Cordially,



D. Keith Reed
Vice President

WITHROW RIDGE SUBDIVISION -- On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to call the letter of credit on Withrow Ridge Subdivision, accepting those roads into the county system, and authorizing that roads be completed as outlined in the following memorandum:

MEMORANDUM

To: Elaine Filiatreau NC Clerk
From: James F. Lemieux, P.E., County Engineer
Date: 09/05/12
Subject: Withrow Ridge Subdivision- Performance Bond Expiration
Nelson County Fiscal Court meeting 09/05/12

Brookview Lane (458 LF- 22 ft wide w/curb & gutter and sidewalks)
Streamview Lane East (245 LF - 22 ft wide w/curb&gutter and sidewalks)
Streamview Lane West (139 LF - 22 ft wide w/curb & gutters and sidewalks)

Elaine

As discussed for clarification at the 09/05/12 NC Fiscal Court meeting, Withrow Ridge Subdivision's (Jim Crepps owner) Performance Bond expired on 08/31/12. The Roadways have not been completed per Performance Bond requirements. Per the NC Fiscal Court meeting- the Letter of Credit # 746 from First Federal Savings and Bank (Elizabethtown, KY) in the amount of \$30,780.00 shall be "called" for failure to complete the roadways in accordance with the Performance Bond.

The roadways listed above are accepted into the County Roadway Maintenance System. The List will be sent to Lincoln Trail Area District for inclusion into the County's roadway list.

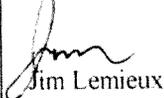
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Fiscal Court authorized a Purchase Order be issued to MAGO Construction Co. to repair and asphalt overlay the roads. The County's Contract Unit Prices for asphalt paving shall be utilized for the paving work. Any additional costs to complete the roads (backfill/sidewalks) would be paid from the left over funds from the letter of credit. Any funds not used will be returned to the Bank.

Thank You



Jim Lemieux

cf. Dean Watts, NCJE
Bernard Ice, Magistrate
K Phillips, NCRD

ON-GOING MAINTENANCE - County Engineer Jim Lemieux updated Court members on on-going bushhogging, boom mowing, spraying, culvert and ditch cleaning, and preparation to do spot patching and chip sealing.

ORDER RE DESCRIPTION OF KY 247 - The following order has been received from the Kentucky Transportation Cabinet and is entered as a matter of record: OFFICIAL ORDER 107652

SUBJECT: Nelson County
KY 247

Pursuant to the provisions of KRS 177.020, it is hereby directed that due to a data review performed by Central Office Planning staff, Rural Secondary KY 247 in Nelson County will be redefined as follows:

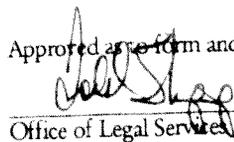
RURAL SECONDARY SYSTEM

KY 247, from the junction with KY 84 at Howardstown to the junction with KY 52 near New Haven. Also, from the junction with KY 52 north of Gethsemane to the junction with US 31E at Culvertown, a distance of 12.004 miles. (MP 0.000 to MP 7.649) (MP 7.649 to MP 12.004)

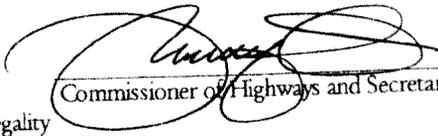
It is further directed that the Nelson County Judge/Executive and the Nelson County Clerk be furnished a copy of this Official Order.

Signed and approved on this the 4th day of August, 2012.

Approved as to form and legality



Office of Legal Services



Commissioner of Highways and Secretary of Transportation

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*

On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the Sept. 5 session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK