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Fiscal Court Orders

May 21, 2014
SPECIAL SESSION OF NELSON FISCAL COURT

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

Nelson Fiscal Court

Special Meeting Agenda Nelson Fiscal Court Room

May 21, 2014

9:00 a.m.

Minutes - Bills - Transfers.

1. Northeast Nelson Fire Department appointment.
2. Tax moratorium request.
3. Kentucky Deferred Comp.
4. HRA renewal.
5. Commercial Inspections proposal.
6. Bardstown-Nelson County Fire Department request.
7. Second reading on Animal Control ordinance.
8. LG&E proposal for Nelson County Industrial Park.
9. Road Department report:
 - a. Hibbs Lane culverts;
 - b. Salt bids 2014.
10. Landfill Solid Waste report.
11. EMS report.
12. Jail report.
13. Workers' Comp insurance 2014-15 renewal.
14. Local ABC ordinance update.
15. 1st reading of 2014-2015 Budget

BILLS AND TRANSFERS

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 May 21, 2014

Name	Memo	Account	Amount
01 General Fund			
City of Bardstown	Annual recreation support	5405348 - Recreation Program Support	\$ 50,000.00
City of Bloomfield	Annual recreation support	5405348 - Recreation Program Support	5,000.00
City of New Haven	Annual recreation support	5405348 - Recreation Program Support	5,000.00
3-D Graphics	Gun holster - Gilliland	5105481 - Law Enforc Uniforms	149.00
ADP	Processing fees 050214	9100301 - Payroll Processing	399.83
AIA Kentucky	Coffman, Spaulding	5115569 - Codes - Staff Training	180.00
Aqua Treat	Monthly treatment	5415329 - Civic Center Maint Contracts	184.80
Barrie, Jennifer	Sheriff office cleaning - Apr 2014	5105329 - Law Enforc. Bldg Main Contracts	1,000.00
City of Bardstown	GIS Services - May 2014	5145545 - Central Dispatch GIS Services	1,666.66
Danville Office	Paper, printer ink, message book	5001445 - CJE Office supplies	153.23
Danville Office	Paper, printer ink	5040445 - Treasurer Office Supplies	200.90

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Danville Office	Printer ink, folders, paper, bus. cards	5115445 · Codes - Office Supplies	141.44
DC Communications LLC	Radio equipment	5105339 · Law Enforc Radio Repair	76.58
Eugene Wilson	Justice Center 2014-2015	5081521 · Justice Center Insurance	8,539.55
Gartland's	Framed map - Melody Lake	5001445 · CJE Office supplies	195.46
Harp Enterprises	Battery Packs (20)	5065427 · Elections Supplies	703.56
Houghlin Greenwell Funeral Hom	Coroner transports	5020308 · Coroner Autopsy & Services	1,000.00
Houghlin Greenwell Funeral Hom	Pauper burial	5330344 · Pauper Burials	950.00
International Code Council	2014 Membership	5115551 · Codes - Dues & Certifications	125.00
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	280.00
Ky Housing - Boilers	Annual boiler inspection	5085329 · Building Main Contracts	50.00
L&W Emergency Equipment	Programming fee	5145548 · Central Dispatch LOC Projects	320.00
Landmark Comm News	Rezoning, budget amendment, bids	9100539 · Advertising & Legal Notices	928.16
MVP Garden Center & Nursery	Mulch - DWP	5405348 · Recreation Program Support	990.00
Nelson EMS	Coroner call	5020308 · Coroner Autopsy & Services	117.55
Patrons Home Center	Door repair	5080334 · Old Courthouse Bldg Maint	4.49
Patrons Home Center	Custodial supplies	5080411 · Old Courthouse Custodial Supply	176.77
Patrons Home Center	Bathroom repairs; bulbs, batteries	5081334 · Justice Center Bldg Maint	121.23
Patrons Home Center	Custodial supplies	5081411 · Justice Center Custodial Supply	164.79
Patrons Home Center	Ballasts, phone cord	5085334 · Sutherland Bldg Maint	80.25
Patrons Home Center	Custodial supplies	5085411 · Sutherland Bldg Custodial Suppl	164.79
Patrons Home Center	Concrete sealant - bee removal	5086571 · Wickland Repairs	9.98
Patrons Home Center	Electrical supplies, cable ties, shears	5090427 · Maintenance - Supplies	185.23
Patrons Home Center	Bathroom repairs	5105334 · Law Enforcement Building Maint	24.13
Patrons Home Center	Ballasts	5205334 · Animal Control Building Main	43.98
Patrons Home Center	Keys, gloves	5205427 · Animal Control Feed & supplies	20.28
Patrons Home Center	Custodial supplies	5305411 · Sr Citizens Custodial Supply	164.79
Patrons Home Center	Repairs DWP	5405348 · Recreation Program Support	308.58
Patrons Home Center	Custodial supplies	5415411 · Civic Center Custodial Supplies	164.79
Patrons Home Center	Bathroom repairs	5415446 · Civic Center Supplies & Equip	6.28
Quick Care Oil Lube Express	April 2014 vehicle maint/repairs	5105340 · Law Enforc Vehicle maintenance	474.48
RCS	Coxs Creek siren	5139336 · Weather Siren Repairs	728.47
Spaulding, Logan	Boot allowance	5115481 · Codes - Uniforms	75.00
Speedway	Fuel	5105429 · Law Enforc Fuel	1,585.21
Springfield Laundry	Mats	5080411 · Old Courthouse Custodial Supply	43.00
Springfield Laundry	Mats	5081411 · Justice Center Custodial Supply	458.00
Springfield Laundry	Mats	5085411 · Sutherland Bldg Custodial Suppl	93.00
Springfield Laundry	Mats	5105411 · Law Enforc Custodial Supplies	118.00
Springfield Laundry	Mats	5415411 · Civic Center Custodial Supplies	23.00
St Monica Parish	Voting machine storage	5065364 · Elections Equipment Storage	1,350.00
Taylor Battery Company Inc	Battery- tractor	5425334 · Fairgrounds Supplies & Equip	149.53
Total Truck Parts, Inc.	Bearings - Culvertown BP merry go-roi	5405348 · Recreation Program Support	111.32
Underwood, Judith A	Civic Center Cleaning 0514	5415329 · Civic Center Maint Contracts	850.00
USPS	Postage	5001445 · CJE Office supplies	144.60
USPS	Postage	5115463 · Codes - Postage	98.00
Willett's Lawn & Landscape	Justice Center mowing - 0414	5081329 · Justice Center Main Contracts	510.00
Willett's Lawn & Landscape	Park mowing - 0414	5405348 · Recreation Program Support	1,320.00
Total 01 General Fund			<u>88,123.69</u>
02 Road Fund			
Allied Cleaning Solutions	Styrofoam cups, towels	6105427 · Garage supplies	132.48
American Tire	Replace tire - Tandem 305	6105479 · Tires	528.91
Bischoff, Jeff	Excavation work - Thunder Springs	6105457 · Bridge & Culvert Materials	630.00
Cintas	Uniforms	6105481 · Uniforms	1,003.86
Clark's Excavating & Trucking	Snow removal (Mar 2014)- 12 hours	6105471 · Snow removal	1,020.00
Fisher Auto	Freon, motor treatment, bulbs	6105427 · Garage supplies	126.09
Humphrey Bros	Boom mower	6105443 · Parts	15.89
Hydraulic Specialists	Repair cylinders on boom mower	6105336 · Equipment repairs	346.19
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	75.00
Keystops	Fuel	6105429 · Fuel	15,476.37
Keystops	Boom mower	6105439 · Lubricants	281.25
Kroger	Sugar, creamer	6105427 · Garage supplies	26.75
Ky Clutch	JD Tractor - clutch	6105443 · Parts	450.00
Lasco	Filters	6105427 · Garage supplies	87.30
Lasco	Lowboy, Truck 308, Dually	6105443 · Parts	628.45

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Patrons Home Center	Fuel cap, thread plates	6105443 · Parts	12.27
Patrons Home Center	Shovel	6105475 · Tools	12.99
Quality Auto Glass	JD Tractor	6105443 · Parts	142.50
Sublet Contractors	Repair floor on backhoe	6105336 · Equipment repairs	33.41
Taylor Battery Company Inc	Battery - Chevy Dually	6105443 · Parts	167.04
Total Truck Parts, Inc.	Truck 306- brakes	6105443 · Parts	628.00
Whayne Supply	120G	6105443 · Parts	216.63
Total 02 Road Fund			<u>22,041.38</u>
04 LGEA Fund			
Cedar Creek Quarry LLC	Various county roads	6105409 · Rock	2,465.71
Total 04 LGEA Fund			<u>2,465.71</u>
03 Jail Fund			
Clems	Food	5101425 · Food	3,024.74
Coca Cola	Inventory purchases	5101428 · Canteen Inventory	106.00
Dean Milk	Milk	5101425 · Food	879.67
Flowers Baking Co	Bread	5101425 · Food	295.79
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	218.88
Gordon Foods	Dishmachine lease	5101336 · Equipment Repairs	85.00
Gordon Foods	Cleaning supplies	5101411 · Custodial Supplies	3,889.38
Gordon Foods	Kitchen supplies	5101423 · Food Prep & Serving Supplies	552.95
Gordon Foods	Food	5101425 · Food	7,581.88
Gordon Foods	Canteen purchases	5101428 · Canteen Inventory	355.01
IHS Pharmacy	Inmate medical	5101549 · Routine Medical	204.44
Kentucky One	Inmate medical	5101549 · Routine Medical	60.00
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	70.00
Ky Juvenile Justice	Jan-Mar 2014	5102314 · Juvenile housing contracts	3,102.00
Medica	Inmate medical	5101549 · Routine Medical	177.71
Patrons Home Center	Exhaust fan repairs; paint & supplies	5101334 · Building Maint Supplies	1,519.98
Roby's Country Gardens	Food	5101425 · Food	523.05
Securus	Phone cards	5101428 · Canteen Inventory	816.75
Total 03 Jail Fund			<u>23,463.23</u>
09 Ambulance Fund			
American Tire	Sq 34 & 39 repairs	5140479 · Tires	52.38
Becky's Vac Shop	Floor brush	5140411 · Custodial supplies	50.00
Bluegrass Uniforms	Uniforms	5140481 · Staff Uniforms	78.00
Bound Tree Medical	Medical supplies	5140550 · Medical supplies & Materials	1,280.92
Danville Office	Time cards, paper	5140445 · Office Supplies	63.94
Fleet Matics	GPS Service Agreement	5140336 · Equipment Maintenance & Repairs	482.50
Galls	Uniforms	5140481 · Staff Uniforms	108.44
Gateway EDI LLC	Electronic claims	5140445 · Office Supplies	75.60
Holt Computers	Computer - Wanda	5140739 · EMS Equipment	911.00
Kentucky One	Random testing	09-1000 · Ambulance Fund Checking	70.00
Kleentech	Station III - old unit	5140334 · Building maintenance	75.00
L&W Emergency Equipment	New Haven antenna	5140339 · Radio Maintenance & Repairs	298.00
Louisville Metro CPR	CPR cards	5140569 · Training	126.50
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	163.74
Nelson County Dispatch	NENA Conference	5140577 · Staff travel	211.10
Patrons Home Center	Paint, bulbs	5140334 · Building maintenance	40.01
Patrons Home Center	Custodial supplies	5140411 · Custodial supplies	52.04
Patrons Home Center	Station III supplies	5140446 · Housing expenses	70.37
Quality Auto Glass	Sq 31	5140340 · Vehicle Maintenance & Repairs	45.00
Sam's Club	Station III supplies	5140446 · Housing expenses	391.76
Taylor Battery Company Inc	Batteries	5140443 · Vehicle Parts	396.34
Vidacare	IV equipment	5140550 · Medical supplies & Materials	229.93
Total 09 Ambulance Fund			<u>5,272.57</u>
Total General Fund Bills			<u><u>\$ 141,366.58</u></u>
13 Solid Waste Fund			
ALS Association	Hwy 247	5215315 · Roadside Cleanup	\$ 250.00
Bardstown High School Key Club Manton Rd		5215315 · Roadside Cleanup	375.00
Bethlehem HS National Honor So Hutchins Lane		5215315 · Roadside Cleanup	125.00

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Girl Scout Troop #550	Hwy 150 Springfield Rd	5215315 · Roadside Cleanup	300.00
Nelson Co 4H Shooting Sports	Hwy 62 Bloomfield Rd	5215315 · Roadside Cleanup	250.00
Nelson Co Baptist Ch	Hwy 31E	5215315 · Roadside Cleanup	1,000.00
New Haven Public School	Hwy31E - New Haven Rd	5215315 · Roadside Cleanup	250.00
Fisher Auto	Freon	5215427 · Garage supplies	79.49
Fisher Auto	Filters	5215443 · Parts	67.20
Galeton	Driver gloves	5215594 · Crew Safety Equipment	473.38
Kentucky One	Post accident testing	9400547 · Employee Medical/WC Claims	25.00
Keystops	Fuel	5215429 · Fuel & Lubricants	21,699.32
Lasco	Truck 410 & 416	5215443 · Parts	2,337.84
Municipal Equip	Truck 411	5215443 · Parts	236.90
Patrons Home Center	Grip & grab tools	5215315 · Roadside Cleanup	45.98
Republic Diesel	Trucks 411-414	5215443 · Parts	2,251.69
Salt River	Garbage billing services	5215320 · Collection Contracts	9,639.84
Springfield Laundry	Uniforms	5215481 · Employee uniforms	438.00
UHL Truck Sales	Truck 414	5215443 · Parts	2,083.74
Total 13 Solid Waste Fund			41,928.38
15 Landfill Fund			
American Tire	Shop tires; Brad's truck	5210479 · Tires	2,884.70
Atco	Anti-seize treatment	5210427 · Main supplies	202.00
Cedar Creek Quarry LLC	Rock	5210571 · Landfill Repairs	156.89
Keystops	Fuel	5210429 · Fuel & Lubricants	8,767.21
Lasco	Brake drums	5210443 · Parts	811.20
McCoy & McCoy	Monitoring	5210324 · Environmental Monitoring	1,202.50
Patrons Home Center	Padlocks (2)	5210443 · Parts	33.98
Republic Diesel	826C, Truck 409, Filters	5210443 · Parts	1,119.42
SpringCo Janitorial	Custodial supplies	5210411 · Custodial supplies	474.15
Springfield Laundry	Cleaning supplies	5210427 · Main supplies	128.75
Springfield Laundry	Uniforms	5210481 · Uniforms	351.50
Whayne Supply	963 Highlift bucket	5210443 · Parts	277.16
Total 15 Landfill Fund			16,409.46
23 Occupational Tax Fund			
Danville Office	Paper, pens	5047445 · OLF Office supplies	43.86
Total 23 Occupational Tax Fund			43.86
97 PIC			
Eugene Wilson	Plaza Property 2014-2015	5085521 · Property Insurance	6,109.45
Patrons Home Center	Keys	5082334 · SOB Bldg Main	11.13
Patrons Home Center	Custodial supplies	5082411 · SOB Custodial Supplies	164.79
Springfield Laundry	Mats	5082411 · SOB Custodial Supplies	30.00
Willett's Lawn & Landscape	Greenspace mowing - 0414	5085329 · Building Main Contracts	300.00
Total 97 PIC			6,615.37
Total PIC Bills			\$ 64,997.07
Total Bills to Pay			\$ 206,363.65

NELSON COUNTY FISCAL COURT
PAID BILLS/TRANSERS FOR COURT APPROVAL
May 21, 2014

Fund/Vendor	Description	Account	Amount
<i>General Fund</i>			
BP Gas	Fuel	5105429 · Law Enforcement Fuel	\$ 6,401.12
TOTAL PAID BILLS AND TRANSFERS			\$ 6,401.12

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**Nelson County Fiscal Court
Additional Bills for Court Approval
May 21, 2014**

Name	Memo	Account	Amount
01 General Fund			
ADP	Processing fees 050814	9100301 · Payroll Processing	\$ 44.54
Coulter's Towing	SO 38	5105369 · Law Enfore Towing Services	70.00
Coulter's Towing	Impound fee	5105369 · Law Enfore Towing Services	85.00
Hall, Thomas	Legal services	5310332 · Public Defender Contract	500.00
Houghlin, Field	Ky Coroner Association	5020551 · Coroner Dues & memberships	150.00
Houghlin, Field	In service training	5020577 · Coroner travel	128.68
Salt River	Voluntary Action Voucher	5301515 · General Welfare Assistance	150.00
SecureNet	Security system - Humane Society	5205329 · Animal Control Maint Contracts	39.95
Tom's Muffler Shop	Muffler resonator - 2011 Impala	5105340 · Law Enfore Vehicle maintenance	95.00
Total 01 General Fund			1,263.17
15 Landfill Fund			
Liberty Tire Recycling	Tire removal -143 tons	5210329 · Maintenance Contracts	14,314.00
Truck Parts & Service	Brad's truck - rear light bulb	5210443 · Parts	10.80
Whayne Supply	826C	5210443 · Parts	3,292.83
Total 15 Landfill Fund			17,617.63
			\$ 18,880.80

NORTHEAST NELSON FIRE DISTRICT BOARD - WATKINS

The following appointment is approved on motion of Jerry Hahn, second of Jeff Lear, and by affirmative vote of all Court members:

NELSON COUNTY FISCAL COURT

ORDER

Pursuant to the relative Kentucky Revised Statues, **Dexter Watkins** 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 Watts
Nelson County Judge Executive

Date

TAX MORATORIUM REQUEST - JTD HOLDINGS LLC

On motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following tax moratorium request by JTD Holdings, LLC for property at 111 E. John Fitch Ave.:

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RESOLVED by the Nelson County Fiscal Court (insert name of governing body) of Governmental Unit, Commonwealth of Kentucky, hereby enters and adopts the Joinder Agreement with the Authority for participation in the [457 Plan] [401(k) Plan] [insert as applicable] for the benefit of its eligible employees; and,

FURTHER RESOLVED, that Nelson County Fiscal Court (insert title of authorized signatory) be, and hereby is, authorized and directed by Governmental Unit to execute the Joinder Agreement with the Authority, which agreement authorizes the Authority to offer the Plans to employees of Governmental Unit and thereafter to administer the Plans on behalf of Governmental Unit and its employees.



Authorized Signatory of
Governmental Unit

Date: _____

5.21.14

Attest: 

(Clerk)

Date: 5-21-14

ORDINANCE AMENDING CODE ENFORCEMENT ORDINANCE (FIRST READING)

County Judge-Executive Dean Watts presented in open Court for first reading the following proposed ordinance amending the Code Enforcement and the Enforcement of the Kentucky Building Code. . .Kentucky Residential Code:

Said proposed ordinance was read in open Court in resume form and a full copy of the proposed ordinance is as follows:

COMMONWEALTH OF KENTUCKY
COUNTY OF NELSON
NELSON FISCAL COURT
ORDINANCE NO. _____

An Amended Ordinance relating to the Creation of the Nelson County Department of Code Enforcement and the Enforcement of the Kentucky Building Code as promulgated in 815 KAR 7:120 and the Kentucky Residential Code as promulgated in 815 KAR 7:125 by the Board of Housing, Buildings and Construction of the Commonwealth of Kentucky

WHEREAS, the Nelson County Fiscal Court desires to ensure the safety and security of homes and other structures which are constructed in Nelson County, and the persons who occupy and utilize same; and

WHEREAS, KRS 198B.060 (1) requires that all buildings constructed in Nelson County shall be built in compliance with the uniform state building code as adopted by the Board of Housing, Buildings and Construction;

WHEREAS, KRS 198B.060(1) requires Nelson County to employ sufficient code enforcement personnel to enforce the Kentucky Building Code as promulgated in 815 KAR 7:120 and the Kentucky Residential Code as promulgated in 815 KAR 7:125;

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WHEREAS, KRS 198B.060(2) grants to local governments the responsibility for the examination and approval or disapproval of plans and specifications for certain buildings, and for the issuance of and revocation of building permits, licenses, and certificates of occupancy for same, as well as the responsibility to inspect all buildings pursuant to the provisions of KRS Chapter 198B and the Kentucky Building Code and the Kentucky Residential Code;

WHEREAS, KRS 198B.060 (1) authorizes any city, county or urban county government to require, by ordinance, permits, inspections and certificates of occupancy for single family dwellings;

WHEREAS, KRS 198B.060(11) requires the local government to employ or contract for or with electrical inspection services;

WHEREAS, KRS 198B.060 (18) authorizes each local government to establish a schedule of fees which are designed to cover the cost of the services performed but not to exceed it, and

WHEREAS, it is the intention and desire of the Nelson Fiscal Court to cooperate with the Kentucky Department of Housing, Buildings and Construction;

NOW, THEREFORE, BE IT ORDAINED and AMENDED by the Fiscal Court of Nelson County, Commonwealth of Kentucky:

Section 1. Definitions.

THAT the definitions of terms as set forth in KRS 198B.010, KRS 198B.650 and where specifically exempted by KRS 198B.674 are adopted to the extent necessary for the interpretation, application or enforcement of the provisions of this Ordinance.

Section 2. Adoption of the Kentucky Building Code and the Kentucky Residential Code

THAT the KENTUCKY BUILDING CODE, promulgated in 815 KAR 7:120, and the KENTUCKY RESIDENTIAL CODE promulgated in 815 KAR 7:125 by the Kentucky Board of Housing, Buildings and Construction, Commonwealth of Kentucky, including all periodic amendments and updates thereto, are hereby adopted in full as if set out at length herein.

THAT a copy of said Kentucky Building Code and the Kentucky Residential Code, together with a copy of all other rules and regulations adopted or referenced there under and listed standards, updates and amendments for reference are on file in the Office of the Nelson County Clerk and the clerk shall at all times keep a copy of said materials for reference;

Section 3. Designated Enforcement Officer

THAT the Nelson County Department of Code Enforcement is hereby created for the purpose

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of enforcing the standards and provisions set forth under the Kentucky Building code as promulgated under 815 KAR 7:120 and the Kentucky Residential Code as promulgated in 815 KAR 7:125 and other applicable County Ordinances.

THAT the Fiscal Court of Nelson County shall approve, designate, employ, or contract for the local enforcement agent(s) necessary to operate the Department of Code enforcement. All inspections shall be performed by persons who are certified by the Kentucky Department of Housing, Buildings and Construction and employed by the Department of Code Enforcement of Nelson County, Kentucky.

THAT the Fiscal Court of Nelson County hereby establishes that all applicable policies and procedures, as well as staffing and offices for the Department of Code enforcement shall be established under the direction and supervision of the Fiscal Court of Nelson County.

Section 4. Extended Application

THAT the application of the Kentucky Residential Code is extended to require permits, inspections, and certificates of occupancy for the construction or alteration of all detached one and two family dwellings, and townhouses, not more than three stories high with separate means of egress and their accessory structures constructed or to be constructed in Nelson County, as authorized by KRS 198B.060(1).

Section 5. Permits and Fees

A.) THAT all permit requirements, forms, etc., and all fees for permits and inspections shall be established by the Fiscal Court of Nelson County, in consultation with said Department of Code Enforcement, and in accordance with the applicable Codes.

B.) THAT all fees for permits and inspections shall be based on the building size to be inspected and THAT Inspection fees shall be based on a minimum of three separate site inspections with written reports provided for work which complies (or does not comply) with the applicable Building Codes:

Total fees for three inspections shall be as follows:

B.) 1. Single Family Residential And Manufactured Housing

1. Base fee = \$198.00
2. Building Alterations/Additions = \$66.00 per site visit & report.
3. Mechanical Permit and inspection fee = Fees set per State
4. Inspection of Manufactured Housing footer/foundation system to include deck and egress stairs, = \$66.00
5. Additional site visits (required due to failed site inspections) = \$66.00 per follow-up of a failed inspection.
6. Prefabricated Accessory Structures 200 sq. feet or smaller – no fee

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7. Fences (6 feet or taller) = \$33.00

B). 2. Non Single Family Residential and townhouses (cents per square foot) specialized systems

1. Assembly _____

2. Business _____

3. Day care centers _____

4. Educational _____

5. Fire and detection _____

6. High hazard _____

7. Industrial _____

8. Institutional _____

9. Mercantile _____

10. Storage _____

11. Utility and Miscellaneous _____

12. _____

12. Alterations and repairs. Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated and multiplying the cost for the alterations or repairs by 0.0025; or calculated by multiplying the total area being altered or repaired by the cost per square foot of each occupancy type as listed in Table 121.3.1, whichever is less. The total square footage shall be determined by the outside dimensions of the area being altered or repaired. The minimum fee for review of plans and inspections under this section shall be \$208.00.

A. For initial installations of Heating, Ventilation and Air Conditioning systems, the fees charged shall be those set per the state.

B. For mechanical systems installed outside of the purview of 815 KAR 8.070, a permit and inspection fee of \$100 for the first \$10,000 total estimated cost of the Heating, Ventilation and Air Conditioning systems installations with a cost of 1 cent per one hundred dollars of construction cost for Mechanical construction system installation estimates in excess of \$10,000. The minimum fee for permitting and inspections under this section shall be \$100.00 dollars.

C. Temporary structures including tents 20 feet by 20 feet in size and larger one time inspection.

Note: The code enforcement officer may visit each site numerous times to advise and review ongoing work at no additional cost.

C Electrical permit and inspection fees Residential and Accessory Structures:

See Schedule A that is incorporated herein as if set out in full

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D. Electrical Permit and Inspection fees Commercial Structures:

1. Electrical bid estimate \$10,000.00 or less = \$200.00
2. Electrical bid estimate greater than \$10,000 = .1% of total electrical bid estimate
3. Additional or Failed Inspections = \$44.00 inspection

E. Consumer Price Index

On July 1 of each year beginning July 1, 2008 all fees shall be increased by a sum sufficient to compensate for the consumer price index.

Section 6. Hinderance of Building Inspectors Prohibited

THAT no person shall hinder an inspector acting as an agent of the Nelson County Department of Code Enforcement, in the performance of his or her lawful duties in enforcing any of the provisions of this Ordinance.

Section 7. Penalties

THAT any person who violates the provisions of Section 5 of this Ordinance shall be charged a double fee.

THAT any person who violates the provisions of Section 6 of this Ordinance or of the Kentucky Building Code or the Kentucky Residential Code shall be assessed a Civil Penalty of \$100.00. Each day a particular violation continues shall constitute a separate offense.

THAT in addition to the Civil penalty above, any person who violates any provisions of the Kentucky Building Code or the Kentucky Residential Code shall be assessed penalties in accordance with KRS 198B.990 and/or KRS 198B.991.

Section 8. Interpretation and Application

THAT this Ordinance shall be interpreted and applied in a manner that is consistent with the provisions of KRS Chapter 198B, including all Administrative regulations issued pursuant thereto, and so as to implement and carry out the duties and privileges of Nelson County as set forth therein.

Section 10. Inconsistent Ordinances Repealed

THAT all Ordinances which are hereafter found or are determined to be in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 11. Severability

THAT, should any part or section of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, all other parts or sections of this ordinance which are not found to be unconstitutional or otherwise invalid shall survive and remain in full force and effect.

Section 12. Effective Date

THAT this Ordinance shall take effect and be in full force upon passage and publication.

Given First Reading at a Regular Meeting of the Fiscal Court of Nelson County, Kentucky on the 21 day of MAY, 2014.

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After a first reading, motion was made by Keith Metcalfe, second by Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED that legal notice advertising the second reading and possible adoption of the proposed ordinance be published in The Kentucky Standard in accordance with KRS 424.

HRA CONTRACT RENEWAL

On motion of Bernard Ice, second of Sam Hutchins, and on affirmative vote of Court members Watts, Ice, Hutchins, Lear and Hahn, IT IS HEREBY ORDERED to approve renewal of the HRS (Health Reimbursement Arrangement) contract with BMS, LLC; terms are same as in the past. Magistrate Metcalfe voted against the motion.

FIRE DEPARTMENT

Details regarding a request from the local Fire Department will be looked at for possible future action. Meantime, Fire Chief Marlin Howard expressed gratitude to all agencies who have been involved with helping the departments move forward with their training facility and substation.

ORDINANCE AMENDING ANIMAL CONTROL ORDINANCE (SECOND READING)

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED ANIMAL CONTROL, ORDINANCE A-1-94 NELSON COUNTY, KENTUCKY

WHEREAS, the Court held a first reading on May 6, 2014, and after due advertisement held a second reading and adoption on May 21, 2014, and after due consideration,

UPON MOTION OF Bernard Ice, SECONDED BY Jeff Lear,
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:

An Ordinance providing for control of dogs/cats on premises, within county wide, incorporated cities, subdivisions, and areas of high population density for the protection of the public; penalties for violation.

SECTION 1: DEFINITIONS.

ALTER – Surgical removal of the reproductive organs of a dog or cat in order to render the animal unable to reproduce.

ANIMAL – any live vertebrate creature.

ANIMAL CONTROL OFFICER – The officer(s) employed, appointed, and authorized by the County Fiscal Court to primarily enforce the dog, animal and livestock laws of the

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Commonwealth and this Ordinance. An Animal Control Officer shall be designated a peace officer by Nelson County Fiscal Court for the purposes of animal control only.

ANIMAL SHELTER – Any premises designated and operated by the Nelson County Animal Services under the authority of Nelson County Fiscal Court for the purpose of impounding and caring for dogs and cats held under the provisions of this ordinance.

BREED RESCUE AND PLACEMENT ORGANIZATION – A non-profit organization, incorporated in Kentucky or another state, for the purpose of rescue and re-homing of homeless companion animals, including those housed in animal shelters and humane societies.

COMMERCIAL ANIMAL ESTABLISHMENT – Any pet shop, boarding, breeding or grooming facility, auction, petting zoo, performing animal exhibit, training facilities, veterinary clinics or any person engaged in the business of breeding, buying or selling at retail or wholesale, any species of animal for profit;

DANGEROUS DOG – Any dog which, when unprovoked, (1) commits a severe attack upon a human causing serious physical trauma; (2) bites, injures or kills another domestic animal while that animal is restrained in compliance with this Ordinance; (3) approaches in a terrorizing manner, any person in an attitude of attack upon streets, sidewalks, or any public grounds or places or while upon private property not owned by the dog's owner, or (4) has a known propensity, tendency or disposition to unprovoked attacks which endanger the safety of humans or domestic animals.

DOG/CAT – A domestic canine or feline, aged three (3) months or older.

EUTHANASIA – the act of putting an animal to death in a humane manner by methods specified as acceptable for the species by the most recent report of the American Veterinary Medical Association Panel of Euthanasia, subject to the requirement provided by KRS 258.505.

EXOTIC SPECIES – Any animal whose natural habitat is outside of the continental United States, excluding non-venomous reptiles and fish.

FERAL CATS – Wild, untamed, unsocialized cats, unaccustomed to human contact.

HUMANE – Marked by compassion, sympathy, or consideration for animals.

HUMANE SOCIETY – Any organization operating from a fixed site, existing for the purpose of preventing cruelty and inhumane treatment of animals, taking in or accepting strays or unwanted animals.

IMPOUND – The taking into custody of any animal by any Animal Control Officer, law enforcement officer, or any authorized agent thereof.

MULTIPET LICENSE – A single license certificate that authorizes ownership of four or more dogs and/or cats all of which have been sterilized.

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OWNER – Any person, partnership, or corporation or other individual or entity that owns, keeps, harbors a dog/cat referred to herein or anyone who feeds and/or cares for such dog/cat for fifteen (15) consecutive days.

POISON – A substance that through its chemical action can kill, injure, or impair an animal.

QUARANTINE – Humane confinement of an animal for the observation of symptoms of rabies in a secure enclosure which prevents the animal from coming into contact with any other animal or unauthorized human, for a period of ten days from the date the dog/cat bit a person.

RESTRAINED – A dog/cat shall be deemed to be restrained if kept upon the premises of its owner or if accompanied by a responsible person off of the owners premises and kept under that person's control.

UNCLAIMED DOG/CAT – Any dog/cat that is abandoned and/or confined at the Animal Shelter for five (5) days and unclaimed by owner or owner cannot be identified or located.

WILDLIFE – Any animal that by nature lives apart from human beings, is not domesticated or ordinarily tame, or for which there is no USDA-approved rabies vaccine.

SECTION 2: LICENSES

A. ANNUAL LICENSING. Every person possessing or owning a dog/cat in Nelson County shall purchase a license from Nelson County Fiscal Court, or a facility designated by Nelson County Fiscal Court to sell licenses. The cost of a license for an altered (sterilized) pet shall be \$5.00 per year per animal. The cost to license an unaltered cat or dog shall be \$20.00 per year per animal. Owners of 4 or more cats and/or dogs may elect to purchase a multipet license of \$15.00 per year if all animals have been spayed/neutered. A license shall be purchased within 30 days of acquiring a dog or cat 3 months of age or older, or within 30 days of becoming a resident of Nelson County. Annual licenses must be renewed every year before January 31.

B. LIFETIME LICENSE. Effective January 1, 2006, an owner may elect to purchase a lifetime license for his/her pet for a one-time fee of \$30.00. A lifetime license is available only for dogs/cats that have a county-approved microchip implanted. When purchasing a lifetime license, the owner will provide the unique identifying number and the brand of chip so that this information can be entered into the licensing database. Should the ownership of the pet change, or when the animal dies, the licensing office shall be notified.

SECTION 3: INVESTIGATIONS AND CITATIONS.

A. Whenever it is necessary for Animal Control to make an inspection in order to perform any duty or enforce any provision of this ordinance or any other applicable state statute, they are hereby empowered to enter property at a reasonable time and inspect the premises. Animal Control shall have the power only if consent of the owner or occupant of the property is

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freely given, a search warrant is obtained, or such exigent circumstances exist that a warrantless, non-consensual search is required.

B. Nelson County Animal Control Officers shall be authorized to issue uniform citations for any violation of this ordinance. In lieu of a uniform citation, an Animal Control Officer may issue a violation notice, either as a warning or with a stipulated fee. The violation notice will note a compliance date, as well as a waiver of rights to protest such violation in a court hearing. Failure to comply, pay the stipulated fee, or sign the waiver will result in issuance of a uniform citation.

SECTION 4: IMPOUNDMENTS

A. Every dog/cat kept in Nelson County, shall be restrained. Any un-restrained dog/cat found within Nelson County may be taken by an Animal Control Officer or any law enforcement officer to the Animal Shelter.

B. Any animal observed by law enforcement or an Animal Control Officer to be in immediate danger of death or serious injury may be removed from such situation by the quickest and most reasonable means available.

C. Animals found in cruel, abusive, or neglected situations as defined in this Ordinance or animals that have been abandoned may be promptly impounded if no immediate contact with a responsible person can be made, provided, however, that the Animal Control Officer shall leave written notice stating the location of the animal and the reason for impoundment.

D. Any dog/cat so taken shall be confined in a humane manner not less than five (5) days, unless claimed by the owner. If the owner can be identified and/or located, an Animal Control Officer shall immediately make a reasonable effort to notify such owner to reclaim the impounded dog or cat. If said dog/cat is not claimed by the owner within five (5) days, it may be euthanized or placed for adoption through the Humane Society of Nelson County or transferred to any qualified rescue and placement organization authorized to accept such dogs/cats by the Nelson County Judge-Executive or his/her designee. All dogs/cats adopted from the Animal Shelter shall be surgically altered to prevent breeding.

E. If an impounded dog/cat has an injury, illness, or condition causing severe pain or distress, to the extent that the usual holding period would be inhumane, the dog/cat may be immediately euthanized. Feral cats, because of the psychological stress of confinement, may fall into this category.

F. Notwithstanding the holding periods set out above, quarantined animals must be held ten days from the date the bite occurred. If the animal has an injury or physical condition which causes it to suffer, it may be immediately euthanized pursuant to KRS 258.215. If the animal

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dies or is euthanized while in quarantine, it shall be tested for rabies.

G. For the first impoundment, an owner reclaiming a dog or cat shall pay a fee of \$25.00; if the dog or cat has been surgically altered, the fee shall be waived. If the same animal is impounded a second time the fee will be \$50.00. To reclaim an animal that has been impounded three or more times, the fee is \$200 each time. The owner may also be required to pay \$10 per day board fees for each day the dog/cat is impounded. Purchase of a current license shall be required before any impounded dog/cat is released to an owner who resides in Nelson County.

H. In accordance with KRS 258.215, upon reclaiming an impounded cat, dog, or ferret, the owner shall show proof of a valid rabies vaccination. If proof of the vaccination cannot be provided, the owner shall provide proof of rabies vaccination within ten (10) days to avoid a violation notice and penalty.

I. The duration of the usual 5-day impoundment period may be extended for thirty (30) days at a time in situations where a court proceeding involving the impounded dog(s)/cat(s) is pending and the owner refuses to voluntarily relinquish ownership. In such situations, the owner must post cash to the Nelson Circuit Court Clerk in an amount to be determined by the Court, but no less than \$25 for the initial impoundment and an additional \$10 per day for each day of confinement, plus an amount sufficient to reimburse the County for reasonable expenses, including any necessary veterinary care. If the owner chooses, he may follow this same process each thirty (30) day period until the case has been adjudicated. Upon a plea or finding of guilt to any charges involving the animals, the cash shall be paid to Nelson County Fiscal Court, and the animal(s) shall become the property of the Nelson County Animal Shelter. Upon a finding of innocence, the cash posted shall be returned to the owner upon order of the Court. The owner shall post the cash within 24 hours of a hearing before a District Court Judge, in which that Judge finds probable cause for the charge.

SECTION 5: CONFINEMENT OF DOGS/CATS WHEN IN HEAT

Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog/cat cannot come into contact with another dog/cat except for planned breeding.

SECTION 6: NUISANCE.

Each owner shall exercise proper care and control of his dog or cat so as to prevent the following actions by them: excessive, continuous, or untimely barking or howling; molesting of passersby; attacking other domestic animals; trespassing upon school grounds; trespassing upon private property; or damaging of property of any nature.

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SECTION 7: WILD AND EXOTIC ANIMALS

It shall be unlawful to sell, own, harbor, or keep as a pet any wildlife or exotic animals, unless appropriate state and federal permits have been obtained.

SECTION 8: HUMANE TREATMENT OF DOGS/CATS

A. No owner shall fail to provide his dog/cat with good and wholesome food and water, proper shelter and protection from the weather, and veterinary care when needed to prevent suffering. All owners shall maintain a clean and healthful living area free of accumulated waste and debris so that the dog/cat shall be able to walk or lie down without coming into contact with such waste. If any dog/cat is restrained by a chain, leash, or similar restraint, such restraint shall be no less than 10 feet long and be designed to prevent the animal from entangling, choking or strangling itself. Commercial animal establishments, breeding facilities, and humane societies and animal rescues and placement organizations are considered "owners," and shall meet the same requirements for humane treatment.

B. No person shall crop a dog or cat's ears or tail unless such person is a licensed veterinarian.

C. No person shall beat, cruelly ill treat, torment, overload, overwork, or otherwise chase any dog/cat or cause or permit any dog/cat fight or other combat between animals and dogs/cats.

D. No owner or person charged with a dog/cat's care shall abandon a dog/cat, abandonment consisting of:

1) leaving a dog/cat for a period in excess of 48 hours without providing for someone to feed, water and check on the dog's/cat's condition. In the event that a dog/cat is found so abandoned, such dog/cat may be taken by an Animal Control Officer, (or Law Enforcement Officer) and impounded in the Nelson County Animal Shelter. Such dog/cat if taken from private property, shall be kept for not less than five (5) days with the same procedure otherwise to be followed as in Section 4 (Impounding).

2) leaving a dog/cat by a roadside or other public area.

3) leaving a dog/cat on either public or private property without the property owner's consent.

E. No person shall place any poisonous substance which may be harmful to a dog/cat as described herein in any location where it may be readily found and consumed by any such dog/cat.

SECTION 9: DANGEROUS DOGS.

A. The owner of any dog determined to be a dangerous dog by the Animal Control Officer, shall be required to purchase a permit of \$100.00 from Nelson County Fiscal Court.

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Dangerous dogs shall be contained in an enclosed fence with a height of at least 8 feet or in a secure kennel with attached roof.

B. No owner of (a) dangerous dog(s) may transfer ownership or the location where the animal is contained, without notifying Animal Control. Permits to keep dangerous dogs are not transferable.

C. The owner of a dangerous dog shall have a micro chip for permanent identification placed in the dog at the owner's expense.

SECTION 10: PENALTIES.

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall upon conviction, be punished by a fine of not less than \$10.00 nor more than \$200.00 or be imprisoned for not less than five (5) days nor more than sixty (60) days, or both so fined and imprisoned. If any violation is continuous, each day's violation shall be deemed a separate violation. In lieu of the penalties provided herein, when a violation notice is issued, the Animal Control Officer may assess a civil penalty not less than \$10.00 nor more than \$200.00. All civil penalties shall be paid to the Nelson County Fiscal Court.

SECTION 11: CONFLICT.

All Ordinances in conflict herewith are repealed to the extent of such a conflict.

In the event, any part of this Ordinance is construed to be in conflict, abate or abridge any Kentucky Revised Statute, then the more restrictive construction shall be applicable.

SECTION 12: EFFECTIVE.

This Ordinance shall become effective immediately after its passage and publication as required by law.

Adopted this 21 day of May, 2013, by 5 ayes and 0 nays.

NELSON FISCAL COURT

County Judge/Executive

ATTEST:

Nelson County Court Clerk

DEPARTMENT REPORTS

**ROAD DEPARTMENT

On motion of Jeff Lear, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to award contract for Hibbs Ln. culvert replacement to low bidder, Hornback Construction Co., Inc. Bid report follows:

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cul-de-sac, and preparation of roads for paving. Grade-All repair is waiting for parts; therefore, backhoe is being used in its place at this time.

DISTRICT 5 ROADS - On motion of Jerry Hahn, second of Keith Metcalfe, IT IS HEREBY ORDERED to approve the addition of Ockerman Ln. and Walderidge Rd to the District 5 road paving list:

2014 Paving Estimates
District 5, Jerry Hahn

as of 04/18/14
Asphalt @ \$68.00 ton-surf MAGO 06/2013 bid
\$82.00 ton-base

Culdesacs

Road Name	CR #	Date Inspected/ Comments	Funding Source Funded?	Location to be Paved	LF ft	width ft	culdesac	depth in	Patching/ Wedging Req'd	material	tons (1106/sy)	cost/ton	Total County Funds FY 2013/2014	Total KYTC RS-Funds	Other Roads
Simpson Creek Lane		07/17/13 Chp Seal Area - 1" asp surface		Stevens Lane to Mail Box # 2545	2070	13		1		Surface	184.45	\$68.00	hold surf till next yr		\$11,182.60
Stevens Lane	CR-1053	needs overlay old bridge ends posted @ 15 tons		Simpson Creek Lane to End Bridge @ Station 62+80 - half way	11930	14		1.25		surface	1275.65	\$68.00 \$20.00			\$86,757.61 \$1,120.00
Sweeny Ridge Rd	CR-1056			note: chp Seal 84+00 to 84+00	1000/113										
Timber Creek Road	CR-1036	section of road in flash flood area	wait 1 year	Green Chapel road to new Asphalt Joint	2600	15		1.25		surface	297.92	\$68.00			\$20,258.33
Murphy Lane - CR-1024	CR-1024	flat to mostly poor shape flat to mostly poor shape		US 62 (sta 0+00) to KY 458 (sta 73+00) BG Parkway to KY 458 (Old Tunnel Mill Rd) Ky 2736 (tunnel Mill Road to BG Parkway) Mill at bridge ends- sta 65+10 and 65+70	5500 1450	16 16		1.25 1.25		surface surface surface	672.22 177.22 64.00	\$68.00 \$68.00 \$20.00			\$45,711.11 \$12,051.11 \$1,280.00
Ockerman Lane	CR-1042	Ex Chp Sealed road		Green Chapel Road to End (gps=0 863)	4650	12		2.5		surface	852.50	\$68.00			\$57,970.00
Walderidge Road	CR-1036	Ex Chp sealed Road		Green Chapel Road to Anderson County-pvmt	2950	14		2.5		surface	830.97	\$68.00			\$42,906.11
Murray's Run Road		paved 2012 02/15/12 patch areas- wait 07/28/13 Can wait 07/28/13 Can wait 07/28/13	shores wider 4	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 77) MB 77) 8600 LF to KY 48	9100 6100 8600 13000	19 18 17 17		1.25 1.25 1.25 1.25		Priority # 1 Priority # 2 Priority # 4 Priority # 3	1320.76 838.75 1118.61 1688.19		Paved 2012		wait wait wait
Chowing Lane (to Boat Dock)		Note: 3100 LF in Nelson County = 3300 LF in Spencer County		High View Church to Spencer County	3100	20		1.25	0.1		520.97	\$68.00			\$35,428.11
Dugan Road	CR-1017	12/28/10 overlay NOT required		US 62 to KY 182 - 1.728 gps	9200	15		1.25		surface	1054.17	\$68.00			wait
Ockerman Lane Bridge Guards	09000000	Replace ex guardrail		Bridge A KY 182 end						Lump sum est	1	*****			\$23,000.00
Cooney Neck (Total Length 29650)				Paved in FY 07/08 (KY 55 to 8250 LF) From Asphalt Joint 2007 to 7400 LF paved Asphalt Joint 2009 for 5300 LF Remainder Sections: Inspected 08/19/10 - Remainder good shape-paved in year 2002	8150 7400 5300 8600 2550	15 15 15 16 16		1.25 1.25 1.25 1.25 1.25		surface surface surface surface surface	847.92 607.29 806.67 311.67	\$68.00 \$68.00 \$68.00 \$68.00	Paved 2007 Paved 2009 Paved 2010	\$14,853.33 \$40,000.00	\$54,853.33 \$21,193.33
Copperfield Copperfield Vly		11/15/10 needs five large patches		Plum Run Rd to Alder/Tulip Intersec	1980	22		1.25		surface	332.75	\$68.00			\$22,627.00

Tot Tons 9446.944

\$14,853.33	\$40,000.00	\$436,336.66
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Ockerman Lane and Walderidge Road APPROVED for paving
by NCFC- 05-21-14

DISTRICT 1 ROADS

2014 Paving Estimates
District 1, Keith Metcalfe

as of

05/07/14
Asphalt @ \$67.15/ton per MAGO Bid - June 2013

Road Name	CR #	inspection date comments	Funding Source/ Funded ?	Location to be Paved	LF ft	width ft	culdesac	depth in	Patching/ Wedging Req'd	material	tons (1106/sy)	cost/ton	County Funds FY 2013-14 (estimate)	KYTC RS Funds (estimate)	OTHER Roads
St. Thomas Lane	CR-1600	03/06/14 overlay req'd	KYTC-RS-flex	Us31E to End	4330	18		1.25			595.38	\$68.00	\$10,485.90	\$30,000.00	\$40,485.90
Tolgate Road	CR-1189	08/14/13 alligator/pot holes thru-out	KYTC-RS-dec?	Ky 52 to End	5500	14	1	1.25			618.19	\$68.00	\$2,037.22	\$40,000.00	\$42,037.22
Ice Road	CR-1207	05/05/14 overlay req'd	County	KY 46 to End	4365	16 avg:15.5		1.25			533.50	\$68.00	\$36,278.00		\$36,278.00
Gaddy Ford Road		09/30/13 Ex Chp Seal Road	County	KY 84 to 3900 LF	3900	12		2.5			715.00	\$68.00	\$48,620.00		\$48,620.00
Ghinseng rd		09/30/13 E Chp Seal Road	County	KY 84 to 1200 LF	1200	14		2.5			256.67	\$68.00	\$17,453.33		\$17,453.33
ALL ROADS Checked															
Big Lick Hollow Road		06/27/12	County	KY 247 to end of pavement Note: chp seal road length = 2110 LF	2700	14		1.25			288.75	\$68.00			\$19,635.00
Tempan Lane		06/24/10 not req'd yet		KY 49 to End - Req by K Metcalf inspected 06/24/10-does not need overlay	4500	14		1.25		surface					
Patton Road		06/14/13 Alligator crack thru-out		Asp Joint - 1.1 mile from toletown Rd) to Rolling Fork Ch Rd	3400	16		1.25			415.56	\$68.00	\$28,257.78		\$28,257.78
miles													TOTAL	\$130,609.11	\$70,000.00

Gaddy Ford Road and Ghinseng Rd approved for paving
by NCFC 05-21-14

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On motion of Keith Metcalfe, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the addition of Gaddys Ford Rd. and Ginseng Rd to the District 1 road paving list for 2014.

****LANDFILL/SOLID WASTE**

Landfill Engineer Brad Spalding presented the following report, noting that this annual survey is required by statute:

NELSON COUNTY SOLID WASTE DISPOSAL FACILITY

ANNUAL SURVEY DATA
CONTAINED LANDFILL
VOLUME USED - JULY 1995 TO APRIL 2014

SECTION STATION (FEET)	VOLUME BETWEEN SECTIONS (MODIFIED 1/04) (CUBIC YARDS)	AREA USED	VOLUME USED
0+00	0		0
1+00	0		0
2+00	29791		42780
3+00	138520	23101	105344
4+00	229699	33785	130224
5+00	303582	36536	140163
6+00	322126	39152	144085
7+00	279063	38654	134398
8+00	226530	33921	119796
9+00	199318	30769	114187
10+00	192756	30892	117178
11+00	185533	32384	123531
12+00	164002	34323	116291
13+00	121913	28474	93996
14+00	73699	22284	65820
15+00	36577	13259	34841
16+00	12583	5555	12222
17+00	516	1045	1935
18+00	0	0	0
TOTALS	2,527,397		1,496,793
REMAINING VOLUME =			1,030,604 CY

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	4/2014					
70,007	60,341	68,545					

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EMS

Joe Prewitt, noting that this is National Emergency Medical Services Week, expressed appreciation to the dedicated paramedics and crew on the local EMS staff.

****JAIL**

REGULAR REPORT - Jailer Dorcas Figg presented her report as follows:

NELSON COUNTY JAIL

NELSON COUNTY JAIL

	Total	Hardin Co	HIP	State	W-End	In House
MAY						
Wed. 07	116	1	2	30	8	105
Thur. 08	119	1	2	30	8	108
Fr. 09	123	1	2	30	8	112
Sat. 10	115	1	2	30	0	112
Sun. 11	114	1	2	30	0	111
Mon. 12	111	1	2	30	7	101
Tue. 13	111	1	2	23	7	101
Wed. 14	108	1	2	25	7	98
Thur. 15	110	1	2	25	7	100
Fr. 16	110	1	2	25	7	100
Sat. 17	109	1	3	27	0	105
Sun. 18	111	1	3	27	0	107
Mon. 19	107	1	3	27	8	95
Tue. 20	109	1	3	27	8	97
Wed. 21	113	1	3	27	9	100

HIP	0
WORK RELEASE	2
CIRCUIT SENTENCE TO JAIL	0
CIRCUIT WAITING COURT	49
DRUG COURT	1
TOTAL OF 64 HAS NOT BEEN SENTENCED	

NUMBER OF DAYS INMATES SERVED F/APRIL 2014

DAYS	INMATES	DAYS	
1	72	16	5
2	61	17	3
3	15	18	1
4	9	19	3
5	9	20	2
6	7	21	1
7	7	22	1
8	2	23	2
9	4	24	1
10	9	25	1
11	6	26	2
12	1	27	2
13	1	28	4
14	6	29	5
15	2	30	59

APRIL 2014 DAILY AVERAGE

	Mandays	Average
CI	442	14
CD	494	16
NELSON	2252	75
TOTAL	2860	95

NEW ARREST AND RELEASES F/APRIL 2014

ARRIVALS	MALE	FEMALE	TOTAL
	134	53	187
RELEASES	MALE	FEMALE	TOTAL
	120	57	177

SENTENCED INMATES

DISTRICT COURT	6
WEEKENDS	6
WAITING COURT	15
HIP	3
WORK RELEASE	1
C/S	1
STATE SENTENCED	
CI	12
CD	15
CI SERVING WEEKENDS	3
COMMUNITY SERVICE	7

SMOKY-VAC - Jim Lemieux reported on testing and results of that testing of the jail's smoky-vac system. Official test by the State is scheduled for this Friday.

WORKERS COMPENSATION INSURANCE TO KEMI

On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve renewal of the county's Worker's Compensation Insurance through KEMI (Eugene Wilson & Co.):

PREMIUM COMPARISON

Insured: Nelson County Fiscal Court
Insurer: KEMI
Policy Term: 07/01/2014 To 07/01/2015

COVERAGE EXPIRING PREMIUM RENEWAL PREMIUM DIFFERENCE

Workers Compensation	\$195,075.88	\$185,454.35	\$-9,621.53
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ORDINANCE AMENDING ORDINANCE RELATING TO SALE OF DISTILLED SPIRITS... (FIRST READING)

County Judge-Executive Dean Watts presented in open Court for first reading the following proposed ordinance amending the ordinance relating to the regulation of the sale of distilled spirits in Nelson County.

Said proposed ordinance was read in open Court in resume form and a full copy of the proposed ordinance is as follows:

AN AMENDED ORDINANCE RELATING TO THE REGULATION OF THE SALE OF DISTILLED SPIRITS AND WINE BY THE DRINK, SALE OF PACKAGED LIQUOR AND MALT BEVERAGES WITHIN THE TERRITORIAL LIMITS OF NELSON COUNTY, KENTUCKY.

WHEREAS, the County of Nelson has passed three ordinances relating to the regulation of the sale of distilled spirits and wine by the drink and malt beverages, and

WHEREAS, the County of Nelson desires to repeal Ordinance Nos. 410.1, 410.2 and 410.201, and

WHEREAS, the Court after due advertisement held a first reading on _____, 2014, and a second reading and adoption on _____, after due consideration, upon motion of _____ and seconded by _____ and a vote being had, the County Judge announcing motion carried,

ORDINANCE NO. 410.201 as amended and adopted February 13, 2011, recorded in Book 34, Page 185 and ORDINANCE NO. 920.376-2 as amended and adopted August 4, 2009, recorded in Book 34, Page 265 is hereby Amended as follows:

NOW THEREFORE, by it ordained by the Fiscal Court of Nelson County, Commonwealth of Kentucky:

SECTION 1: REPEAL PREVIOUS ORDINANCES

That Ordinance Nos. 410.1, 410.2 and 410.201 are hereby repealed.

SECTION 2: AID TO ECONOMIC GROWTH

The fiscal court, after due consideration, hereby determines that

- A. An economic hardship exists within the boundary confines of Nelson County; and
- B. That permitting the sale of distilled spirits and wine by the drink on certain premises can aid the economic growth therein.

SECTION 3: DEFINITIONS

As used in this Ordinance, unless the context requires otherwise, words, phrases and terms shall be defined as provided in KRS 241.010.

SECTION 4: TERRITORY APPLICATION

In as much as the incorporated cities in the County of Nelson have the ability to adequately police the licensed premises in their respective areas, the establishments governed under the provisions of this Ordinance herein, relating to the sale of distilled spirits and wine by the drink or the sale of malt beverages in any restaurant or other similar establishment where such is not allowed by Section 9(C) below, shall include only those unincorporated areas located in the confines of Nelson County where the sale of distilled spirits and wine is not prohibited otherwise by law or is not prohibited by KRS 242.230 relating to dry territories. Section 9(C) below shall apply to all areas of Nelson County except those cities which have passed an ordinance regulating the sale of alcohol on Sunday.

SECTION 5: LICENSES

- A. A license issued by the County of Nelson shall be required before an establishment can sell distilled spirits and wine by the drink.
- B. No additional County license shall be necessary for any convenience store, grocery store and/or packaged liquor store to sell alcohol on Sunday as provided herein; provided such stores meet the requirements of all other laws governing the sale of alcohol.

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C. No additional County license shall be necessary for any business licensed to serve only malt beverages or any licensed winery operating within the county which serves only wine to sell such products allowed by its license on Sunday.

SECTION 6: REQUIREMENT FOR THE ISSUANCE OF A DISTILLED SPIRITS AND WINE LICENSE BY THE DRINK LICENSE.

A. The license to sell distilled spirits and wine by the drink for consumption on premises shall only be issued to hotels, motels or inns containing not less than fifty (50) sleeping units and having a dining facility for not less than one hundred (100) persons or bona fide restaurants open to the general public having dining facilities for not less than one hundred (100) persons.

B. In no event shall a license be issued for any qualified restaurant or any dining facility in a hotel, motel or inn, unless the applicant can demonstrate to the county alcohol administrator that gross receipts of the restaurant or the dining facility from the sale of food for consumption on the premises is reasonably estimated to be not less than fifty percent (50%) of the total gross receipts of such restaurant or dining facility for the license period.

SECTION 7: SUNDAY SALES LICENSE.

An establishment may obtain a license to sell distilled spirits and wine by the drink on Sunday provided it meets all the following criteria:

- A. It meets all the criteria for the issuance of a distilled spirits and wine by the drink license provided in Section 6 above, and
- B. It has been licensed to sell distilled spirits and wine by the drink, and
- C. It has paid the license fee provided below.

SECTION 8. MALT BEVERAGE ONLY RETAILERS AND WINERIES.

Any business licensed to sale only malt beverages or a licensed winery selling only wine shall be allowed to serve such beverages on Sunday pursuant to the Hours of Operation section of this Ordinance.

SECTION 9: LICENSE REGULATORY FEES.

The following fees are established for the following licenses:

- A. License to sale distilled spirits and wine by the drink \$500.00 per year;
- B. Sunday sale add-on license to sell distilled spirits and wine by the drink \$150.00 per year.

SECTION 10: HOURS OF OPERATION.

A. Except as provided in paragraph B and C below no establishment shall sell or give away any malt beverages or distilled spirits and wine by the drink between the hours of Midnight and 6:00 a.m. or anytime during the twenty four hours of Sunday ~~or during the hours the premises are open on an Election Day.~~

B. Any establishment who has been issued a Sunday sales license add-on as provided in Section 7 above shall be allowed to sell distilled spirits and wine by the drink and malt beverages from the hours of 1:00 p.m. to 12:00 a.m. on Sundays. This subsection does not exempt establishments from observing all other conditions and requirements under any other ordinance or laws of the Commonwealth of Kentucky.

C. Convenience stores, grocery stores, restaurants, wineries and packaged liquor stores which have been granted a Restaurant Wine License, Small Farm Winery License, Retail Beer License and/or a Distilled Spirits and Wine Retail Package License by the Commonwealth of Kentucky shall be eligible to operate between the hours of 1:00 p.m. to 12:00 a.m. on Sunday.

SECTION 11: PENALTY.

Any person who by himself or acting through other divisions or individually violates any provision of this ordinance shall be subject to the penalty as prescribed by KRS 244.990, and/or other applicable statutes.

After a first reading, motion was made by Bernard Ice, second by Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED that legal notice advertising the second reading and possible adoption of the proposed ordinance be published in The Kentucky Standard in accordance with KRS 424.

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ORDINANCE - BUDGET FOR NELSON COUNTY FOR FISCAL YEAR 2014-15 (FIRST READING)

County Judge-Executive Dean Watts presented in open Court for first reading the following proposed ordinance setting the budget for Nelson County for Fiscal Year 2014-15.

Said proposed ordinance was read in open Court in resume form and a full copy of the proposed ordinance is as follows:

BUDGET SUMMARY

WHEREAS, the proposed budget was tentatively approved by the fiscal court on May 21, 2014, and will be imminently approved as to form and classification by the State Local Finance Officer.

NOW THEREFORE, be it ordained by the Fiscal Court of Nelson County, Commonwealth of Kentucky:

SECTION ONE. The following budget is proposed for the Fiscal Year 2014-2015 and the amounts stated are appropriated for the purposes indicated.

(01) GENERAL FUND	
General Government	\$ 1,298,100
Protection to Persons & Property	1,572,200
General Health & Sanitation	797,700
Social Services	161,500
Recreation	432,400
Roads	51,900
Transportation	239,000
Debt Service	139,100
Capital	83,000
Administration	1,618,600
Reserve	110,000
TOTAL	<u>\$ 6,503,500</u>
(02) ROAD FUND	
Roads	\$ 1,263,400
Capital	1,490,000
Administration	316,800
Reserve	572,800
TOTAL	<u>\$ 3,643,000</u>
(03) JAIL FUND	
Protection to Persons & Property	\$ 1,361,200
Capital	125,000
Administration	296,800
Reserve	15,000
TOTAL	<u>\$ 1,798,000</u>
(04) LGEA FUND	
Roads	\$ 235,000
Reserve	80,000
TOTAL	<u>\$ 315,000</u>
(09) EMS FUND	
Protection to Persons & Property	\$ 1,610,100
Capital	127,500
Administration	564,100
Reserve	22,000
TOTAL	<u>\$ 2,323,700</u>
(13) SOLID WASTE FUND	
General Health & Sanitation	\$ 1,652,200
Capital	20,000
Administration	284,000
Reserve	300,000
TOTAL	<u>\$ 2,256,200</u>
(15) LANDFILL	
General Health & Sanitation	\$ 1,252,500
Capital	350,000
Administration	318,500
Reserve	962,000
TOTAL	<u>\$ 2,883,000</u>
(23) OCC LICENSE TAX FUND	
General Government	\$ 141,700
Protection to Persons & Property	30,000
Transportation	4,800

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Capital	7,500
Administration	13,300
Reserve	25,000
TOTAL	<u>\$ 222,300</u>

(97) PUBLIC IMPROVEMENT CORP FUND	
General Health & Sanitation	\$ 32,800
Debt Reserve	1,157,200
Capital	1,250,000
Reserve	42,500
TOTAL	<u>\$ 2,482,500</u>

SECTION TWO. This Ordinance shall be published in the Kentucky Standard by title and summary within thirty (30) days following adoption.

SECTION THREE. This Ordinance becomes effective upon passage and publication.

After a first reading, motion was made by Jeff Lear, second by Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED that legal notice advertising the second reading and possible adoption of the proposed ordinance be published in The Kentucky Standard in accordance with KRS 424.

BARDSTOWN INDUSTRIAL PARK GAS MAIN EXTENSION - LG&E

Louisville Gas and Electric Company
Auburndale Operations Center
6900 Enterprise Drive
Louisville, KY 40214



PPL companies

May 2, 2014

Nelson County Fiscal Court
Attn: Nelson County Judge Executive Mr. Dean Watts
One Court Square
Bardstown, KY 40004

RE: Natural Gas Main Extension
Bardstown Industrial Park, Phase 2

Enclosed please find the natural gas main extension contract to serve the above referenced location. Based on the proposed connected gas loads, Louisville Gas & Electric can offer the gas main extension of 9,120 feet to serve this facility at a cost of \$1,269,048.00.

For each connection the proposed gas main, the Applicant will be refunded an amount equal to 100 feet of gas main (\$13,915.00), or three years net revenue based on the connected load, whichever is greater.

Please return all documents to:

LOUISVILLE GAS & ELECTRIC CO.
ATTN: SANDRA L. WADE
6900 ENTERPRISE DR.
LOUISVILLE, KY 40214

Please feel free to contact me if I can be of any additional assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Sandra L. Wade'.

Sandra L. Wade
Lead Contract Coordinator
(502) 364-8253
sandy.wade@lge-ku.com

Enclosures

County has received financing options for the gas main project from KACo; KACo loan is considered desirable in that loan can be had for a lesser rate than other options. Following discussion, on motion of Jeff Lear,

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second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to authorize the County Judge/Executive to sign a contract with Louisville Gas & Electric for expansion of a natural gas main into the Industrial Park and to have the availability, depending on final needs, to borrow up to \$1.2 million.

LOUISVILLE GAS AND ELECTRIC COMPANY
APPLICATION FOR GAS MAIN EXTENSION

Name of Applicant **NELSON COUNTY FISCAL COURT**

Project Name **NELSON COUNTY INDUSTRIAL PARK, GAS MAIN EXTENSION - PHASE 2**

Location **NELSON COUNTY INDUSTRIAL PARK, GAS MAIN EXTENSION PHASE 2 (OFF PARKWAY DR)**

JOB # **4120670**

The above named person or firm (hereinafter called Applicant) hereby makes Application for gas main extension (hereinafter called Agreement) to Louisville Gas and Electric Company (hereinafter called Company) to extend its medium pressure gas mains **3,900** and extend its high pressure mains **5,220** feet to the above location as follows:

Applicant agrees that upon completion of above gas main extension it will purchase gas from Company for the following purposes:

Whereas Company estimates the annual net gas revenue (being an amount not to exceed Company's Distribution Cost Component, as set forth in Company's applicable rate schedules, times the estimated annual gas consumption plus appropriate Customer Charges) from Applicant's use of gas service at above location to be \$-0-

In consideration of the mutual covenants herein contained, the parties do hereby agree as follows:

1. Applicant will advance to Company the amount of **\$1,269,048.00** representing the excess of Company's estimated cost of constructing a gas main extension adequate for Applicant's needs over the amount equivalent to three times the Company's estimated annual net gas revenue from Applicant's use of gas service at the above location. Applicant hereby guarantees above estimated annual net gas revenue for a period of three years from date of completion of above gas main extension. In the event the average annual net gas revenue for the period of three years from date of completion of above gas main extension is in excess of the estimated annual net gas revenue the Applicant will be refunded an amount equivalent to three times such excess.

In the event Company does not realize the estimated annual net gas revenue used in calculating above advance, Applicant agrees to pay, upon receipt of notice by Company, the difference between the estimated annual net gas revenue and actual net gas revenue for three years from date of completion of above gas main extension. It is understood that all mains and appurtenances installed or constructed pursuant to this Agreement shall be and remain the property of Company.

2. For each new permanent commercial or industrial customer connected to the aforesaid gas main extension within the ten year period beginning the date of execution of this Agreement, without additional cost to the Company except for services and metering and regulating equipment, Company will refund to Applicant an amount equivalent to either three times the estimated annual net gas revenues, or the equivalent cost of one hundred feet of gas main, whichever is greater.

3. For each new residential customer connected to the aforesaid gas main extension within the ten year period beginning the date of execution of this Agreement, without additional cost to the Company except for services and metering and regulating equipment, Company will refund Applicant an amount of \$13,915.00 (equivalent to one hundred feet of gas main at \$139.15 per foot).

4. In no event will the total of all refunds made pursuant to paragraphs 1, 2 and 3 above exceed the total amount advanced to Company by Applicant hereunder.

5. Estimates of annual net gas revenue from Applicant or additional customers shall be made solely by the Company and shall be that amount which, after consideration of all pertinent factors including nature of the Applicant's or customer's business, amount and nature of his connected gas load, applicable gas rate schedule, etc., is, in the Company's judgment, reasonably certain to be realized.

6. In the event the Company is required to make a further extension of its mains to serve a customer, Company shall have the right to tap the extension herein referred to, and to make connections from the additional extension, as required from time to time, without refund to Applicant.

ACCEPTED:

LOUISVILLE GAS AND ELECTRIC COMPANY

APPLICANT

NELSON COUNTY FISCAL COURT

ONE COURT SQUARE

BARDSTOWN, KY 40004

Sandra L. Wade - Lead Contract Coordinator

Signature & Title

Date _____

Date 5-21-14

Dean Watts County Judge Ex

Notice: This Agreement for gas main extension has been prepared by Company and presented to Applicant as of **5/7/2014** on the basis of construction costs then prevailing. Unless this Agreement is signed and returned to the office of the Company, along with the advance specified, within thirty days after presentation, these terms shall be subject to change or withdrawal without notice. Natural gas service from the gas main extension installed under this Agreement is subject to the rules and regulations of the Company and the Public Service Commission or other body having jurisdiction.

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

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK

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