

Fiscal Court Orders

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.

MINUTES APPROVED - NOV. 19

On motion of Sam Hutchins, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the minutes of the Nov. 19 session of Nelson Fiscal Court as presented.

BILLS

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

**Nelson County Fiscal Court
Bills for Court Approval
December 3, 2013**

Name	Memo	Account	Amount
GENERAL FUND BILLS			
01 General Fund			
ADP	Payroll processing 111513	9100301 · Payroll Processing	\$ 409.80
Bluegrass Uniforms Inc.	Smith	5105481 · Law Enfore Uniforms	60.99
Brite Wholesale	Bulbs	5080334 · Old Courthouse Bldg Maint	56.46
Brite Wholesale	Bulbs	5085334 · Sutherland Bldg Maint	56.46
Brite Wholesale	Bulbs for outside kennel area	5205334 · Animal Control Building Main	188.20
Brite Wholesale	Bulbs	5415446 · Civic Center Supplies & Equip	103.62
Bumper to Bumper	Winterizing supplies- DWP	5405348 · Recreation Program Support	7.96
Buzick	Dumpster bin	5085334 · Sutherland Bldg Maint	199.05
Buzick	Twine	5090427 · Maintenance - Supplies	10.59
Cardmember	Bucket truck - crankcase filter kit, idle chip	5090340 · Maintenance - Vehicle Maint	645.50
Cardmember	Yuma carrying case	5115445 · Codes - Office Supplies	40.00
Cardmember	Certified mail- nuisance reports	5115463 · Codes - Certified Mailing	40.00
Cardmember	Cable, cord, charger	5135339 · Radio Repair and Maint	30.55
Cardmember	Vehicle supplies and maint	5135340 · EMA Vehicle maintenance	106.95
City of Bardstown	GIS Services - December 2013	5145545 · Central Dispatch GIS Services	146.32
Hillyard	Ice melt - bulk purchase	5090427 · Maintenance - Supplies	1,666.67
Hillyard	Custodial supplies	5105411 · Law Enfore Custodial Supplies	534.49
Irving Materials Inc.	Concrete pad - garbage bin	5085334 · Sutherland Bldg Maint	344.52
Jewish Physician Group	Random testing	9400547 · Employee Medical/WC Claims	190.50
KACO	KACO conference - Jeff Lear	5025569 · Magistrates Conferences	70.00
Leo Talbott & Son, Inc.	AC System, V-belt	5105329 · Law Enforc. Bldg Main Contracts	265.00
Leo Talbott & Son, Inc.	Health Dept AC, Civic Center cooling tower	5415329 · Civic Center Maint Contracts	233.00
Lowe's	Batteries for panic alarms	5081411 · Justice Center Custodial Supply	230.00
Lowe's	Vise, pliers	5090427 · Maintenance - Supplies	20.54
Lowe's	Cordless drill, bits	5090475 · Maintenance - Tools	84.99
Lowe's	Shelving	5305341 · Sr Citizens Bldg Projects	307.77
Lowe's	Light switch for wall sconce	5415446 · Civic Center Supplies & Equip	290.66
Plumbers Supply Co	Water cooler	5081334 · Justice Center Bldg Maint	8.54
Pro Chem	Custodial supplies	5080411 · Old Courthouse Custodial Supply	398.75
Pro Chem	Custodial supplies	5081411 · Justice Center Custodial Supply	88.80
Pro Chem	Custodial supplies	5085411 · Justice Center Custodial Supply	88.80
Pro Chem	Custodial supplies	5085411 · Sutherland Bldg Custodial Suppl	88.80
Pro Chem	Custodial supplies	5305411 · Sr Citizens Custodial Supply	88.81
RCS	Monthly agreement	5415411 · Civic Center Custodial Supplies	88.80
RCS	Radio Project Phase 1	5135336 · EMA Equipment Repairs	385.00
Ronnie's Custom Care	Monthly cleaning	5145548 · Central Dispatch LOC Projects	88,253.90
S & P Cleaning Service Inc	Cleaning service 1113	5081329 · Justice Center Main Contracts	4,000.00
Tatum Auto Supply	Torque bits for security bolts	5085329 · Building Main Contracts	1,310.00
Tom's Muffler Shop	Muffler - Russell's truck	5090427 · Maintenance - Supplies	27.99
TriStar	Cafeteria plan administration - 0913 1113	5340340 · Comm Svc Vehicle Main	180.00
W W Grainger	Bathroom repairs	9100301 · Payroll Processing	361.50
W W Grainger	Portable hand pump	5081334 · Justice Center Bldg Maint	228.75
Walker Transmissions LLC	Transmission - Russell's truck	5090427 · Maintenance - Supplies	48.05
Total 01 General Fund		5340340 · Comm Svc Vehicle Main	1,700.00
			103,647.08

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02 Road Fund

Air Hydro	Boom mower	6105443 · Parts	158.81
AmCon Environmental	Gabion tie wire	6105457 · Bridge & Culvert Materials	270.00
Bardstown Auto Wrecker	Spare tire/wheel - mechanic truck	6105443 · Parts	140.00
BDM Collision Center, Inc.	Kroger's pickup truck	6105336 · Equipment repairs	874.05
Bumper to Bumper	Filters, paint, motor oil, shudder fix	6105427 · Garage supplies	123.75
Bumper to Bumper	Mattingly truck, snow plow, Truck 305	6105443 · Parts	114.24
Bumper to Bumper	Orange paint	6105469 · Signs & Posts	34.95
Buzick	Caney Fox, Cooksey Bridge	6105457 · Bridge & Culvert Materials	152.21
Cardmember	Computer monitor, speakers - Kroger	6103445 · Office Supplies	153.88
Cardmember	Jim L - continuing education	6105569 · Staff Training	269.00
CMI Equipment	Gradall - throttle assembly	6105443 · Parts	654.35
Econo Signs LLC	Various street signs	6105469 · Signs & Posts	191.06
GBA	Printer ink	6103445 · Office Supplies	104.92
Hillyard	Custodial supplies	6105427 · Garage supplies	244.00
Humphrey Bros	Cooksey Ln Bridge	6105457 · Bridge & Culvert Materials	246.32
Irving Materials Inc.	Cooksey Ln Bridge	6105457 · Bridge & Culvert Materials	530.50
KY Concrete	Cooksey Lane Bridge	6105457 · Bridge & Culvert Materials	573.50
Lowe's	Bathroom heater	6103334 · Building Maintenance	51.78
Saf-ti-Co	Double arrow, chevrons, barricade sheeting	6105469 · Signs & Posts	617.75
Springfield State Bank	Colvin-Blazer Heights	6105567 · Refund Performance Bonds	4,905.00
Tatum Auto Supply	Siphon gun, engine treatment, winterize solution	6105427 · Garage supplies	59.98
Tatum Auto Supply	Mechanic truck, backhoes, pressure washer maint	6105443 · Parts	137.52
Tatum Auto Supply	Screwdrivers	6105475 · Tools	15.99
Total Truck Parts, Inc.	Snow chains, oval red light covers	6105443 · Parts	149.46
Total 02 Road Fund			<u>10,773.02</u>

03 Jail Fund

Buzick	Laundry room plumbing repairs	5101571 · Building Repairs	39.88
Cardmember	Shower liners	5101437 · Linens	51.36
Cardmember	Foam board	5101445 · Office Supplies	1.47
CDA Inc.	Electronic Monitors	5101314 · Contracts with Other Counties	726.00
Central Ky Radiology	Inmate medical	5101549 · Routine Medical	6.82
Clems	Food	5101425 · Food	2,255.09
Dean Milk	Milk	5101425 · Food	868.90
Flowers Baking Co	Bread	5101425 · Food	238.75
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	337.92
Keesee, Patrick	Inmate medical	5101549 · Routine Medical	539.00
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	2,302.44
RWH Computer Networking	Monitor	5101428 · Canteen Inventory	149.00
RWH Computer Networking	Computer, monitor	5101445 · Office Supplies	638.00
Securus	Phone cards	5101428 · Canteen Inventory	616.00
Total 03 Jail Fund			<u>8,770.63</u>

04 LGEA Fund

Mago Construction	Ockerman Lane	6105405 · Hot and cold mix	1,442.67
Total 04 LGEA Fund			<u>1,442.67</u>

09 Ambulance Fund

3-D Graphics	Embroidered logos	5140481 · Staff Uniforms	96.00
Airgas Mid America	Oxygen	5140550 · Medical supplies & Materials	291.06
Bumper to Bumper	Sq 38	5140443 · Vehicle Parts	18.18
Buzick	Credit for unused materials	5140334 · Building maintenance	(87.01)
Buzick	Station 1 renovation	5140742 · EMS Building	78.86
Cardmember	Camera battery	5140336 · Equipment Maintenance & Repairs	6.84
Cardmember	Coaxial coupler	5140339 · Radio Maintenance & Repairs	3.70
Cardmember	Kitchen supplies	5140411 · Custodial supplies	111.20
Cardmember	Sq 38 - engine injectors; batteries, auto parts	5140443 · Vehicle Parts	1,638.71
Cardmember	Printer ink, binders, business cards, office supply	5140445 · Office Supplies	319.05
Cardmember	Uniforms	5140481 · Staff Uniforms	461.56
Cardmember	Battery charger	5140550 · Medical supplies & Materials	16.74
Cardmember	Postage	5140563 · Postage	460.00
Cardmember	Training materials	5140569 · Training	247.48
Cardmember	Otter box, mount, cell phone cases	5140573 · Telephones	231.94
Conway Heaton	Sq 38	5140340 · Vehicle Maintenance & Repairs	97.78
Corvin's Furniture	Memory foam	5140742 · EMS Building	105.00
Ellis Towing	Sq 41	5140340 · Vehicle Maintenance & Repairs	156.00
Fleet Matics	GPS Service Agreement	5140336 · Equipment Maintenance & Repairs	482.50
Galls	Uniforms	5140481 · Staff Uniforms	828.68
Image Trend	Annual software licenses	5140336 · Equipment Maintenance & Repairs	400.00
Iron Works, Inc.	Sq 35	5140340 · Vehicle Maintenance & Repairs	150.00
Iron Works, Inc.	Sq 35	5140443 · Vehicle Parts	137.56

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Lowe's	Station I	5140334 · Building maintenance	239.16
Lowe's	Vehicle maint and parts	5140340 · Vehicle Maintenance & Repairs	376.79
Lowe's	Custodial supplies	5140411 · Custodial supplies	59.65
Lowe's	Station I renovation	5140742 · EMS Building	436.78
Med Tech Medical Services	Cot maint and repairs	5140336 · Equipment Maintenance & Repairs	3,977.17
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	108.74
Pro Chem	Custodial supplies	5140411 · Custodial supplies	28.05
QuadMed Inc	Medical supplies	5140550 · Medical supplies & Materials	630.32
RCS	Homeland Security Radio Grant	5140703 · Communications Grant	90,000.00
Tatum Auto Supply	Sq 38 - engine injectors, headlamp, antifreeze	5140443 · Vehicle Parts	318.13
Total 09 Ambulance Fund			<u>102,426.62</u>
Subtotal - General Fund Bills			\$ 227,060.02

PIC FUND BILLS

13 Solid Waste Fund

Bluegrass Seed & Fertilizer	Bib overalls, coats	5215481 · Employee uniforms	\$ 1,200.00
Tatum Auto Supply	Pickup truck, Truck 411	5215443 · Parts	310.49
Total 13 Solid Waste Fund			<u>1,510.49</u>

15 Landfill Fund

Bluegrass Seed & Fertilizer	Bib overalls, coats	5210481 · Uniforms	360.00
Cardmember	Brad - continuing education	5210569 · Staff Training	269.00
GBA	Paper, printer ink	5210445 · Office Expense	143.74
Nalley, Charlie	Boot allowance	5210481 · Uniforms	75.00
Raben Tire Co	Tires, repairs	5210479 · Tires	739.03
Snap-On Tools	Air hammer	5210475 · Tools	88.00
Tatum Auto Supply	Mechanic truck, Truck 420	5210443 · Parts	542.19
Total 15 Landfill Fund			<u>2,216.96</u>

23 Occupational Tax Fund

Ky Standard	Subscription renewal	5047445 · OLF Office supplies	56.00
Total 23 Occupational Tax Fund			<u>56.00</u>

97 PIC

Brite Wholesale	Bulbs	5082334 · SOB Bldg Main	56.46
Mago Construction	Parking Lot repairs	5085571 · Plaza Lot Repairs	4,077.00
Pro Chem	Custodial supplies	5082411 · SOB Custodial Supplies	88.80
Total 97 PIC			<u>4,222.26</u>

Subtotal - PIC Bills

\$ 8,005.71

Total - All Bills

\$ 235,065.73

NELSON COUNTY FISCAL COURT PAID BILLS/TRANSERS FOR COURT APPROVAL

December 3, 2013

Fund/Vendor	Description	Account	Amount
General Fund			
County Clerk	Summers Property - Holt Ridge Rd	5085902 · Property Taxes	\$ 1,232.43
GEMW	Emergency Mgmt Training	5135569 · EMA Training	300.00
Ky Dept of Housing	Coffman - Electrical license renewal	5115551 · Code Enf Dues and Licenses	100.00
Lawson Products	Drill bits	5090427 · Maint supplies	76.15
	Less Discount		(0.77)
Road Fund			
Kimball Midwest	Garage supplies	6105427 · Garage supplies	73.42
	Less Discount		(0.73)
Lawson Products	Garage supplies	6105427 · Garage supplies	143.90
	Less Discount		(1.44)
EMS Fund			
Ky Notary	Notary renewal - Eva/Wanda	5140445 · Office Expense	20.00

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Landfill Fund

Lawson Products
Less Discount

Shop supplies

5210427 · Main supplies

148.30
(1.49)

TOTAL PAID BILLS AND TRANSFERS

\$ 2,089.77

**Nelson County Fiscal Court
Additional Bills for Court Approval**

December 3, 2013

Name	Memo	Account	Amount
01 General Fund			
3-D Graphics	Uniforms, logos - J Hardin	5105481 · Law Enforc Uniforms	\$ 192.00
Bardstown Housing Authority	Bethany Haven - Dec 2013	5315399 · Emergency Shelter for Children	300.00
Bardstown Super Vac	Sweep parking lot	5081329 · Justice Center Main Contracts	500.00
Bardstown Super Vac	Sweep parking lot	5415329 · Civic Center Maint Contracts	100.00
Economy Pest Control	Portable toilet rental Dec 2013	5405348 · Recreation Program Support	70.00
Hall, Thomas	Legal services	5310332 · Public Defender Contract	500.00
International Code Council	2014 Electrical Handbook	5115427 · Codes - Technical supplies	149.00
Lawson Products	Chisel/punchtool set	5090475 · Maintenance - Tools	103.36
Rogers, Justin	Contract labor	5085329 · Sutherland Building Main Contracts	96.00
Rogers, Justin	Contract labor	5080329 · Old Courthouse Main Contracts	96.00
Rogers, Justin	Contract labor	5330515 · Feed America Program	96.00
Rogers, Justin	Contract labor	5305329 · Sr Citizen Bldg Main Contracts	96.00
Total 01 General Fund			<u>2,298.36</u>
02 Road Fund			
Lawson Products	Drill bits, garage supplies	6105427 · Garage supplies	89.41
Tatum Auto Supply	120G Grader	6105443 · Parts	149.87
Total 02 Road Fund			<u>239.28</u>
03 Jail Fund			
Rogers, Justin	Contract labor	5101329 · Building Mam Contracts	96.00
Total 03 Jail Fund			<u>96.00</u>
09 Ambulance Fund			
Hutchins, Justice	Install carpet	5140742 · EMS Building	130.00
Tony Hutchins Flooring	Install carpet	5140742 · EMS Building	145.00
Total 09 Ambulance Fund			<u>275.00</u>
15 Landfill Fund			
Kimberland, David	Office cleaning Nov 2013	5210329 · Maintenance Contracts	475.00
Rogers, Justin	Contract labor	5217161 · Recycling Contract Labor	192.00
Total 15 Landfill Fund			<u>667.00</u>
			<u>\$ 3,575.64</u>

BOARD APPOINTMENTS

**NORTH NELSON WATER DISTRICT BOARD -- JOHN R ROBINSON

NELSON COUNTY FISCAL COURT

ORDER

On motion of Jeff
Lear, second of Jerry Hahn,
by unanimous vote of the

Pursuant to the relative Kentucky Revised Statutes, **John R. Robinson**

is hereby appointed to the **North Nelson Water District Board** for a term in

Court, IT IS HEREBY ORDERED

accordance to the Bylaws or governing Regulations in place.

to approve the appointment

of John R (Bob) Robinson to

the North Nelson Water Dis-
trict Board.

Dean Watts
Nelson County Judge Executive

12/3/13
Date

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**NORTHEAST NELSON FIRE DISTRICT BOARD NELSON COUNTY FISCAL COURT

ORDER

Pursuant to the relative Kentucky Revised Statutes, **Mary Ellen Marquess** is hereby appointed to the **Northeast Nelson Fire District Board**, filling the unexpired term of **Ronnie Greenwell**, for a term in accordance to the Bylaws or governing Regulations in place.

Dean Waffs
Dean Waffs
Nelson County Judge Executive
12/3/13
Date

On motion of **Jerry Hahn**, second of **Sam Hutchins**, by unanimous vote of the Court, **IT IS HEREBY ORDERED** to approve the appointments of **Mary Ellen Marquess**, **Scott Thompson** and **Terry Scrogham** to the **Northeast Nelson Fire District Board**.

Pursuant to the relative Kentucky Revised Statutes, **Scott Thompson** is hereby appointed to the **Northeast Nelson Fire District Board**, filling the unexpired term of **Michael Woodford**, for a term in accordance to the Bylaws or governing Regulations in place.

Dean Waffs
Dean Waffs
Nelson County Judge Executive
12/3/13
Date

Pursuant to the relative Kentucky Revised Statutes, **Terry Scrogham** is hereby appointed to the **Northeast Nelson Fire District Board**, filling the unexpired term of **P. J. Milburn**, for a term in accordance to the Bylaws or governing Regulations in place.

Dean Waffs
Dean Waffs
Nelson County Judge Executive
12/3/13
Date

COUNTY CLERK - 2013 BUDGET AMENDMENT

JK - 2013 Rev. 10/09

The following amended budget for the Nelson County Clerk's office for calendar year 2013 is approved as follows:

Form For Budget, Cumulative Quarterly Report and Annual Settlement For Calendar Year 2013

Nelson County Clerk BUDGET AMENDMENT Part One - Summary and Reconciliation of All Accounts

Show & Describe All Accounts	Column 1	Column 2	Column 3	Column 4	Column 5
	2013 Fee Account Budget Estimate	2013 Fee Account Cumulative Actual	Account (NOT FEE ACCOUNT)	Account (NOT FEE ACCOUNT)	Account (NOT FEE ACCOUNT)
1. Receipts YTD	\$11,677,500.00				
2. Total Disbursements YTD	\$11,319,935.05				
3. Book Balance/Excess Fees	\$357,564.95				

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DEPARTMENT REPORTS

****JAIL**

Jailer Dorcas Figg presented her regular report:

NELSON COUNTY JAIL

	Total	Hardin Co	HIP	State	W-End	In House
NOVEMBER						
Wed 20	108	0	2	21	4	102
Thur 21	118	0	2	22	4	112
Fr. 22	113	0	2	22	3	108
Sat. 23	108	0	2	22	1	105
Sun. 24	109	0	2	22	2	105
Mon. 25	120	0	2	26	4	114
Tue. 26	118	0	2	26	6	110
Wed 27	110	0	2	24	5	103
Thur 28	112	0	2	24	5	105
Fr. 29	108	1	2	25	5	100
Sat. 30	113	1	2	25	2	108
DECEMBER						
Sun. 01	117	1	2	25	3	111
Mon. 02	111	1	2	25	6	102
Tue. 03	113	1	2	22	6	104

****EMS**

Joe Prewitt presented his regular report as follows:

12/02/2013

Monthly EMS Run Totals
As of November, 2013

Areas	Monthly Completed Runs	Monthly Non-Transport	Monthly Total Calls	Year-To-Date Calls	Monthly Charges	Year-To-Date Charges	Average Charge per Run
Bardstown Area	337	58	395	2218	\$ 235,285.25	\$ 1,272,157.10	\$ 573.56
Bloomfield Area	18	4	22	123	\$ 14,891.50	\$ 75,068.75	\$ 610.32
New Haven Area	18	3	21	125	\$ 11,522.65	\$ 69,734.30	\$ 557.87
Boston Area	9	6	15	58	\$ 6,805.40	\$ 29,006.95	\$ 500.12
Cox's Creek Area	11	4	15	87	\$ 7,429.70	\$ 44,842.30	\$ 515.43
TOTAL	393	75	468	2611	\$ 275,934.50	\$ 1,490,809.40	\$ 570.97
Average Per Day	13.1	2.5	15.6	17.1	\$ 9,197.82	\$ 9,743.85	
Collections (VTD)						\$ 798,035.00	
Collection Per Run						\$ 305.65	
Cost Per Run						\$ 349.11	
Difference						\$ (43.46)	
Previous Year 2012	Totals	431	2522	\$ 298,855.80	\$ 1,526,366.10		
Previous Year Difference		37	89	\$ (22,921.30)	\$ (35,536.70)		
Previous Year 2011	Totals	516	2703	\$ 201,880.30	\$ 1,634,752.90		
Previous Year Difference		-48	-92	\$ 74,054.20	\$ (143,943.50)		
Previous Year 2010	Totals	448	2564	\$ 250,927.00	\$ 1,434,193.50		
Previous Year Difference		20	47	\$ 25,007.50	\$ 36,615.90		
Previous Year 2009	Totals	453	2389	\$ 265,193.00	\$ 1,367,149.00		
Previous Year Difference		15	222	\$ 10,741.50	\$ 123,660.40		
Previous Year 2008	Totals	457	2400	\$ 249,068.00	\$ 1,269,411.00		
Previous Year Difference		11	211	\$ 26,866.50	\$ 221,398.40		

"75 INCOMPLETE RUNS AND 9 TREAT NO TRANSPORT"

RADIO EQUIPMENT - Prewitt reported that all equipment has been installed at Boston, Culvertown, Caney Fork and the 162 towers; payment in the amount of \$178,000 was approved in today's bills. Two FCC licenses are being waited on.

****LANDFILL/SOLID WASTE**

Brad Spalding reported on recent State inspection which found all in order with the exception of need for additional cover; Road Department is helping with this.

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**ROAD DEPARTMENT

County Engineer Jim Lemieux reported on boom mowing in Dist. 5, on ditch work and shoulder work, on request for encroachment permit for a new driveway on Old Louisville Rd., and that concrete barricades have been set up at the old Fredericksburg Bridge. He also reported that request for quotes for cold mix were sent out:

	2013 per ton	2012 per ton	2011 per ton	2010	2009
MAGO Construction	\$100.98 ** KP-6	\$88.25 KP-6	\$85.37 KP-6	\$80.51 KP-6	\$90.00 KP-6
Scotty's Paving	\$124.00 UPM cold Mix	no quote	no quote	no quote	\$82.00
Gohman's Asphalt	no quote	no quote	no quote	no quote	no quote
Total Cost Purchased at 100 tons	\$10,098.00	\$8,825.00	\$8,537.00	\$8,051.00	\$8,200.00

** Note: MAGO Bid per Commonwealth of Kentucky Contract # 625 1400000046-1 for KP-6 Cold Mix- District # 4

On motion of Jerry Hahn, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to authorize that a purchase order be issued for cold mix.

Lemieux told Court memebers that he had completed the design on a culvert on Hibbs Ln., with permit having been submitted to the State. This is a job that will be done in the summer.

AGREEMENT - BLUEGRASS CELLULAR

On motion of Bernard Ice, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to enter the following agreement as a matter of record (See Book 37, Page 112):

AGREEMENT REGARDING ENCRoACHMENT PERMITS IN NELSON COUNTY, KENTUCKY

WHEREAS, Bluegrass Network, LLC, Kentucky Limited Liability Company whose principal place of business is located at 2902 Ring Road, Elizabethtown, KY 42702 (hereinafter "Bluegrass") desires to place fiber optic cable (cable) within the right of way of certain roadways within Nelson County, KY;

WHEREAS, the Nelson County Fiscal Court (hereinafter County of Nelson) whose mailing address is P.O. Box 578, Bardstowm KY 40004 is concerned that the placement of said cable in the right of way may interfere in the future with persons seeking to obtain entrance permits to their land by requiring the movement of the cable that Bluegrass seeks to install;

WHEREAS, Bluegrass is willing, at its own cost, to move its cable if necessary to facilitate the granting of any entrance permits requested on said roads;

NOW, THEREFORE, for and in consideration of the mutual promises made herein by each party, the parties agree as follows:

1. The County of Nelson will grant unto Bluegrass Network, LLC encroachment permits for both buried and aerial fiber optic cable within the right of way along and across the following the roadways in Nelson County, Kentucky: Breezy Way, Pottershop Road, Ora Brent Road, Ed Brent Road, Hutchins Lane, Old Sutherland Pike, Sutherland Road, Hubbards Lane, Hugh Ice Loop, Hardin Leslie Road, Bennett Lane, Clear Creek Drive, and Lick Creek Lane;
2. Bluegrass, and it agents, successors and assigns, guarantee that Bluegrass shall pay the entire cost of relocating any such cable line that is placed in the County right of way that may need to be relocated in the future to facilitate any entrance permit issued by the County. Bluegrass and its agents, successors and assigns shall hold both County of Nelson and any private property owner harmless from any costs associated with relocation of said cable line(s).

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- Bluegrass shall post an Encroachment Permit Bond to the County of Nelson in the amount of \$500.00 per roadway. Said bond shall be released back to Bluegrass per local ordinance upon completion of the project;

Bluegrass Network, LLC
By: Christal Wells
Authorized Rep.

Notary Public

I, a Notary Public, in and for the state and county aforesaid do hereby certify that the foregoing instrument was produced before me in said county and acknowledged and sworn by the person whose signature appears above who executed this instrument as their free act and deed and that they are known to me, or if not known to me, presented satisfactory evidence to me that they are the persons described in and who executed the instrument. Given under my hand this 11th day of November, 2013. My Commission expires: 10/14/16

Clayton H. Cook
Notary Public
475-414

Dean Watts
Commonwealth of Kentucky
County of Nelson
By: Nelson County Judge Executive, Dean Watts

Notary Public
County of Nelson

I, a Notary Public, in and for the state and county aforesaid do hereby certify that the foregoing instrument was produced before me in said county and acknowledged and sworn by the person whose signature appears above who executed this instrument as their free act and deed and that they are known to me, or if not known to me, presented satisfactory evidence to me that they are the persons described in and who executed the instrument. Given under my hand this 3rd day of December, 2013. My Commission expires: 12/31/16

Notary Public

On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the Dec. 3 session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK

