

# Fiscal Court Orders

May 21, 2013  
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 - MAY 7

On motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the minutes of the May 7 session of Nelson Fiscal Court as presented.

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BILLS

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

**Nelson County Fiscal Court  
General Funds Bills for Court Approval  
May 21, 2013**

Name	Memo	Account	Amount
<b>01 General Fund</b>			
ADP	Payroll processing fees	9100301 · Payroll Processing	\$ 393.43
Altec Industries	Bearings - bucket truck	5090340 · Maintenance - Vehicle Maint	53.18
Aqua Treat	Monthly treatment	5415329 · Civic Center Maint Contracts	176.00
Barlow Funeral Home	Pauper burial	5330344 · Pauper Burials	950.00
Brite Wholesale	Ballasts	5081329 · Justice Center Main Contracts	171.12
Brite Wholesale	Halogen bulbs	5105329 · Law Enforc. Bldg Main Contracts	59.80
Brite Wholesale	Halogen bulbs	5405348 · Recreation Program Support	59.80
Cedar Creek Quarry LLC	Rock - New Haven Boat Ramp	5405348 · Recreation Program Support	879.39
Central Ky Community Action	Fy 13 Contribution	5305370 · Senior Citizens Transportation	3,000.00
City of Bardstown	Voluntary Action Voucher	5301515 · Vol Action General Assistance	100.00
Coulter's Towing	SO 31	5105369 · Law Enforc Towing Services	85.00
Danville Office	Paper, folders	5001445 · CJE Office supplies	44.28
Danville Office	Printer supplies, labels, folders, paper	5040445 · Treasurer Office Supplies	208.43
Danville Office	Folders, paper, toner, permits, ink	5115445 · Codes - Office Supplies	345.70
Duplicator Sales & Service Inc	Monthly copy charge	5205445 · Animal Control Office supplies	12.50
Flaget Health Center	Random testing	9400547 · Employee Medical/WC Claims	180.00
KACo Unemployment	2013 Unemployment Premium	9400208 · Unemployment Insurance	19,115.81
Landmark Community Newspapers	Salt bids, auction, rezonings, LGEA hearing	9100539 · Advertising & Legal Notices	556.91
Landmark Sprinkler	Repair leak - first floor stairwell	5081329 · Justice Center Main Contracts	315.00
Leo Taibott & Son, Inc.	Maintenance on heat pumps, boiler	5415329 · Civic Center Maint Contracts	1,420.00
Lincoln Trail Health Dept	FY 2013 Appropriation - final	5231507 · Health Dept Appropriation	159,124.25
MVP Garden Center & Nursery	Landscaping mulch	5087329 · Old Library Maint Contracts	112.00
Plumbers Supply Co	Water fountain - lobby area	5415329 · Civic Center Maint Contracts	398.75
Priority 1, Inc	Training - Ice, Metcalfe	5025569 · Magistrates Conferences	238.00
Quill Corporation	Storage boxes, receipt book	5040445 · Treasurer Office Supplies	76.78
SecureNet	Security system - Humane Society	5205329 · Animal Control Maint Contracts	39.95
Speedway	Fuel	5105429 · Law Enforc Fuel	1,671.39
Springfield Laundry	Mats	5080411 · Old Courthouse Custodial Supply	43.00
Springfield Laundry	Mats	5081411 · Justice Center Custodial Supply	458.00
Springfield Laundry	Mats	5085411 · Custodial Supplies	93.00
Springfield Laundry	Mats	5105411 · Law Enforc Custodial Supplies	118.00
Springfield Laundry	Mats	5415411 · Civic Center Custodial Supplies	23.00
Straeffer Pump & Supply, Inc.	Sewer pump - DWP	5405348 · Recreation Program Support	3,219.22
Taylor Battery Company Inc	Battery	5115340 · Codes - Vehicle Maintenance	81.49
Tractor Supply	Sprayer supplies	5081411 · Justice Center Custodial Supply	14.76
Tractor Supply	Supplies for snake pipe	5090427 · Maintenance - Supplies	27.97
USPS	Postage	5001445 · CJE Office supplies	494.80
Vittitoe Tree Service Inc	Rent bucket truck - siren repairs	5135336 · EMA Equipment Repairs	1,200.00
Wells Fargo	Property/vehicle additions	9100521 · County insurance	402.11
<b>Total 01 General Fund</b>			<b>195,962.82</b>
<b>02 Road Fund</b>			
American Tire	CAT Grader	6105479 · Tires	1,342.51
Cintas	Uniforms	6105481 · Uniforms	1,376.01
Citation Equipment	Pressure washer supplies	6105427 · Garage supplies	501.70
Flaget Health Center	Random testing	9400547 · Employee Medical/WC Claims	120.00

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Horizon Engineering	Topographic survey - Pottershop/Manton Rd	6105323	Engineering	1,080.00
Keystops	Fuel	6105429	Fuel	17,136.73
Keystops	Bulk oil purchase	6105439	Lubricants	492.25
Kroger	Sugar, creamer	6105427	Garage supplies	62.28
Lasco	Filters	6105427	Garage supplies	184.48
Lawson Products	Garage supplies	6105427	Garage supplies	151.51
Midwest Construction	Filter fabric	6105457	Bridge & Culvert Materials	1,740.00
Rame Contracting LLC	Ky 46 Contact - Draw #1	730-03	Bull Run Project	25,010.50
Rame Contracting LLC	Ky 46 Contact - Draw #1	730-03a	Bull Run Proj- Magistrate Alloc	50,000.00
Safety Kleen	Parts wash service	6105427	Garage supplies	159.39
Saf-ti-Co	Signs	6105469	Signs & Posts	1,239.40
St Vincent Depaul Mission	Rags	6105427	Garage supplies	64.00
Total Truck Parts, Inc.	Trucks 305 & 306 - replace clutch	6105443	Parts	1,894.81
Truck Parts & Service	Straps, wiring kit, led's, garage supply	6105427	Garage supplies	221.48
Truck Parts & Service	Dually, Truck 300, 306, 307, 308	6105443	Parts	254.14
Whayne Supply	120G	6105443	Parts	54.66
Total 02 Road Fund				103,085.85

**09 Ambulance Fund**

American Tire	Sq's 32 33 34 36 38	5140340	Vehicle Maintenance & Repairs	513.48
American Tire	Sq's 32 34 36 38	5140439	Oil, lubes	342.70
American Tire	Sq's 32 34 36	5140443	Vehicle Parts	444.64
American Tire	Sq 33	5140479	Tires	627.52
Corvin's Furniture	Flooring	5140742	EMS Building	1,000.00
Danville Office	Toner, time cards, labels	5140445	Office Supplies	98.46
Fleet Matics	GPS Service Agreement	5140336	Equipment Maintenance & Repairs	459.99
Gateway EDI LLC	Electronic claims	5140445	Office Supplies	46.35
Jon Oldham Enterprise LLC	Station II Mowing	5140334	Building maintenance	90.00
Mikes's Woodworking	Vanity/cabinet	5140334	Building maintenance	325.00
Mohawk Medical	Medicine and supplies	5140550	Medical supplies & Materials	266.93
Pat's Alterations	Uniform alterations	5140481	Staff Uniforms	32.00
QuadMed Inc	Medical supplies	5140550	Medical supplies & Materials	976.97
Quality Auto Glass	Sq 36	5140340	Vehicle Maintenance & Repairs	95.00
Quality Auto Glass	Sq 36	5140443	Vehicle Parts	155.00
Sam's Club	Kitchen supplies	5140411	Custodial supplies	277.71
Select-Tech Inc	Mirrors, die-cuts, bulbs	5140443	Vehicle Parts	451.85
Shred-It USA	File destruction service	5140550	Medical supplies & Materials	59.89
Taylor Battery Company Inc	Batteries	5140443	Vehicle Parts	193.08
Titan Medical Supply LLC	Medical supplies	5140550	Medical supplies & Materials	162.28
Total 09 Ambulance Fund				6,618.85

**03 Jail Fund**

BCD Construction	Kitchen drain repairs	5101741	Jail Building	15,755.30
Bluegrass Uniforms	Uniforms	5101481	Staff Uniforms	62.40
Bob Barker	Jumpsuits, sandals	5101465	Prisoner Clothing	1,106.88
Clems	Food	5101425	Food	1,582.65
Coca Cola	Inventory purchases	5101428	Canteen Inventory	53.00
Corvin's Furniture	Kitchen flooring/repairs	5101741	Jail Building	1,321.32
EZ Dispensers Inc	Beverages	5101425	Food	128.00
Flaget Health Center	Pre employment screen	9400547	Employee Medical/WC Claims	105.00
Flowers Baking Co	Bread	5101425	Food	254.42
Goldenrod Dairy	Milk	5101425	Food	1,634.56
Gordon Foods	Dishmachine lease	5101336	Equipment Repairs	170.00
Gordon Foods	Cleaning supplies	5101411	Custodial Supplies	3,238.00
Gordon Foods	Kitchen supplies	5101423	Food Prep & Serving Supplies	1,239.72
Gordon Foods	Food	5101425	Food	5,418.89
Gordon Foods	Canteen purchases	5101428	Canteen Inventory	479.24
Gordon Foods	Testing supplies	5101549	Routine Medical	58.31
IHS Pharmacy	Inmate medical	5101549	Routine Medical	235.97
Interstate Security Systems	Service call	5101329	Building Main Contracts	55.00
Jefferson Audio Video Systems Inc	Annual service agreement	5101336	Equipment Repairs	1,000.00
Kerr Office Plus	Copier service call	5101428	Canteen Inventory	478.56
Kerr Office Plus	Copier service call	5101445	Office Supplies	427.43
KY Cavern Water	Water	5101445	Office Supplies	51.93
Ky Housing - Boilers	Annual boiler inspection	5101329	Building Main Contracts	80.00
Leo Talbott & Son, Inc.	Oven, water heater	5101329	Building Main Contracts	270.00
Maxima Supply	Inventory purchases	5101428	Canteen Inventory	1,610.80
Medica	Inmate medical	5101549	Routine Medical	254.15
Riggs Electrical	Electrical repairs - kitchen drain project	5101741	Jail Building	409.10
Securus	Phone cards	5101428	Canteen Inventory	1,372.00
Volunteers Insurance Service	Work release insurance - FY 14 renewal	5101428	Canteen Inventory	620.00
Total 03 Jail Fund				39,472.63

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<b>04 LGEA Fund</b>			10,052.03
Cedar Creek Quarry LLC	Various county roads	6105409 · Rock	
<b>Total 04 LGEA Fund</b>			10,052.03
<b>Total General Bills</b>			<b>\$ 355,192.18</b>

**Nelson County Fiscal Court  
PIC Bills for Court Approval  
May 21, 2013**

Name	Memo	Account	Amount
<b>13 Solid Waste Fund</b>			
Flaget Health Center	Random testing	9400547 · Employee Medical/WC Claims	\$ 120.00
General Fund	3% - 11083 customers@\$8/mo	5215543 · Franchise fee	31,919.76
Kenway	Orange garbage bags	5215315 · Roadside Cleanup	1,467.60
Keystops	Fuel	5215429 · Fuel & Lubricants	17,509.93
Lasco	Truck 412	5215336 · Equipment Repair	1,239.02
Parkway Baptist Church	Parkway Drive	5215315 · Roadside Cleanup	250.00
Republic Diesel	Truck 410	5215336 · Equipment Repair	3,973.42
Republic Diesel	Filters, transynd, led's; parts for Truck 413	5215443 · Parts	1,130.78
Salt River	Garbage billing services	5215320 · Collection Contracts	9,372.72
Springfield Laundry	Uniforms	5215481 · Employee uniforms	473.00
Truck Parts & Service	Turbo pipe, tire refill, clamps, tubing	5215443 · Parts	386.28
<b>Total 13 Solid Waste Fund</b>			<b>67,842.51</b>
<b>15 Landfill Fund</b>			
All State Truck Sales	Truck 413	5210336 · Equipment Repairs	485.39
American Tire	Tires	5210479 · Tires	1,745.16
Brite Wholesale	Bulbs	5210334 · Building Maintenance	16.67
Duplicator Sales & Service Inc	Monthly copy charge	5210445 · Office Expense	80.76
Fisher Auto	Oil dry	5210427 · Main supplies	27.96
Fisher Auto	Pickup truck - brakes	5210443 · Parts	204.28
Fisher Auto	Brake pads, rotors, drum	5217340 · Recycling vehicle expense	231.54
Hite Engineering	2013 Annual site survey	5210323 · Engineering	4,729.33
Keystops	Fuel	5210429 · Fuel & Lubricants	9,379.47
McCoy & McCoy	Monitoring	5210324 · Environmental Monitoring	201.15
Peterson Truck	Truck 303	5210443 · Parts	70.27
Power Train	Pressure washer supplies	5210443 · Parts	45.59
Raben Tire Co	Tires, repairs	5210479 · Tires	814.75
Republic Diesel	D6, Truck 401	5210443 · Parts	253.83
Springfield Laundry	Cleaning supplies	5210427 · Main supplies	158.75
Springfield Laundry	Uniforms	5210481 · Uniforms	351.50
Truck Parts & Service	Pressure switch	5210427 · Main supplies	56.06
Truck Parts & Service	D6	5210443 · Parts	67.07
Whayne Supply	826C	5210443 · Parts	31.81
<b>Total 15 Landfill Fund</b>			<b>18,951.34</b>
<b>23 Occupational Tax Fund</b>			
Bardstown Main Street	2013 Beautification Project (1/3 contribution)	5075348 · Bardstown Mainstreets	2,135.30
Danville Office	Staples, toner, desk organizer, envelopes	5047445 · OLF Office supplies	120.82
Daxxo LLC	YMCA Feasibility Study	5405309 · Consulting Services	9,500.00
<b>Total 23 Occupational Tax Fund</b>			<b>11,756.12</b>
<b>97 PIC</b>			
Springfield Laundry	Mats	5082411 · SOB Custodial Supplies	30.00
<b>Total 97 PIC</b>			<b>30.00</b>
<b>Total PIC Bills</b>			<b>\$ 98,579.97</b>

**NELSON COUNTY FISCAL COURT  
PAID BILLS/TRANSERS FOR COURT APPROVAL  
May 21, 2013**

Fund/Vendor	Description	Account	Amount
<u>General Fund</u>			
AIA Kentucky	Spaulding training	5115569 · Codes - Staff Training	\$ 90.00
BP Gas	Fuel - County Police	5105429 · Fuel and Oil	4,320.61

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County Attorney Salary		5005-101	50
Magistrate Conferences		5025-569	300
Election Officers Pay		5065-192	600
Commission Salaries		5070-185	8,000
Justice Center Custodial Supplies		5081-411	500
Building Maint - Personnel		5090-177	1,500
Building Maint - Vehicle Maint		5090-340	100
Building Maint - Supplies		5090-427	1,300
Building Maint - Telephones		5090-573	100
Law Enforcement - Building Maint		5105-329	200
Law Enforcement - Uniforms		5105-481	2,100
Building Inspector		5115-185	50
Code Enforcement - Staff Training		5115-569	50
EMA Vehicle Maint		5135-340	100
EMA Vehicle Parts		5135-443	100
EMA Tires		5135-479	550
EMA Utilities		5135-578	100
Animal Control - Utilities		5205-578	1,200
Communicare Vehicle Expense		5301-340	250
Indigent Person Services		5301-357	200
Public Defender Contract		5310-332	1,100
Community Service Supv Salary		5340-179	4,000
School Children Transport		6301-370	17,000
Audit Services		9100-307	8,700
Unemployment Insurance		9400-208	8,200
Employee Health Insurance	9400-205		(9,000)
Workers Comp Insurance	9400-209		(8,000)
AOC Capital Construction	5081-741		(12,100)
Law Enforcement Renovations	5105-741		(10,000)
Law Enforcement Salaries	5105-119		(8,000)
Law Enforcement Fuel	5105-429		(7,000)
Voluntary Action General Assistance	5301-515		(2,450)
<b><u>02 ROAD FUND</u></b>			
<b>Reserve for emergencies/transfer</b>	9200-999		-
Office supplies		6103-445	1,000
Engineering		6105-323	2,000
Radio repair and maint		6105-339	6,500
Asphalt/Blacktop Projects		6105-446	200
Uniforms		6105-481	3,500
Snow removal	6105-471		(13,200)
Road Projects - other		6105-730	2,500
State Bond Projects	6105-311-07		(2,500)
Retirement		9400-202	2,500
Employee Health		9400-205	6,000
Workers Comp insurance	9400-209		(8,000)
Employee Medical/WC Claims	9400-547		(500)
<b><u>03 JAIL FUND</u></b>			
<b>Reserve for emergencies/transfer</b>	9200-999		-
Building Maint Contracts		5101-329	8,000
Equipment Repairs		5101-336	500
Custodial supplies		5101-411	3,000
Food prep and serving supplies		5101-423	2,000
Canteen inventory		5101-428	4,500
Jail Building		5101-741	3,500
Employee Medical/WC Claims		9400-547	350
Retirement		9400-202	7,300
Health Insurance		9400-205	9,600
Juvenile Housing Contracts	5102-314		(4,900)
Contracts with Other Counties	5101-314		(12,000)
Inmate Medical	5101-549		(21,850)
<b><u>09 EMS</u></b>			
<b>Reserve for emergencies/transfer</b>	9200-999		(41,900)
Salaries		5140-137	27,000
Credit Card Processing		5140-318	500
Custodial Supplies		5140-411	800
Office Supplies		5140-445	800
Tires		5140-479	900
Licenses		5140-543	200
Telephones		5140-573	1,500
Utilities		5140-578	3,200
Social Security		9400-201	2,000
Retirement		9400-202	11,500
Employee Health Ins		9400-205	12,000
Workers Comp Insurance	9400-209		(18,500)
<b><u>13 SOLID WASTE FUND</u></b>			
<b>Reserve for emergencies/transfer</b>	9200-999		(3,500)
Equipment repairs		5215-336	9,500

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Radio repair and maint		5215-339	100
Property repairs		5215-571	100
Crew Safety Equipment		5215-594	400
Bulky Item Pickup	5215-366		(10,100)
Employee Health Insurance		9400-205	12,000
Employee Medical/WC Claims		9400-547	300
Workers Comp Insurance	9400-209		(8,800)

## 15 LANDFILL FUND

<b>Reserve for emergencies/transfer</b>	9200-999		
Credit Card Processing		5210-318	300
Engineering		5210-323	400
Radio Repairs and Maint		5210-339	1,100
Maint Supplies		5210-427	1,500
Tires		5210-479	3,500
Recycling - Contract Labor		5217-161	500
Recycling - Vehicle Maint		5217-340	200
Fuel and Lubricants	5210-429		(7,500)
Employee Health Ins		9400-205	5,500
Workers Comp Insurance	9400-209		(5,500)

## 23 OLF

<b>Reserve for emergencies/transfer</b>	9200-999		(16,700)
Office Supplies		5047-445	500
Equipment Maint	5047-336		(500)
Bardstown Mainstreets		5075-348	2,200
Cemetery/Memorial Contributions		5325-507	5,000
Consulting Services		5405-309	9,500

## 97 PIC

<b>Reserve for emergencies/transfer</b>	9200-999		-
SOB Custodial Supplies		5082-411	500
SOB Bldg Main	5082-334		(500)
Plaza Bldg Utilities		5085-578	100
Plaza Bldg Maint	5085-571		(100)
Salt River Note - Interest		7500-607-12	4,956.64
Salt Rive Note - Principal	7500-603-12		(4,956.64)

## RECLASSIFICATIONS POSTED FOR FY 2013:

EMS Licenses		5140-543	190.00
EMS Miscellaneous Expense	5140-599		(190.00)

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## **EMS Week Proclamation**

*To designate the Week of May 19-25, 2013, as Emergency Medical Services Week*

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

*THEREFORE, I Dean Watts, Nelson County Judge Executive, in recognition of this event do*

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hereby proclaim the week of May 19-25, 2013, as

## EMERGENCY MEDICAL SERVICES WEEK

With the theme, *EMS: One Mission One Team*, I encourage the community to observe this week with appropriate programs, ceremonies and activities.



Dean Watts, Judge Executive  
The County of Nelson

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### DISCUSSION - SALT RIVER/INDUSTRIAL PARK PROPERTY

Discussion was held concerning Industrial Park property:

- 1) Salt River RECC has purchased property adjoining the County's Industrial Park property; looking to the future and their need to not have commercial or residential development near their operation, they have asked to buy certain lots from the County;
- 2) Court members have expressed an interest in reducing debt on this property; this is considered one means of doing so. County can sell property by public auction or by advertising for bids for sale for industrial use;
- 3) County is also discussing with Salt River a piece of property for a radio tower, with proposal to partner with Salt River on this project.

Foregoing proposals and ideas were presented to Court members and discussed at length; further discussion will be held during later meetings. Discussions with Salt River RECC concerning radio tower site will move forward.

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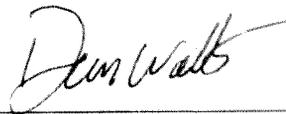
### AIR BOARD APPOINTMENT

The appointment of David Sutherland to the Bardstown/Nelson County Air Board is approved on motion of Sam Hutchins, second of Jerry Hahn, and by unanimous vote of the Court. John Mayer has resigned from the Air Board.

## NELSON COUNTY FISCAL COURT

### ORDER

Pursuant to the relative Kentucky Revised Statues, **David Sutherland** is hereby appointed to the **Bardstown-Nelson County Air Board** for a term in accordance to the Bylaws or governing Regulations in place.



Dean Watts  
Nelson County Judge Executive

5-21-13

Date

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DEVELOPMENT REVIEW - DRB-197 ALVIN KING

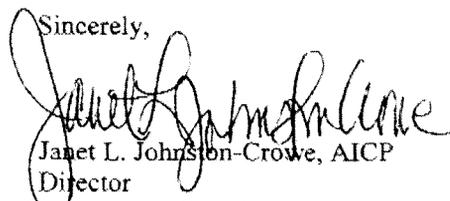
RE: DRB-197- Alvin King  
32' x 72' (2,304 sf) Boat/RV Storage Facility  
New Shepherdsville Road (KY 245)

Dear Judge Watts and Magistrates:

On Tuesday, May 14, 2013, the Development Review Board Chairman met, reviewed, and recommended approval of the site, building, landscaping, and lighting plans for a 32' x 72' (2,304 sf) boat/RV storage facility on New Shepherdsville Road (KY 245).

Enclosed are copies of the meeting minutes and agenda, DRB application, Design Standards Review, and site, building, landscaping, and lighting plans.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,  
  
Janet L. Johnston-Crowe, AICP  
Director

On motion of Jeff Lear, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to concur with the Development Review Board's recommendation to approve DRB-197 as requested by Alvin King.

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JAIL REPORT

Jailer Dorcas Figg presnted her regular report as follows:

NELSON COUNTY JAIL		NELSON COUNTY JAIL						
SENTENCED INMATES		MAY	Total	Hardin Co	HIP	State	W-End	In House
DISTRICT COURT	11	Wed. 08	110	1	0	28	8	101
WEEKENDS	6	Thur. 09	109	1	0	28	8	100
WAITING COURT	5	Fri. 10	112	1	0	28	8	103
HIP	1	Sat. 11	107	1	0	28	7	99
WORK RELEASE	2	Sun. 12	108	1	0	28	7	100
C/S	0	Mon. 13	110	1	0	28	10	99
STATE SENTENCED		Tue. 14	110	1	0	28	9	100
CI	17	Wed. 15	114	2	1	25	9	102
CD	10	Thur. 16	118	2	1	23	11	104
CI SERVING WEEKENDS	3	Fri. 17	115	1	2	23	11	101
SERVING TIME IN JAIL	12	Sat. 18	104	1	2	24	3	98
COMMUNITY SERVICE	8	Sun. 19	104	1	1	24	3	99
WORK RELEASE	2	Mon. 20	102	1	1	26	9	91
CIRCUIT WAITING COURT	51	Tue. 21	106	1	1	27	8	96
TOTAL OF 56 HAS NOT BEEN SENTENCED								

NUMBER OF DAYS INMATES SERVED F/ APRIL 2013

DAYS	INMATES	DAYS	INMATES
1	88	16	4
2	70	17	5
3	11	18	3
4	10	19	7
5	7	20	1
6	5	21	6
7	10	22	6
8	10	23	3
9	7	24	0
10	6	25	0
11	1	26	1
12	5	27	2
13	7	28	2
14	3	29	2
15	4	30	54

APRIL DAILY AVERAGE

	Mandays	Average
CI	486	16
CD	383	12
NELSON	2536	84
TOTAL	3405	113

NEW ARREST AND RELEASES F/APRIL 2013

ARRIVALS	MALE	FEMALE	TOTAL
	170	58	228
RELEASES	MALE	FEMALE	TOTAL
	150	52	202

\*\*\*                                 \*\*\*\*\*                                 \*\*\*

HRA (HEALTH REIMBURSEMENT ARRANGEMENTS) CONTRACT

On motion of Bernard Ice, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve renewal of the HRA contract:

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Shipping: 10000 Shelbyville Road, Suite 110, Louisville, KY 40223  
Mailing: P.O. Box 43653, Louisville, KY 40253-0653  
(502) 244-1161 FAX (502) 244-1162  
[www.bmsllc.net](http://www.bmsllc.net)

## Annual Renewal Form Health Reimbursement Arrangements (HRA)

Company Name: Nelson County Fiscal Court  
Renewal Plan Year: 7/1/2013 - 6/30/2014

As an authorized representative of the above company, the undersigned elects to renew the administration of our Health Reimbursement Arrangement with Benefit Marketing Solutions LLC effective the first day of the renewal Plan Year noted above. The administrative fees associated with our Plan for the duration of the Plan Year are as follows:

### Fee Schedule

Annual Renewal Fee: **\$150.00**  
Per Participant Fee: **\$5.50 per participant per month includes HRA Debit Card and HRA Summary of Benefits Coverage required under ACA**  
Monthly Minimum Fee: **\$30.00 per month**

### Please confirm information below:

Name: Greta S. Cecil Rhonda H. Fenwick  
Phone: 502-348-1800 502-348-1804  
Email: nelsoncoKy@bardstown.com nelsontreasurer@bardstown.com  
Total # of Eligible Employees: 36  
Corporation Type (C-Corp., S-Corp, LLC, Partnership): Non Profit- Government  
(NOTE: 2 % or more owners of an S-Corp or LLC may not participant in the plan )  
Agent of Record: Dean Watts County of Nelson  
(name and agency)

### Please detail your eligibility date for New Employees:

(Example: First of the Month following 30, 60 or 90 days; Date of Hire, etc.)

Date of Hire

### Please indicate the first date of your pay cycle for the Plan Year:

(THIS IS THE DATE THE EMPLOYEE RECEIVES THEIR PAYCHECK): 07/05/2013  
(For system confirmation only for proper disbursement of reimbursements.)

BMS LLC-01/13 vers

### Please confirm if you offer a Health Savings Account (HSA) that may affect your participant's

#### HRA Eligibility:

Yes  No

(Any Plan Sponsor (Employer) who offers Health Savings Accounts, Health Reimbursement Arrangements and Flexible Spending Accounts **MUST BE AWARE OF THE ELIGIBILITY RULES** for account holders. This includes rules that apply to any employee's spouses FSA/HRA/ non-HDHP group plans, Limited FSA/HRA Enrollment Requirements, Mid-Year Plan change rules and Election change rules and any other IRS rules pertaining to HRA and HSA eligibility.)

**IMPORTANT:** Please Detail your HRA Plan Design for the Plan Year Renewal, indicating the reimbursement methodology. This must be completed in order to confirm final reimbursement design: Same as previously designed.

\*\*\*NOTE - Upon receipt of the signed annual renewal form, BMS will require verification of plan design via a signed copy of the employee handout which will be sent once this signed document is received.\*\*\*

### \*\*HRA BRIDGE PLANS ONLY\*\*

#### Optional Double Bridge Reimbursement "Calendar Year Verses Plan Year Liability"

Providing additional HRA Reimbursements for employees, who have been paid an HRA reimbursement in the Current Plan Year but now have a new deductible required at the start of the Calendar Year from the insurance carrier, can only be authorized for double payment by the employer. This occurs when the renewal date of your Insurance Plan does not coincide with the Calendar Year Deductible tracking from most Insurance Carrier. Please mark accordingly if you would like the HRA benefit to pay out twice if an employee uses the HRA in the beginning of your Plan Year but must meet a new Calendar Year deductible per the carrier.

#### PLEASE CHECK ONE:

Yes, we would elect to pay the second required deductible in the renewed Plan Year for my employee(s) and/or qualified dependent(s) should they have a second deductible to meet in the new Calendar Year. \_\_\_\_\_

No, we elect not to pay the second required deductible in the renewed Plan Year for my employee(s) and/or qualified dependent(s) should they have a second deductible to meet in the new Calendar Year. (The employee will be responsible for this claim in full). Additional HRA reimbursement will become available to your employee or their deductible once the Plan Year begins again for the HRA. \_\_\_\_\_

If yes, BMS LLC will mark your employer's HRA benefit accordingly and all claims that have used the entire HRA benefit for deductible expenses that incur a new Calendar Year deductible will be issued a second benefit as listed in your plan documents. In order to avoid discrimination, if we allow this exception for any one employee all employees will have access to this exception and this exception can only be changed at renewal with the HRA plan year. **This second allowance will potentially affect the cost analysis of savings as discussed at implementation.**

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**\*\*HRA BRIDGE PLANS ONLY \*\***  
**Embedded or Non Embedded Major Medical Plan**

Please indicate below if your major medical plan that which the HRA works in conjunction with is Embedded or Non Embedded. (If embedded but you would like the HRA to treat is if non embedded please indicate so.)

Embedded \_\_\_\_\_ Non Embedded \_\_\_\_\_

**Optional Rollover of Balances for Bridge and Comprehensive Plans**

**PLEASE CHECK ONE:**

Yes, we elect to allow rollover of unused HRA balances from the previous Plan Year to be used toward qualified medical expenses as outlined under our HRA plan design for my employee(s) and/or qualified dependent(s) \_\_\_\_\_

If yes, please indicate below the maximum rollover amount you would like to have made available to employees under the HRA.  
Single \_\_\_\_\_ Family \_\_\_\_\_

No, we do not wish to allow rollover of unused HRA balances  \_\_\_\_\_

**BMS LLC Funding Options – please indicate your method of funding:**

1. \_\_\_\_\_ **BMS LLC Recommend Funding Method for HRA:** ACH Direct Deposit of funding is recommended for HRA Plans and is required for HRA Comprehensive Plans with Debit Card. If Debit Card is implemented with eligible Plan, pre-funding may also be necessary based on daily use of the Debit Card by Employees (i.e., smaller groups will need to fund on a quarterly basis, plus if debit card use exceeds the balance on hand in the funding account, additional pre-funding will be necessary in order to avoid suspension of debit cards. Again, debit card only available to Comp HRA.) Drafting on a per claim basis or block funding is also recommended.

**NOTE: If you are currently under this method of funding, please indicate SAME. Complete if your Banking information will change or if you wish to switch to this method of funding.**

Employer Bank Name: \_\_\_\_\_

Routing #: \_\_\_\_\_ Bank Acct. #: \_\_\_\_\_

2.  **BMS LLC Alternative Check Funding Method:** If Employer wishes to remit funding via CHECK (either per claim or in block funding increments of \$1,000, \$2,500, \$5,000 etc.) BMS will accept this method of funding. Funding must be received in order to release any HRA reimbursements. If funding via check in blocks, please indicate the amount of funding to be remitted \_\_\_\_\_

**BMS LLC Responsibilities**

- ❖ Plan Update Services – plan review and document preparation annually. This service includes client and participant notification of rules and regulation changes. It also includes HIPAA compliance and assistance with complying with IRS guidelines associated with HRA.
- ❖ Participant Enrollment Assistance – includes preparation of educational materials, enrollment forms, worksheets, claims forms, etc. BMS LLC and the Employer are responsible for the Center for Medical Services (CMS) filings of HRA participants who are covered under the HRA and may also be covered under Medicare. Because HRAs are considered Group Health Plans and because of this reporting requirement, additional census information will be requested as indicated on the HRA Election Form including information on covered spouses and dependents. It is imperative that Employers provide all of this information in order to comply with CMS reporting requirements and to avoid any potential fines or penalties.
- ❖ Participant Account Management – includes claims review and adjudication, claim reimbursement, account balance tracking and customer service through the dedicated Employee HRA website link at [www.bmsllc.net](http://www.bmsllc.net), toll-free interactive voice response (IVR) line (877) BMS-FLEX or by contacting the BMS LLC office.
- ❖ Claims Services – claims are processed daily based on all properly prepared and documented claims. Claims are finalized and generally reimbursed at the end of that week (depending on funding on hand.) Participants can receive their reimbursements via a check or free direct deposit through ACH. This reimbursement schedule is available only if pre-funding of the HRA account is made by the Employer. If pre-funding does not occur, BMS LLC will adjudicate the claim as normal, request funding from the employer, and upon receipt of funding from the employer, will then issue payment directly to the participant.

FOR COMP HRAs ONLY AND SELECT BRIDGE PLANS THAT QUALIFY FOR DEBIT CARD USE: HRA Debit Cards are provided to participants as a valued added benefit. Employees must comply with IRS rules and regulations as it relates to debit card use including submission of required receipts within 60 days of initial debit card swipe. Not complying with request for receipts (sent via email to participants) will result in possible suspension of debit card until compliance is met. Debit Card transactions will be auto-substantiated via the nationwide IRS approved, IAS system. Full Access Debit Card will require substantiation via submitted receipts to BMS LLC for all dental, vision and other swipes at hospitals and/or physician offices that do not match standard co-pays, etc. With the implementation of Debit Cards for qualified HRA participants, please note that notification of debit card transactions in need of receipts (necessary under IRS guidelines) will be emailed to participants the first of each month directly from our Card Vendor. *The debit card is still available for those employees without email addresses;* however, they should monitor their account closely either online at [www.bmsllc.net](http://www.bmsllc.net) or by calling BMS LLC to determine what items are in need of substantiation. The account is subject to suspension if receipts for required substantiation are not submitted to BMS LLC by the first of the month following 60 days of the transaction. BMS LLC Customer Service Team can assist employees with questions about these particular items.

- ❖ Reporting – employers have access to a variety of reports including Eligibility Report, Disbursement Liability Report, Check Register Report, and Year-To-Date Summary Reports, etc. via online through the dedicated Employer only website like at [www.bmsllc.net](http://www.bmsllc.net). Other special reports can be provided to the Employer; however, there may be additional fees for other reports (other than the most common, standard reports noted above) that are available upon request. Note: Participants can obtain reports online at their dedicated Employee HRA website link at [www.bmsllc.net](http://www.bmsllc.net).
- ❖ Accounting – BMS LLC processes all HRA funding checks received from the employer, processes receipt of eligible HRA claims and performs account reconciliation of all deposits. HRAs are established as a "promise to pay" with the Employer, unless otherwise agreed to between BMS LLC and the Employer, wherein the employer will remit funding to BMS LLC as claims are incurred. Employers can respond to funding requests from BMS LLC 1.) via check on a claim by claim basis; 2.) via ACH Draft of an assigned account on a per claim basis, or 3.) once a month, via "block-funding" (standard pre-determined amounts i.e., \$1,000, \$2,500, etc. based on HRA account usage). "Block-funding" can be executed in check or ACH method. For Comprehensive HRA Plan designs, ACH funding is recommended due to volume of claims submitted. Funding accounts are audited on at least a quarterly basis by the BMS LLC Accounting Department. For some Comp HRA and Bridge HRA designs, the HRA debit card is available. See BMS LLC for details.

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- ❖ Invoicing – annual or monthly invoices for the above services will be sent based on the information noted above in fee schedule. Invoices are e-mailed the 15<sup>th</sup> of the month and are due within 30 days of the date of the invoice. Payments received after 30 days from the date of the invoice may result in BMS LLC holding the processing of claims for your participants, and may be subject to termination of the contract for excessively delinquent payment.

### Employer Responsibilities

- ❖ General Compliance – the employer is ultimately responsible for all Plan activities, general compliance, HIPAA, IRS Code and all other applicable laws and regulations including the inability of a more than a 2% owner of an S-Corp or LLC to participate in the Plan as detailed in original implementation paperwork and subsequent Plan Documents. The employer should review all documents provided by BMS LLC in order to understand fully the Plan design.
- ❖ Enrollment – the employer shall provide completed enrollment information to BMS LLC by 1.) Completion of manual election forms or through copies of Insurance applications applicable to HRA plan design, 2.) Through the BMS LLC employer-only website link at [www.bmsllc.net](http://www.bmsllc.net), or 3.) By providing a census of enrollment (in a specific format provided by BMS LLC.) BMS LLC and the Employer are responsible for the Center for Medical Services (CMS) filings of HRA participants who are covered under the HRA and may also be covered under Medicare. Because HRAs are considered Group Health Plans and because of this reporting requirement, additional census information will be requested as indicated on the HRA Election Form including information on covered spouses and dependents. It is imperative that Employers provide all of this information in order to comply with CMS reporting requirements and to avoid any potential fines or penalties. Once it is determined that an HRA participant is also covered under Medicare, maintaining up to date eligibility information is very important to make sure the individual participant information is properly communicated to CMS.
- ❖ Eligibility Changes – the employer shall notify BMS LLC of changes in employee eligibility (i.e. additions, terminations, change in Family Status, etc.) within at least 5 business days of the change. BMS LLC must be notified in a timely manner in order to properly administer the account(s) in accordance with IRS regulations. BMS LLC has the authority to charge additional fees for an employer's gross or chronic failure to notify BMS LLC of a change in a timely manner. This fee could be at least \$25.00 per transaction. This fee may also be assessed for late enrollees not received in adequate time for the proper renewal of the Plan. Employers can use e-mail, fax or mail to communicate the changes to BMS LLC or, utilize the employer-only website link at [www.bmsllc.net](http://www.bmsllc.net).
- ❖ Account Deposits and Contributions – the employer shall remit the deposits to cover total approved reimbursement for their participant's pending HRA claims on a per claim basis, or other methods as agreed to in advance by both BMS LLC and the Employer. This could include routinely funding by the employer in order to maintain a minimum balance in the HRA funding account for the employer. BMS LLC may execute receipt of these contributions via ACH Direct Deposit if approved by the employer. BMS LLC may require a minimum pre-funding (or "block-funding") of contributions in order to allow for a start-up balance to adjudicate claims at the start of the Plan Year. Also, employers must be aware that at any time during the Plan Year, the employer could be required per IRS guidelines to provide additional deposits to cover participant claims (when in excess of deposits on hand) as needed and requested by BMS LLC. Comprehensive HRA Plans require routine, adequate funding based on the methods discussed above. For Comp HRAs ONLY: With the implementation of the HRA Debit Card for all participants, the Employer must be prepared to fund for excessive deficits in their funding accounts. Full accounting of such activity will be provided to the employer. BMS LLC has the authority and obligation to stop adjudication of participant claims as they wait to receive required funding. If adequate funding is still not received after several requests, BMS LLC has the right to terminate our services at that time.

### Early Termination of Contract or Other Than End of Plan Year Changes

- ❖ This Agreement shall be for a term of one (1) year, beginning with the Plan Year start date shown on Page 1 of this Agreement, and shall be renewed from year to year thereafter by execution of the yearly Annual Renewal Form unless and until terminated by either party upon written notice to the other. Notice should be provided as indicated in Items below. The period of the Plan Year could be less than one (1) year if the Plan Year at renewal is a Short Plan Year as indicated on Page 1 of this Agreement, approved by BMS LLC on Renewal Paperwork and outlined in Plan Documents. However, Plan Year ending dates are to be clearly indicated by Employer and set by BMS LLC during the renewal process.
- ❖ Termination at End of Plan Year - Either Party shall have the right to terminate this Agreement by giving to the other party written notice of such termination at least thirty (30) days prior to the expiration of the renewal term. The Employer will be assessed the monthly administrative fees for the remainder of the claims run-out period, typically 90 days unless otherwise specified. Neither the Employer nor BMS LLC will have any further responsibility or obligation hereunder or with respect to the Plan upon termination of this Agreement other than funding and disbursement of claims during run-out period.
- ❖ Termination at Other Than End of Plan Year - Termination of Plan Administration at Other Than End of Plan Year as requested by Employer or their assigned broker or agent (Plan Year is indicated in this Renewal Paperwork and Plan Documents provided to the Employer), will result in a \$500.00 early termination fee due to excessive workload associated with termination of Plan in the midst of the set Plan Year unless otherwise agreed to be BMS LLC. The Employer is also required to pay the administrative fees for the remainder of the 90 days claims run-out period to BMS LLC as invoiced.
- ❖ Change in Plan Design for Other Than End of Plan Year - A request for Mid-Year Plan Year change or HRA Benefit design change, while maintaining administrative services with BMS LLC will result in a \$250.00 Mid-Year Plan Year change and is strongly discouraged. Any change in Plan Year or HRA benefit design that occurs throughout the set Plan Year, resulting in a subsequent Mid-Year Plan Year change, should be discussed in detail with BMS LLC prior to approval by BMS LLC. If approved, the Mid-Year Plan Year change fee will be assessed to the Employer unless otherwise agreed to by BMS LLC. See Optional Deductible Bridge Plan Reimbursement Question to avoid any possible Plan Year changes or additional fees.

I agree to accept BMS LLC as the Third Party Administrator for our Health Reimbursement Arrangement for the term of the Plan Year noted above and agree to the fee schedule outlined in this Annual Renewal Form. Once BMS LLC receives confirmation of your renewal of their services, a representative of BMS LLC will contact you regarding finalization of the enrollment process and final benefit plan design.

John Watts  
Signature  
County Judge Executive  
Title  
5/1/13  
Date

Dean Watts  
Printed Name of Signature  
Nelson County Fiscal Court  
Company Name

BMS LLC-01/13 vers

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LANDFILL/SOLID WASTE

Landfill Engineer Brad Spalding reported 1) on completion of the State's tire amnesty project for this year; and 2) on annual survey of landfill, required by State, that shows amount of landfill space that has been used. Discussion was held concerning planning for future landfill development.

**NELSON COUNTY SOLID WASTE DISPOSAL FACILITY**  
ANNUAL SURVEY DATA  
**CONTAINED LANDFILL**  
VOLUME USED - JULY 1995 TO APRIL 2013

SECTION STATION (FEET)	VOLUME BETWEEN SECTIONS (MODIFIED 100) (CUBIC YARDS)	AREA USED	VOLUME USED
0+00	0		0
1+00	0		0
2+00	29781		43089
3+00	138520	23268	108074
4+00	229699	34012	127119
5+00	303582	34632	127417
6+00	322126	34173	122813
7+00	279063	32146	114150
8+00	228530	29495	109326
9+00	199318	28541	111891
10+00	192756	30880	117800
11+00	185533	32732	123861
12+00	164002	34153	115967
13+00	121913	28469	93952
14+00	73699	22265	65789
15+00	36577	13261	34844
16+00	12583	5555	12222
17+00	518	-1045	1935
18+00	0	0	0
<b>TOTALS</b>	2,527,397		1,428,246
<b>REMAINING VOLUME =</b>			<b>1,099,149 CY</b>

CUBIC YARDS UTILIZED BY YEAR

4/96	4/97	4/98	4/99	4/2000	4/2001	4/2002	4/2003
64,804	76,463	94,791	88,550	82,917	89,319	85,181	92,552
4/2004	4/2005	4/2006	4/2007	4/2008	4/2009	4/2010	4/2011
96,156	97,630	73,318	69,815	74,671	78,596	68,359	64,778
4/2012	4/2013						
70,007	60,341						

\*\*\*

ROAD DEPARTMENT

\*\*SALT - On motion of Sam Hutchins, second Of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to award contract for salt to Central Salt LLC:

**Road Salt Reverse Auction Bids**

Nelson County Thru the Kentucky Association of Counties (KACO)

9, May 2013 - 11:00 EST.

[www.kyacc.org](http://www.kyacc.org)

Company	Unit Bid \$/Ton - Delivered	Est. Quantity Tons	Estimated Cost if 100 % purchased
Central Salt, LLC Egin, IL	\$63.00	1200	\$75,600.00
The Detroit Salt Co.	\$63.01	1200	\$75,612.00
Cargill Deicing, Inc. North Olmsted, OH	\$65.47	1200	\$78,564.00

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North American Salt Overland Park, KS	\$66.30	1200	\$79,560.00
MORTON SALT	\$70.16	1200	\$84,192.00

History			
Road Salt Costs	Price per ton	Tons delivered	Sand Delivered
Year 2005-2006	\$41.50	500	
Year 2006-2007	\$42.25	600	
Year 2007-2008	\$43.05	750	
Year 2008-2009	\$69.20	1200	used ~ 500 tons sand
Year 2009-2010	\$67.00	1000	used ~ 500 tons sand
Year 2010-2011	\$69.15	1493	~ 1653 tons sand
Year 2011-2012	\$69.18	152	~256 tons sand
Year 2012-2013	<b>\$66.82</b>	397	~ 407 tons sand

\*\*BULL RUN - County Engineer Jim Lemieux updated Court members on Hornback Construction work on the Bull Run project, culvert construction now in progress.

\*\*POTTERSHOP RD. INTERSECTION - Documents related to the Pottershop Rd. intersection have been signed and will be recorded, after which that project will be brought back to a Fiscal Court meeting.

\*\*HIBBS LN. - On motion of Jeff Lear, second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following resolution and agreement related to work on Hibbs Ln. (approximately 80% of cost to the State, with the County responsible for the remainder):

## RESOLUTION

### 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.

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

<u>AYES</u>	<u>NAYS</u>
Keith Metcalfe	
Bernard Ice	
Jeff Lear	
Jerry Hahn	
Sam Hutchins	

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  
21st day of May, 2013.

SIGNED



CLERK OF NELSON COUNTY

AGREEMENT BETWEEN KYTC AND NELSON COUNTY, CONSTRUCT DRAINAGE STRUCTURES ON HIBBS LANE  
(CR 1310). \$67,100 CB01 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 construct drainage  
structures on Hibbs Lane (CR 1310) located 2.120 miles northeast of Old Louisville Road (MP 2.120)  
over a tributary of Kimbly Run and on Hibbs Lane (CR 1310) located 2.230 miles northeast of Old  
Louisville Road (MP 2.230) over a tributary of Kimbly Run, 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;

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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 \$67,100 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, 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 \$67,100 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 \$67,100

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)

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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

\*\*ON-GOING - County Engineer 1) presented pictures and gave a detailed report on work on KY 247; 2) reported on bushhogging in various districts and on ditch work; 3) on work on Cormans Crossing roads, stabilizing asphalt in preparation for late summer paving there; and 4) on various maintenance jobs being done throughout the County.

\*\*MECHANIC'S TRUCK - Motion was made by Bernard Ice, second of Keith Metcalfe, to advertise for bids for a mechanic's truck. Following discussion, motion was made by Bernard Ice, second by Sam Hutchins, to amend the motion to advertise for a three-quarter ton pickup with a utility bed. Motion was approved by unanimous vote of the Court.

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## ON-GOING BUSINESS

**\*\*FEED AMERICA** - Note was made of Feed America on May 22 at the Fairgrounds, with local farmers having been asked to participate.

**\*\*FAIRGROUNDS BLEACHERS** - Process that Fair Board has chosen for funding bleachers at the Fairgrounds was explained/discussed.

**\*\*BUDGET REVIEW** - Suggestions were made during budget review for changing way salt is shown in the budget and for inclusion of Wickland driveway for blacktopping. Second reading will occur following DLG approval of the proposed budget.

**\*\*PIPELINE** - Judge Watts told Court members of great amount of interest by citizens related to a pipeline that has been proposed for construction through Nelson County. He outlined plan to move Fiscal Court meeting to the Civic Center if representatives of companies involved choose to come to a meeting of Nelson Fiscal Court.

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On motion of Bernard Ice, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the May 21 session of Nelson Fiscal Court.

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DEAN WATTS, NELSON COUNTY JUDGE EXECUTIVE

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ELAINE A FILIATREAU, NELSON COUNTY CLERK