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Fiscal Court Orders

June 3, 2014
REGULAR SESSION OF NELSON FISCAL COURT

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

MINUTES APPROVED - MAY 6 AND MAY 21

On motion of Sam Hutchins, second of Jerry Hahn, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to approve the minutes of the May 6 regular meeting and of the May 21 special meeting of Nelson Fiscal Court.

BILLS AND TRANSFERS

On motion of Bernard Ice, second of Jerry Hahn, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to authorize the County Treasurer to pay the following bills and to make the following transfers:

**Nelson County Fiscal Court
Bills for Court Approval
June 3, 2014**

Name	Memo	Account	Amount
01 General Fund			
ADP	Processing fees 051614	9100301 - Payroll Processing	\$ 413.75
All State Truck Sales	Bucket truck - sensor	5090340 - Maintenance - Vehicle Maint	263.56
Bardstown Housing Authority	Bethany Haven - Juin 2014	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
Barrie, Jennifer	Sheriff office cleaning - May 2014	5105329 - Law Enforc. Bldg Main Contracts	1,000.00
Beaven Equipment	SO 24 39 41 42 43 46 48	5105340 - Law Enforc Vehicle maintenance	429.00
Beaven Equipment	Install Equipment - New Explorer	5105723 - Law Enforcement Automobiles	2,775.50
Blanchett, Clay	Service voting machines	5065336 - Election Equip Main	1,085.00
Bluegrass Uniforms Inc.	Brumley, Fulkerson	5105481 - Law Enforc Uniforms	78.99
Brite Wholesale	Bulbs	5080334 - Old Courthouse Bldg Maint	122.39
Brite Wholesale	Ballasts	5081334 - Justice Center Bldg Maint	256.68
Brite Wholesale	Bulbs	5085334 - Sutherland Bldg Maint	122.38
Brite Wholesale	Drill bits	5090427 - Maintenance - Supplies	176.15
Brite Wholesale	Bulbs	5415446 - Civic Center Supplies & Equip	122.39
Buzick	Ceiling panels	5080334 - Old Courthouse Bldg Maint	57.90
Cardmember	Payroll fund checks	5001445 - CJE Office supplies	101.94
Cardmember	General fund checks (2000)	5040445 - Treasurer Office Supplies	370.98
Cardmember	Training courses 2014-2015	5040569 - Treasurer Staff training	212.50
Cardmember	U-haul rental to move voting machines	5065427 - Elections Supplies	180.78
Cardmember	Certified mail - nuisance reports	5115463 - Codes - Postage	26.80
Conway Heaton	SO 38	5105340 - Law Enforc Vehicle maintenance	15.00
Economy Pest Control	Portable toilet rental June 2014	5405348 - Recreation Program Support	70.00
Etown Overhead Door	Service call - keypad on gate	5081334 - Justice Center Bldg Maint	78.77
Greenwell Aluminum	Culvertown Ballpark - gutters/downspout	5405348 - Recreation Program Support	296.80
J & G Equip	Weedeater and mulcher supplies	5340427 - Comm Svc Supplies	127.11
Joe Hill's	Tire repair	5135340 - EMA Vehicle maintenance	20.00
Kleentech	Carpet carpets	5080329 - Old Courthouse Main Contracts	808.00
Kleentech	Carpet carpets	5085329 - Building Main Contracts	459.00
Kleentech	Clean carpets/tile	5105329 - Law Enforc. Bldg Main Contracts	607.00
Kleentech	Clean carpets- Civic Center	5415329 - Civic Center Maint Contracts	200.00
Leo Taibott & Son, Inc.	Boiler system - P&Z side	5080329 - Old Courthouse Main Contracts	260.00
Leo Taibott & Son, Inc.	Rooftop HVAC	5087329 - Old Library Maint Contracts	90.00
Leo Taibott & Son, Inc.	Boiler, heat pumps - Civic Center complex	5415742 - Civic Center	2,135.12
Mago Construction	Paving - Parking Lot, Access Drives	5086715 - Wickland	17,259.56
MVP Garden Center & Nursery	Mulch - DWP	5405348 - Recreation Program Support	220.00
RCS	Monthly agreement	5135336 - EMA Equipment Repairs	385.00
RCS	Rooster Run	5139336 - Weather Siren Repairs	775.00
RCS	Nelson Co High	5139336 - Weather Siren Repairs	775.00
RCS	Baltown	5139336 - Weather Siren Repairs	775.00
Ronnie's Custom Care	Monthly cleaning	5081329 - Justice Center Main Contracts	4,000.00
S & P Cleaning Service Inc	Cleaning service 0514	5085329 - Building Main Contracts	1,370.00
Sublet Contractors	Culvertown BP - repair merry-go-round	5405348 - Recreation Program Support	110.00

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Thermal Equipment Service	Lobby compressor	5081334 · Justice Center Bldg Maint	611.00
Torco Testing Services	Inspection/test of bucket truck	5090340 · Maintenance - Vehicle Maint	430.00
USI Insurance	2015 Crime Policy	9100521 · County insurance	588.40
W W Grainger	Blower motor - CDW unit	5081334 · Justice Center Bldg Maint	125.82
Total 01 General Fund			<u>41,286.87</u>
02 Road Fund			
Bardstown Auto Wrecker	Sign truck	6105443 · Parts	100.00
Big Three Tractor	JD Tractor, Bushhog	6105443 · Parts	408.16
Bluegrass Seed & Fertilizer	Straw, seed	6105431 · Fences & ROW	75.15
Bumper to Bumper	Washer solvent	6105427 · Garage supplies	26.28
Bumper to Bumper	Paver, sign truck, oil distrib, Truck 305	6105443 · Parts	160.72
Buzick	Garage supplies	6105427 · Garage supplies	5.59
Buzick	Culvert repair	6105457 · Bridge & Culvert Materials	67.66
Conway Heaton	Sign truck	6105443 · Parts	65.68
GBA	Printer ink, paper clips	6103445 · Office Supplies	111.51
Irving Materials Inc.	Thunder Springs	6105457 · Bridge & Culvert Materials	322.00
St Vincent Depaul Mission	Rags	6105427 · Garage supplies	64.00
Tatum Auto Supply	Garage supply	6105427 · Garage supplies	26.99
Tatum Auto Supply	Boom mower, JD Tractor, Oil Distrib.	6105443 · Parts	129.89
Total Truck Parts, Inc.	Garage supply	6105427 · Garage supplies	114.54
Zep Sales and Service	Industrial cleaner, wasp/hornet killer	6105427 · Garage supplies	203.37
Total 02 Road Fund			<u>1,881.54</u>
03 Jail Fund			
Clems	Food	5101425 · Food	714.32
Dean Milk	Milk	5101425 · Food	911.43
Duncan Septic Service	Grease trap cleaning	5101336 · Equipment Repairs	250.00
Fastenal	Repair supplies	5101334 · Building Maint Supplies	16.72
Flowers Baking Co	Bread	5101425 · Food	349.29
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	96.00
Keesee, Patrick	Inmate medical	5101549 · Routine Medical	208.00
Kentucky One	Inmate medical	5101549 · Routine Medical	995.73
Leo Talbott & Son, Inc.	HVAC, Oven, rooftop unit	5101329 · Building Main Contracts	265.00
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	1,901.80
Nelson EMS	First Aid Renewal	5101569 · Staff training	80.00
Securus	Phone cards	5101428 · Canteen Inventory	816.75
Simplex Grinnell	Semi annual inspection - rangehood	5101329 · Building Main Contracts	225.00
Total 03 Jail Fund			<u>6,830.04</u>
09 Ambulance Fund			
Airgas Mid America	Oxygen	5140550 · Medical supplies & Materials	290.21
BDM Collision Center, Inc.	Sq 35	5140340 · Vehicle Maintenance & Repairs	184.00
Beaven Equipment	Sq 37	5140443 · Vehicle Parts	102.00
Beaven Equipment	Emergency lights	5140723 · EMS Vehicles	1,332.00
Becky's Vac Shop	Vacuum bags	5140411 · Custodial supplies	11.98
Bluegrass Uniforms	Uniforms	5140481 · Staff Uniforms	79.95
Bound Tree Medical	Medical supplies	5140550 · Medical supplies & Materials	116.50
Buzick	Building renovation materials	5140742 · EMS Building	130.10
Cardmember	Return	5140445 · Office Supplies	(24.85)
Cardmember	Promo materials	5140499 · EMS Promotional Materials	112.95
Cardmember	Medical supplies	5140550 · Medical supplies & Materials	212.08
Cardmember	Postage	5140563 · Postage	497.21
Carter, Keith	Station III	5140364 · Rent	500.00
Conway Heaton	Sq 31 32 38	5140340 · Vehicle Maintenance & Repairs	1,008.04
Conway Heaton	Sq 31	5140439 · Oil, lubes	32.35
Conway Heaton	Sq 31 38	5140443 · Vehicle Parts	1,018.02
DC Communications LLC	Radio equipment	5140339 · Radio Maintenance & Repairs	147.00
Foremost Equipment	Medical equipment	5140550 · Medical supplies & Materials	556.00
Galls	Uniforms	5140481 · Staff Uniforms	101.00
Hayden Steel Erectors	Wash Bay Building	5140742 · EMS Building	297.25
Holt Computers	Service call - Wanda's computer	5140336 · Equipment Maintenance & Repairs	60.00
Iron Works, Inc.	Liftgate repairs	5140340 · Vehicle Maintenance & Repairs	515.00
Mid South Metals of Bardstown, Inc.	Wash bay - Station I	5140742 · EMS Building	1,661.40
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	277.72
Pat's Alterations	Uniform alterations	5140481 · Staff Uniforms	12.00
Select-Tech Inc	Strobe light, bulbs, latches, bulbs	5140443 · Vehicle Parts	569.66
Shred-It USA	File destruction service	5140445 · Office Supplies	63.52
Tatum Auto Supply	Disc set	5140443 · Vehicle Parts	26.28
Total 09 Ambulance Fund			<u>9,889.37</u>
Total General Fund Bills			<u><u>\$ 59,887.82</u></u>

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13 Solid Waste Fund

General Fund	3% fee - 11292 customers @ \$8/mo	5215543 · Franchise fee	\$ 32,520.24
Kentucky One	Post accident testing	9400547 · Employee Medical/WC Claims	75.00
Municipal Equip	Trucks 410, 411	5215443 · Parts	1,908.35
Northern Safety	Vests (100)	5215315 · Roadside Cleanup	326.80
Tatum Auto Supply	Hose, electrical switch	5215443 · Parts	70.46
Total 13 Solid Waste Fund			34,900.85

15 Landfill Fund

Brown, Robert	Training - Frankfort 5/2014	5210577 · Travel Expense	141.15
GBA	Paper	5210445 · Office Expense	60.97
Hite Engineering	2014 Annual site survey	5210323 · Engineering	5,074.33
Kentucky One	Pre employment testing	9400547 · Employee Medical/WC Claims	45.00
Kimberland, David	Office cleaning May 2014	5210329 · Maintenance Contracts	475.00
Lawson Products	Shop supply	5210427 · Main supplies	3.79
Marcel Equipment Limited	Compactor Rental - one month	5210380 · Equipment Rental	14,000.00
Quill Corporation	Trash bags	5210411 · Custodial supplies	63.98
Raben Tire Co	Tires, repairs	5210479 · Tires	1,227.91
SMR Environmental Svcs	Methane Sampling	5210324 · Environmental Monitoring	626.00
Tatum Auto Supply	Trucks 409, 420	5210443 · Parts	326.88
Total 15 Landfill Fund			22,045.01

97 PIC

Brite Wholesale	Bulbs	5082334 · SOB Bldg Main	122.39
Total 97 PIC			122.39

Total PIC Bills

\$ 57,068.25

Total Bills to Pay

\$ 116,956.07

NELSON COUNTY FISCAL COURT
PAID BILLS/TRANSFERS FOR COURT APPROVAL
June 3, 2014

Fund/Vendor	Description	Account	Amount
<u>General Fund</u>			
Sexauer	DWP: Replace faucets - mens restroom	5405348 · Recreation Program Support	361.87
Less Discount			(3.62)
<u>Road Fund</u>			
Kimball Midwest	Repellent	6105594 · Crew Safety Equipment	239.26
Less Discount			(2.39)
Lawson Products	Garage supply	6105427 · Garage supplies	3.79
Less Discounts			(0.04)
<u>Landfill Fund</u>			
PIC Fund	Temp Loan - NCIP Gas Line	4909 97 · Transfers to PIC	184,524.00
<u>Occupational License Fund</u>			
PIC Fund	Temp Loan - NCIP Gas Line	4909 97 · Transfers to PIC	450,000.00
<u>PIC Fund</u>			
LGE	NCIP Gas Line - 50% total fee	8011716 03 · NCIP Land Improvements	634,524.00
NC Planning & Zoning	NCIP zoning changes/variance	8011716 03 · NCIP Land Improvements	3,828.50
TOTAL PAID BILLS			\$ 638,951.37
TOTAL TRANSFERS BETWEEN FUNDS			\$ 634,524.00

PUBLIC HEARING - LGEA ROAD FUNDS

Regular session of Nelson Fiscal Court was recessed; a public hearing was called to order for the purpose of hearing public comment related to funds

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allocated to Nelson County through coal and mineral taxes; fund must be spent on roads. Advertisement has been done. There have been no written comments received; no comments were made during the public hearing. Public hearing was closed.

ORDINANCE AMENDING NELSON COUNTY BUDGET FOR 2013-14 (FIRST READING)

County Judge-Executive Dean Watts presented in open Court for first reading an ordinance amending the budget for Nelson County for Fiscal Year 2013-14. Said proposed ordinance was read in open Court in resume form and a full copy of the proposed ordinance is as follows:

Amendment #02

AN ORDINANCE relating to the annual budget and amendment thereof.

Whereas the County of Nelson has received additional revenue from excess fees and insurance proceeds, be it ordained by the Fiscal Court of County of Nelson, Commonwealth of Kentucky:

Section One The budget for fiscal year 2014 is amended to:

A. Increase/(decrease) revenues in the following funds to recognize revenue changes:

Account	Description	Amount
01-4302	Excess Fees - County Clerk	200,000
01-4304	Excess Fees - Sheriff	22,000
15-4726	Insurance Proceeds	175,000

B. Increase/(decrease) expenditure account(s)

01-5086-715	Wickland Improvements	18,000
01-5105-723	Law Enforcement Automobiles	22,000
01-5139-336	Weather Siren Repairs	7,000
01-9400-208	Unemployment Insurance	10,000
01-9200-999	Reserved for Transfer	165,000
15-5210-717	Landfill Equipment	175,000

Section Two The amounts adjusting the receipt and expenditure accounts in Section One are for governmental purposes.

After a first reading, motion was made by Sam Hutchins, second by Keith Metcalfe, by affirmative vote of the Court members present, 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.

SHERIFF'S 2013 TAX SETTLEMENT

On motion of Bernard Ice, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to accept the following 2013 tax settlement by Sheriff Stephen Campbell, pending audit:

2013 COUNTY TAX SETTLEMENT STEPHEN D. CAMPBELL, NELSON COUNTY SHERIFF

CHARGES

Real Estate	2,378,233,314	0.00143	3,400,873.64
Tangible	147,624,474	0.00161	237,675.40
Boats/Air	1,269,368	0.00015	190.41
Fire Acres	28,832	0.02	576.64
Added Real Estate	390,535	0.00143	558.47
Added Tangible	7,246	0.00161	11.67
Exon. Real Estate	252,000	0.00143	360.36
Exon. Tangible	2,068,770	0.00161	3,330.72
Exon. Inv/Fin Goods	3,941	0.00161	6.35
Bank Deposit Taxes			158,849.03
LSG			2,045.12
Franchise			83,798.98
Distilled Spirits			678,584.28
Penalties			11,837.51
Total			<u>4,578,698.56</u>

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CREDITS

Discounts on LSG			40.90
Discounts - Real Estate, ETC.			78,675.24
Exon. Real Estate - Decrease	10,236,316	0.00143	14,637.93
Exon. Tangibles - Decrease	25,887	0.00161	41.68
Exon. Inv/Fin Goods	43,268	0.00161	69.66
Exon. Pub Wh Rs	1,738,604	0.00161	2,799.15
Exon. Boars-Air	100,068	0.00015	15.01
Delinquent Real Estate	22,490,506	0.00143	32,161.42
Delinquent Tangibles	135,313	0.00161	217.85
Delinquent Inv./Fin Goods	19,191	0.00161	30.90
Delinquent Timberland	105	0.02	2.10
Total			128,691.85

Payments to County

Prior to October	1446.83		
October	2,744,472.00	Charges	4,578,698.56
November	753,446.97	Credits	128,691.85
December	565,525.87	Commissions	189,138.04
January	75,055.50	Net Due	4,260,868.67
February	35,269.16	Refunds	11,883.16
March	25,464.11	Total Due	4,248,985.51
April	48,546.94		
Total Paid	4,249,227.38		

241.87

Stephen D. Campbell

Sheriff of Nelson County

SUBSCRIBED AND SWORN TO BEFORE ME THIS 23rd DAY OF May 2014.

Melissa G. Aubrey

NOTARY

My Commission expires January 22, 2018.

APPLICATIONS FOR ASSESSMENT MORATORIUM

- Ralph and Judy Buckley
109 E Broadway, Bardstown

APPLICATION FOR ASSESSMENT/REASSESSMENT MORATORIUM CERTIFICATE

Please read The "Explanation of Assessment/Reassessment Moratorium Certificate" prior to completing this application - attached.

OWNER INFORMATION

Name	Ralph and Judy Buckley	Phone	527-348-3042
Mailing Address	147 Windsor Ave		
City	Bardstown	State	Ky
		Zip	40004

PROPERTY INFORMATION

Type	<input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential	Project Completion Date	Dec 2014
Location /Address	109 E. Broadway		Age of Building
			110 yrs

General Description of Property: 2 story residence w/ wooden siding and wrap around porch

General Description of Proposed Use: residence

If commercial, list the fixed building equipment and a statement of the economic advantages expected from the moratorium and construction employment:

Applicant's estimated Total Costs of rehabilitation or repair	\$75,000	Applicant's estimate of fair cash value of property as of the date of this application	\$305,000
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AFFIDAVIT AND OATH

I, Ralph Buckley, hereby swear (affirm) under penalty of perjury that I (we) am (are) the owner(s) of the property for which this assessment moratorium is sought and that all information contained in this application is true and correct.

Ralph Buckley

Signature of Applicant(s) 5/23/14
Date

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2. Suzanne Edelen
206 W Beall, Bardstown

APPLICATION FOR ASSESSMENT/REASSESSMENT MORATORIUM CERTIFICATE

Please read The "Explanation of Assessment/Reassessment Moratorium Certificate" prior to completing this application - attached.

OWNER INFORMATION

Name <u>Suzanne Edelen</u>	Phone <u>502 507-8720</u>
Mailing Address <u>788 Plum Run Rd</u>	
City <u>Bardstown</u>	State <u>Ky</u> Zip <u>40004</u>

PROPERTY INFORMATION

Type <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential	Project Completion Date <u>9-14</u>
Location /Address <u>206 W. Beall, Bardstown</u>	Age of Building <u>50+</u>

General Description of Property house & lot at 206 W Beall

General Description of Proposed Use Residential

If commercial, list the fixed building equipment and a statement of the economic advantages expected from the moratorium and construction employment:

N/A

Applicant's estimated Total Costs of rehabilitation or repair	<u>\$ 40,000</u>	Applicant's estimate of fair cash value of property as of the date of this application	<u>\$ 86,000</u>
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AFFIDAVIT AND OATH

Suzanne Edelen, hereby swear (affirm) under penalty of perjury that I (we) am (are) the owner(s) of the property for which this assessment moratorium is sought and that all information contained in this application is true and correct.

Suzanne Edelen Signature of Applicant(s) 5/22/14 Date

On motion of Bernard Ice, second of Keith Metcalfe, by unanimous vote of the Court members present, IT IS HEREBY ORDERED to approve the foregoing applications for property assessment moratoriums.

*** ***** ***

ORDINANCE AMENDING DISTILLED SPIRITS ORDINANCE (SECOND READING)
SALE OF LIQUOR ON ELECTION DAY

KOC NO 410.202-3

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 May 21, 2014, 2014, and a second reading and adoption on June 3, 2014, after due consideration, upon motion of Sam Hutchins and seconded by Bernard Ice and a vote being had, the County Judge announcing motion carried,

ORDINANCE NO. 410.202-3 as amended and adopted February 15, 2011, recorded in Book 35, 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.

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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.
- 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 sprits 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.

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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.

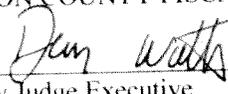
B. Any establishment who has been issued a Sunday sales license add-on as provided in Section 7 above shall be allowed to sell distilled spirits and wine by the drink and malt beverages from the hours of 1:00 p.m. to 12:00 a.m. on Sundays. This subsection does not exempt establishments from observing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

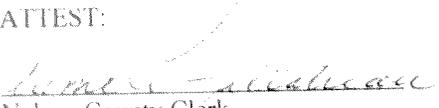
SECTION 11: PENALTY.

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.

NELSON COUNTY FISCAL COURT


County Judge Executive

ATTEST:


Nelson County Clerk

The foregoing ordinance is approved after a second reading by affirmative vote of all Court members present.

ORDINANCE AMENDING CODE ENFORCEMENT ORDINANCE (SECOND READING)

The following ordinance is approved after a second reading on motion of Keith Metcalfe, second of Jerry Hahn, and by affirmative vote of all Court members present:

COMMONWEALTH OF KENTUCKY
COUNTY OF NELSON
NELSON FISCAL COURT
ORDINANCE NO. 950.004-7

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

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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.

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.

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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 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

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

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

1. Assembly, fourteen (14) cents
2. Business, thirteen (13) cents
3. Day care centers, thirteen (13) cents
4. Educational, thirteen (13) cents
5. High hazard, twelve (12) cents
6. Factory / Industrial, twelve (12) cents
7. Institutional, fourteen (14) cents
8. Mercantile, thirteen (13) cents
9. Storage, eleven (11) cents
10. Utility and Miscellaneous, eleven (11) cents
11. . 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.
12. A. For initial installations of Heating, Ventilation and Air Conditioning systems, the fees charged shall be those set per the state.
12B. 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,

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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.

13. 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

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 9. Inconsistent Ordinances Repealed

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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 10. 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.

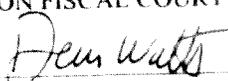
Section 12. Effective Date

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 21st day of May, 2014.

Adopted this 3rd day of June, 2014, by 4 ayes and 0 nays.

NELSON FISCAL COURT


County Judge/Executive

ATTEST:


Nelson County Court Clerk

JASON HEATH TO TOURIST COMMISSION

Dear Judge Watts:

The Bardstown-Nelson County Tourist and Convention Commission accepted nominations from the Hospitality Association to fill the unexpired term of Rob Hamilton. The Association recommended the appointment of Jason Heath as their restaurant representative to serve the unexpired term. The term will end on December 31, 2015. Jason is the owner of the Rickhouse Restaurant and Moby Dick.

In accordance with state statutes, his name is being formally submitted to your office and the Bardstown Mayor's office for approval. Your consideration of this nomination will be appreciated.

NELSON COUNTY FISCAL COURT

ORDER

Pursuant to the relative Kentucky Revised Statutes, **Jason Heath** is hereby appointed to the **Bardstown-Nelson County Tourist and Convention Commission Board** for a term in accordance to the Bylaws or governing Regulations in place.


Dean Watts
Nelson County Judge Executive

6-6-14
Date

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I, Elaine A Filiatreau, County Clerk of NELSON County certify that the foregoing is a true copy of the Order above. Given under my hand and seal of office this the 3rd day of June, 2014.

SIGNED *Elaine A Filiatreau*

CLERK OF NELSON COUNTY

COUNTY ROAD AID COOPERATIVE PROGRAM AGREEMENT

THIS AGREEMENT, entered into as of the date of the signature below of the Secretary of the Transportation Cabinet, is made by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid ("the Department"), and the Fiscal Court of NELSON County, Kentucky (the "County").

WHEREAS, Kentucky Revised Statutes (KRS) § 177.320(2) provides that 18.3% of revenue resulting from the imposition of motor fuel taxes on taxpayers pursuant to KRS § 138.220(1)(2), KRS § 138.660(1)(2), and KRS § 234.320 shall be set aside for the construction, reconstruction, and maintenance of county roads and bridges provided by KRS 179.410 and 179.415, ("County Road Aid Funds"), and

WHEREAS, the County has accepted an invitation from the Department to allow it to participate in a cooperative program to aid the County in the construction, reconstruction, and maintenance of certain roads and bridges using its share of the County Road Aid Funds apportioned to it by the Department as provided below (the "Cooperative Program"), and

NOW THEREFORE, in consideration of the terms and conditions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Department and the County agree as follows:

1. Apportionment of County Road Aid Funds. The County's apportionment of County Road Aid Funds shall be based on revenue estimates supplied by the Office of State Budget Director. For the Fiscal Year beginning July 1, 2014, this amount is \$1,573,555.14 (the "Apportionment"). The Apportionment shall be distributed by the Department to the County in accordance with the terms of this Agreement.

2. Assignment of the Apportionment. The County hereby assigns all of its right, title and interest in and to the Apportionment to the Transportation Cabinet's Division of Accounts for Fiscal Year 2015.

3. Distribution of County Road Aid Funds. The County and the Department agree that the Apportionment shall be distributed by the Department to the County as follows:

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a. First Distribution. The Department shall initially distribute to the County sixty percent (60%) of the Apportionment, less three percent (3%) of the Apportionment set aside for the emergency fund below. This initial amount is \$915,809.00.

b. Second Distribution. The Department shall distribute up to and including an additional thirty-five percent (35%) of the Apportionment to the County, less three percent (3%) of the Apportionment set aside for the emergency fund below. The amount of the second distribution will depend on how actual revenues compare to revenue estimates.

c. Final Distribution. The Department shall allocate and distribute the remaining balance of the Apportionment, less three percent (3%) set aside for the emergency fund below. The Final Distribution shall be based on actual revenues tabulated after the end of the fiscal year (June 30).

4. Emergency Fund. The County agrees that three percent (3%) of the Apportionment shall be withheld by the Department in an emergency fund (the "Emergency Fund"). The Emergency Fund shall include three percent (3%) of the total apportionments of all participants in the Cooperative Program, plus any remaining balances from previous fiscal years. The Department, upon written application from a duly authorized representative of the County, may disburse these funds to the County for the purpose of it using said funds for emergency roadway and bridge projects designated by the County. If the actual cost of an emergency project is less than the amount of Emergency Funds disbursed by the Department, then the County shall reimburse the difference to the Department.

5. Disbursement of Funds. Upon execution of this Agreement, the Department will disburse the foregoing allocated funds directly to the County to pay for materials, labor and equipment necessary for the County to accomplish construction, reconstruction, and maintenance on county roads designated by the County. This assistance is extended insofar as funds are available from the Apportionment. The County shall be responsible for all costs associated with the construction, reconstruction and maintenance of roadways and bridges in excess of the amount of the Apportionment allocated and disbursed by the Department to the County. The Department may assist the County in fulfilling its needs by disbursing funds to the County for materials and work performed by contract, for materials obtained by contract and for the rental or purchase of road maintenance and construction equipment. Any rental rates shall be based on current edition of the "Blue Book for Rental of Equipment" or the Department's official rental rates. The Department may also disburse funds to the County for the hourly rate for personnel who perform the work. This rate may include employee fringe benefits such as leave overlay, retirement, social security, insurance, etc.

6. Use of County Road Aid Funds. The County agrees and certifies that the Apportionment will be expended by the County solely for the purpose of construction, reconstruction, and maintenance of county roads as defined in KRS § 178.010(1)(b).

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7. Rights of Way. The County, if required under applicable law, will acquire any rights-of-way contemplated under this Agreement and assumes responsibility for any claims for damages arising from such acquisitions.

8. Indemnification. The County shall fully indemnify, hold harmless and defend the Department from and against all claims, actions, suits, demands, damages, liabilities, obligations, losses, settlements, judgments, costs and expenses (including without limitation reasonable attorney's fees and costs), whether or not involving a third party claim, which arise out of, relate to or result from (a) any breach of any representation or warranty of the County contained in this Agreement, (b) any breach of any covenant or other obligation or duty of the County under this Agreement or under applicable law, in each case whether or not caused by the negligence of the Department and whether or not the relevant claim has merit.

9. Reimbursement of Losses. The County will reimburse the Department for losses it may sustain arising out of performance of this Agreement. Such loss as sustained by the Department may be charged to the Apportionment in this or future fiscal years.

10. Termination of Agreement. The Department reserves the right to cancel this Agreement at any time deemed to be in the best interest of the Department by giving thirty (30) days written notice of such cancellation to the County. If this Agreement is canceled under this provision, then the County will receive any unpaid portion of the Apportionment from the Department for Local Government.

11. Access to Records. The County acknowledges and agrees that pursuant to KRS § 179.415(3) it shall retain all records of the expenditures of the Apportionment for a period of five (5) years and said records, including any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement [records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent and shall be exempt from disclosure as provided in KRS 61.878(1)(c)], shall be subject to audit by the Department for Local Government or its duly authorized agent and made accessible by the County to the Department for Local Government or its duly authorized agent for said period of time in order to determine the proper expenditure of said money for the purposes required by KRS § 177.320(2). The County also recognizes that any books, documents, papers, records, or other evidence received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS § 61.870 to KRS § 61.884

12. Authorization. The Fiscal Court of the County shall pass a resolution adopting and approving the terms of this Agreement in the form of the resolution attached to this Agreement and made a part hereof. The County Judge/Executive of the County, and the Commissioner of the Department, or their authorized representatives, insofar as their actions are in accord with the laws of the Commonwealth of Kentucky, shall act for their respective parties on all matters arising under this Agreement.

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13. Choice of Law and Venue. All questions as to the execution, validity, interpretation, construction and performance of this Agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this Agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the dates listed below:

NELSON COUNTY FISCAL COURT

BY: _____ Date: _____
County Judge/Executive

DEPARTMENT OF RURAL AND MUNICIPAL AID
OFFICE OF RURAL & SECONDARY ROADS

BY: _____ Date: _____
Commissioner

APPROVED AS TO FORM AND LEGALITY:

BY: _____ Date: _____
Office of Legal Services

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

BY: _____ Date: _____
Secretary

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

The following ordinance is approved and adopted after a second reading on motion of Bernard Ice, second of Sam Hutchins, and on affirmative vote of all Court members present:

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>

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(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
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.

(Signed) Dean Watts
Dean Watts, County Judge Executive

NOTICE OF AVAILABILITY

All interested persons and organizations in Nelson County are hereby notified that a copy of the County's proposed budget is available for public inspection at the office of the County Judge/Executive, One Court Square, during normal business hours and also online at the County's web site, www.nelsoncountyky.com, with the Treasurer's reports.

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DEPARTMENT REPORTS

**EMS - Joe Prewitt gave a quick verbal report of calls during the past couple of weeks.

**JAIL - Jailer Dorcas Figg presented her regular report:

	NELSON COUNTY JAIL					
	Total	Hardin Co	HIP	State	W-End	In House
MAY						
Thur. 22	124	1	3	27	9	111
Fri. 23	115	1	3	27	9	102
Sat. 24	111	1	2	27	1	107
Sun. 25	112	1	2	27	1	108
Mon. 26	109	1	2	27	7	99
Tue. 27	115	2	4	29	7	102
Wed. 28	110	2	4	29	6	98
Thur. 29	111	3	4	29	8	96
Fri. 30	110	3	4	28	7	96
Sat. 31	111	2	2	28	1	106
JUNE						
Sun. 01	111	2	2	28	1	106
Mon. 02	110	2	2	28	5	101
Tue. 03	111	2	4	28	5	100

**ROAD DEPARTMENT

ON-GOING - County Engineer Jim Lemieux reported on bushhog work, grader work, culvert repair, and chip-seal work. He also noted need to obtain right-of-way on Ockerman Ln. for road work there. Grade-All has been returned after repair and Grade-All work is in progress.

TIMBER CREEK RD - Note was made of continued problems with washouts on Timber Creek Rd. at the time of heavy rains/flash flooding.

DISTRICT 2 PAVING LIST ADDITIONS - On motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court members present, IT IS HEREBY ORDERED to approve the addition of Lincoln Ave., Ashleigh Way and Woodlawn Rd. (portion) to this year's paving list (See 2014 Paving List on next page).

**LANDFILL/SOLID WASTE COMPACTOR PURCHASE - Memo:

To: Dean Watts, Magistrates
CC: Magistrates, Jim Lemieux, Rhonda Fenwick
From: Brad Spalding
Date: 5/29/2014
Re: Landfill Compactor

Due to the fires we had with both of the Landfill compactors; we have been renting a 1996 CAT 826G from Marcel Equipment. The rental began on April 28, 2014. We are entering the 2nd month of rental on this unit.

To date, this rental machine has operated very well for a used compactor. We have only had a steering hydraulic hose bust, an injector fuel line break and a solenoid that had to be replaced on the radiator fan. Each of these repairs I would consider typical maintenance items.

The engine has approximately 13,500 hours. These engines typically seem to operate for approximately 15,000-20,000 hours before rebuilding.

The transmission, cooling system, electrical, heating and cooling systems each appear to be in good operating condition.

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From Previous Page: District 2 Paving List

2014 Paving Estimates
District 2, Sam Hutchins
as of 06/03/14
Asphalt @ \$69.00 /ton Bid June 2013

2014

Road Name	CR-	Comments	Inspection Date/	Funding Source	Location to be Paved	LF ft	width ft	culdesac	depth in	Patching Wedging req'd	tons @100SF	cost/ton	Total County Funds FY 2014/2015	KY RS Funding	Other Roads
Lincoln Ave.	CR-1081K	Fair to poor (in places)-needs overlay	03/19/14		Jefferson Ave to Woodlawn Road (KY 605)	920	26		1.25		182.72	\$68.00	\$12,425.11		
Ashleigh Way	CR-1094	Fair Shape- 350 LF poor shape	02/21/14		KY 605 to Leigh Terrace	1450	22		1.25		243.68	\$68.00	\$16,570.28		
Marks Lane	CR-1006 CR-1006	Fair mostly- some poor Fair to poor (in places)	02/21/14		Woodlawn Road to Deer Valley Deer Valley to End	4970 1870	22 22	1	1.25 1.25		836.24 344.26	\$68.00 \$68.00	\$56,796.06 \$23,409.94		
Farmington Drive	CR-1192	Fair Shape-wait 1 to 2 years	02/21/14		KY 605 to Bryan Dr	1450	22		1.25		243.68	\$68.00	\$16,570.28		
Greer Lane		Remainder Greer Lane (KYTC-RS	Station 80+00 to KY 605	4000	20		1.25		611.11	\$68.00	\$41,555.56		
Pottershop Road	CR-1106 priority 1	Sec. 1-fair shape - some minor allig. Sec. 2-poor - allig/pot holes Sec. 3-fair shape - some minor allig/pot holes Sec. 4-fair shape - some minor allig/pot holes Sec. 4-A- poor - road cracks /failures	03/26/14		Ed Brent to Mill Creek Bridge Mill Creek Bridge to Greer Lane Greer Lane to Bear Creek Bridge Bear Creek Bridge to KY 605 5500 ft south of Bear Cr. Br-1400 ft. pad	7900 2530 2500 9700 1400	17 18 19 17 16		1.25 1.25 1.25 1.25 2	0.1 0.1 0.1	0.00 1128.49 382.66 399.13 1259.65 273.78	\$68.00 \$68.00 \$68.00 \$68.00 \$68.00	\$76,737.63 \$25,021.05 \$27,140.97 >>>		
Woodlawn Road	CR-1012	Fair Shape- Allig in areas Fair to poor- allig-chipped throughout Fair to poor- allig-chipped throughout	03/27/14		Hilton Lane to Tom Greer (Bridge) Tom Greer Road to Thomas Lane Thomas Lane to KY 55 Mill Bridge approach at Tom Greer area	7540 5460 4700	16 16 16		1.25 1.25 1.25	0.1 0.1	921.56 734.07 631.89 64.00	\$68.00 \$68.00 \$68.00 \$20.00	\$49,916.53 \$42,968.44 \$1,280.00		
Woodlawn Road	CR-1012	fair shape (some poor)- last paved 10/21/11	05/27/14		KY 605 to Asphalt Joint (past Marks Lan	3400	21		1.25	0.1	599.96	\$68.00	\$40,797.17		
Oak Knoll Road		can wait-crack seal needs overlay needs overlay needs overlay	09/05/12	09/05/12	Greer Lane to White Oak White Oak to Black Oak Black Oak to Red Oak Red Oak To End	1020 650 610 1120	26 26 26 26	1	1.25 1.25 1.25 1.25		202.58 129.10 121.15 252.44	\$68.00 \$68.00 \$68.00 \$68.00	\$13,775.67 \$8,778.61 \$6,236.39 \$17,166.22 \$47,958.89		
White Oak Black Oak Red Oak		can wait - crack seal can wait - crack seal wedge & overlay req'd - insp 05/03/12			Oak Knoll to end Oak Knoll to end Oak Knoll to end	310 225 700	22 22 22	1 1 1	1.25 1.25 1.25	0.1	82.10 67.81 162.40	\$68.00	\$0.00 \$0.00 paved-08/23/12		
Tot Tons 11263.4722													FY 2014/2015	KYRS Funds	Other Roads
TOTAL													\$91,661.17	\$94,717.58	\$0.00
allowed													120,000		

* APPROVED TO BE PAVED

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Landfill/Solid Waste Report - Continued from Page 311

Our insurance company has "totaled" one of the compactors. It was insured for \$179,000 with a \$1,000 deductible. We have already received a check for \$151,000 for the replacement of the totaled unit. The insurance company will reimburse the Fiscal Court up to the insured amount of \$179,000 less the \$1,000 deductible (Total of \$178,000).

It is recommended to purchase the existing rental landfill compactor from Marcel Equipment with the condition that the engine is rebuilt. I have requested a quote from them for the price of the compactor with the rebuilt engine (Total of \$181,000 which includes the delivery cost). Attached is their quote. Any rent paid to date shall be deducted from the purchase cost.

The insurance company has indicated the totaled unit has a salvage value of \$5,500. The following are some options to consider on the totaled unit:

1. Require the insurance company to haul away the unit and coordinate these items.
2. Negotiate with the insurance company and purchase the totaled unit back. We believe the final drives, wheels, blade, axles, differentials, planetaries and maybe the cylinder for the blade could be reused for backups at the landfill. These parts would typically range in cost EACH \$2,000-\$7,500 purchasing new. We would then be responsible for hauling the unit to the salvage yard.

I would like to discuss and determine our plan of action at the next court meeting on June 3, 2014.



Date: June 3, 2014

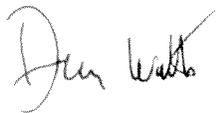
To: Nelson County Treasurer
Nelson County Clerk
Nelson County Magistrates
Nelson County Engineers

From: Dean Watts

RE: Emergency Need

As you know, the Landfill compactor had fire damage that left us with no machine to use at the Landfill. Strict rules require a compactor to be on site at all times, and there must be a backup machine. We rented a machine from Marcel Equipment and found the rental machine to be satisfactory.

Therefore, due to strict State requirements and need to avoid fines, as chief executive officer for the County, I have asked Nelson Fiscal Court to bypass the bidding process and purchase the rental machine using insurance proceeds (as per KRS 424.260(4)).



Following discussion of the detailed report presented to Court members by Landfill Engineer Brad Spalding, on motion of Bernard Ice, second of Jerry Hahn, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to authorize purchase of the landfill compactor currently being leased from Marcel Equipment - total cost \$181,000. Insurance due on compactor that was burned is \$178,000.

Insurance company will sell the burned-out compactor back to the County for \$5,500. Considering problems related to hauling the unit away, and considering the value of parts that are deemed to be reusable, on motion of Sam Hutchins, second of Bernard Ice, by affirmative vote of all Court members

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present, IT IS HEREBY ORDERED to repurchase the old machine from the insurance company, allowing Brad Spalding to negotiate purchase price.

FIRE DEPARTMENT TRAINING CENTER

Bardstown/Nelson County Fire Departments had requested funding for a concrete slab at the Training Center; cost would be paid from the Occupational Tax Fund. Lowest price submitted for this job came from Troy Mouser at \$10,795. Assuming that all certificates of insurance are provided, on motion of Jerry Hahn, second of Keith Metcalfe, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to approve entering into a contract with Troy Mouser for construction of the concrete at the Fire Training Center.

INDUSTRIAL PARK LEASE FOR CROPS

Negotiations are being held with the leasor of Industrial Park property concerning need not to plant crops there in view of a couple of industrial prospects. He has asked that the lease rate be reduced and that he move forward with planting a crop that will produce in a shorter period of time than normal. Following discussion, on motion of Sam Hutchins, second of Jerry Hahn, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to re-negotiate the rental cost of the Industrial Park property whereby the leasor will pay \$225 per acre, this year only.

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

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK