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# Fiscal Court Orders

## 02 Road Fund

Air Hydro	Boom mower	6105443 · Parts	74.43
All State Truck Sales	Trucks 305, 306	6105443 · Parts	296.91
Big Three Tractor	Bushhog	6105443 · Parts	478.32
Bluegrass Seed & Fertilizer	Straw	6105431 · Fences & ROW	102.00
Bumper to Bumper	JD Tractor, Kroger's truck	6105443 · Parts	217.20
Buzick	Repair concrete wall	6103334 · Building Maintenance	33.52
Buzick	5 gallon cooler	6105427 · Garage supplies	29.99
Cardmember	Design software, manuals; printer ink	6103445 · Office Supplies	740.38
Fastenal	Garage supplies	6105427 · Garage supplies	99.75
GBA	Printer ink	6103445 · Office Supplies	70.37
Irving Materials Inc.	Concrete wall repairs (cold mix pit)	6103334 · Building Maintenance	679.50
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	75.00
Keystone	1995 Chevy - fender	6105443 · Parts	100.00
Koerber, Arnold	Tower rental	6103364 · Radio Tower Rental	200.00
Kroger	Sugar, creamer	6105427 · Garage supplies	42.17
Mago Construction	Greer Lane	311 02 · District 2	7,793.86
Mago Construction	Greer Lane	730-01 · Flex Funds Projects	31,306.00
Salt River	Set pole - Mt Moriah/Hwy 61	6105469 · Signs & Posts	135.00
Tatum Auto Supply	Trucks 300, 302, grab bucket	6105443 · Parts	278.59
Total 02 Road Fund			<u>42,752.99</u>

## 03 Jail Fund

Bloomfield Family Dentistry	Inmate medical	5101549 · Routine Medical	229.00
Bumper to Bumper	Jail vehicle maint	5101340 · Vehicle maintenance	181.23
Central Ky Radiology	Inmate medical	5101549 · Routine Medical	26.62
Clems	Food	5101425 · Food	708.62
Dean Milk	Milk	5101425 · Food	297.00
Flaget Memorial Hospital	Inmate medical	5101549 · Routine Medical	3,080.08
Flowers Baking Co	Bread	5101425 · Food	216.49
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	411.58
ICS Jail Supplies	Laundry bags	5101428 · Canteen Inventory	84.40
*Kentucky One	Inmate medical	5101549 · Routine Medical	477.67
Kentucky One	Employee medical	9400547 · Employee Medical/WC Claims	70.00
KY Cavern Water	Water	5101445 · Office Supplies	61.93
Ky Juvenile Justice	Jan-Mar 2015	5102314 · Juvenile housing contracts	6,580.00
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	2,376.08
Medica	Inmate medical	5101549 · Routine Medical	113.62
Nu Life Cartridge	All in one printer	5101445 · Office Supplies	249.99
Quest Diagnostics	Inmate medical	5101549 · Routine Medical	197.46
Securus	Phone cards	5101428 · Canteen Inventory	822.05
Total 03 Jail Fund			<u>16,183.82</u>

## 09 Ambulance Fund

3-D Graphics	Embroidered logos	5140481 · Staff Uniforms	32.00
A Plus Fire & Safety	Fire extinguishers (3)	5140550 · Medical supplies & Materials	239.85
Airgas Mid America	Oxygen	5140550 · Medical supplies & Materials	119.87
Bardstown Upholstery	Sq 38	5140340 · Vehicle Maintenance & Repairs	175.00
Bound Tree Medical	Uniforms	5140481 · Staff Uniforms	303.53
Bound Tree Medical	Medical supplies	5140550 · Medical supplies & Materials	426.27
Buzick	Maint materials	5140334 · Building maintenance	23.97
Cardmember	Batteries	5140336 · Equipment Maintenance & Repai	151.92
Cardmember	Fuel during training	5140429 · Fuel	24.67
Cardmember	Comfort blankets, movers w/powergrips	5140441 · Supplies and Equipment	341.64
Cardmember	Sq 38	5140443 · Vehicle Parts	186.85
Cardmember	Office supplies, DOT driving records	5140445 · Office Supplies	641.48
Cardmember	Tool rack	5140446 · Housing expenses	43.24
Cardmember	Uniforms	5140481 · Staff Uniforms	137.93
Cardmember	Postage, mailings	5140563 · Postage	247.03
Cardmember	Training materials, conference	5140569 · Training	183.75
Cardmember	EMS Leaders Conference	5140577 · Staff travel	485.28
Cardmember	Fee charge - reimbursed to NCFC	5140599 · Miscellaneous	16.20
Conway Heaton	Sq 31, 33, 36	5140340 · Vehicle Maintenance & Repairs	259.20
Conway Heaton	Sq 31	5140439 · Oil, lubes	99.60
Conway Heaton	Sq 33,36,38	5140443 · Vehicle Parts	545.68
Financial Forms & Supplies	Laser invoices	5140445 · Office Supplies	309.66
Galls	Uniforms	5140481 · Staff Uniforms	849.71
Lowe's	Building supplies	5140334 · Building maintenance	184.59

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Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	57.15
Pat's Alterations	Uniform alterations	5140481 · Staff Uniforms	68.00
QuadMed Inc	Medical supplies	5140550 · Medical supplies & Materials	447.51
Shred-it USA	File destruction service	5140445 · Office Supplies	64.62
Stericycle	Steri safe	5140550 · Medical supplies & Materials	1,800.12
Tatum Auto Supply	Antifreeze, halogens, mirror, bulbs	5140443 · Vehicle Parts	180.86
Total 09 Ambulance Fund			<u>8,647.18</u>

**Subtotal - General Fund Bills to Pay**

116,581.91

**13 Solid Waste Fund**

All Star Dancers	S 3rd, Robin Dr, Payne Ave, 4th S	5215315 · Roadside Cleanup	\$ 250.00
Bardstown High School Key Club	Manton Rd	5215315 · Roadside Cleanup	375.00
Boston School - various groups	Boston Road, Bellwood Rd	5215315 · Roadside Cleanup	1,000.00
Boy Scout Troop 142	Old Boston Rd, Spencer Matt., Withrow C	5215315 · Roadside Cleanup	250.00
Boy Scout Troop 617	Hwy 62 Boston Road	5215315 · Roadside Cleanup	375.00
Boy Scout Troop 721	Hwy 62 Lawrenceburg Rd	5215315 · Roadside Cleanup	250.00
Boy Scout Troop 996	Monks Road	5215315 · Roadside Cleanup	250.00
Cobra Youth Wrestling	Hwy 150 Springfield Rd	5215315 · Roadside Cleanup	250.00
Cub Scout Pack 617	Hwy 62 Boston Rd	5215315 · Roadside Cleanup	300.00
Cub Scout Pack 721	Filiatreau Lane	5215315 · Roadside Cleanup	250.00
Cub Scout Pack 996	Monks Road	5215315 · Roadside Cleanup	250.00
Kentucky Thunder Baseball	Woodlawn Rd	5215315 · Roadside Cleanup	250.00
Knights of Columbus	Hwy 31E New Haven Rd	5215315 · Roadside Cleanup	250.00
Michala Riggle Autism Foundation	Clarktown Rd	5215315 · Roadside Cleanup	375.00
Nazareth, Sisters of Charity	Icetown Road	5215315 · Roadside Cleanup	250.00
Nelson Co Beekeepers	Hwy 162 Old Bloomfield Rd	5215315 · Roadside Cleanup	250.00
New Haven 8th Grade	BG Parkway interchange-Bloomfield	5215315 · Roadside Cleanup	250.00
Relay Angels	Bellwood Rd	5215315 · Roadside Cleanup	250.00
Relay for Life - Smith	Roberts Road	5215315 · Roadside Cleanup	250.00
Rolling Fork Baptist Church	BG Pkwy Interchanges - Boston	5215315 · Roadside Cleanup	375.00
St Gregory School - various groups	Hwy 245, Ben Irvin, Samuels Loop	5215315 · Roadside Cleanup	250.00
St Monica Youth Group	Hwy 62 Boston Road	5215315 · Roadside Cleanup	1,000.00
St Thomas Mens Club	Ky 49, Ky 46	5215315 · Roadside Cleanup	250.00
St Thomas Senior Citizens	Ritchie Lane & Quarry Lanc	5215315 · Roadside Cleanup	750.00
St Thomas Youth Group	Hwy 31 E New Haven	5215315 · Roadside Cleanup	500.00
TNHS - various groups	BG Pkwy Interchange, Hwy 52	5215315 · Roadside Cleanup	250.00
Venture Crew 147	Bellwood Road	5215315 · Roadside Cleanup	1,000.00
Brandeis	Crimping supplies	5215541 · Hydraulic Parts & Equipment	250.00
Kentucky One	Employee medical pre employment	9400547 · Employee Medical/WC Claims	65.25
Mackin's Wrecker	Truck 409	5215336 · Equipment Repair	45.00
Raben Tire Co	Tires, repairs	5215479 · Tires	300.00
TAPCO	Contracted services - 10 days (final)	5215366 · Bulky Item Pickup	1,945.71
Tatum Auto Supply	Truck 414	5215443 · Parts	6,790.40
Total 13 Solid Waste Fund			<u>38.95</u> <u>19,485.31</u>

**15 Landfill Fund**

Duncan Septic Service	Clean sludge from wet wells	5210329 · Maintenance Contracts	385.00
GBA	Paper	5210445 · Office Expense	97.96
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	70.00
Kimberland, David	Office cleaning April 2015	5210329 · Maintenance Contracts	380.00
Lowe's	Window blinds	5210334 · Building Maintenance	110.22
Maryland Biochemical Co., Inc.	Leachate treatment	5210581 · Leachate Maintenance	1,057.83
Quality Auto Glass	Side view mirror	5217340 · Recycling vehicle expense	35.00
Quill Corporation	Cleaning supplies	5210411 · Custodial supplies	36.98
Quill Corporation	Binder clips	5210445 · Office Expense	29.03
Ri Tec Industrial Products	Industrial cleaners	5210427 · Main supplies	137.00
Tatum Auto Supply	Shop supplies	5210427 · Main supplies	45.46
Total 15 Landfill Fund			<u>2,384.48</u>

**23 Occupational Tax Fund**

Cardmember	Domain/website hosting	5047445 · OLF Office supplies	131.40
Total 23 Occupational Tax Fund			<u>131.40</u>

**97 PIC**

Cardmember	Annual filing fees - PIC	5085543 · License and fees	30.00
First Insurance Group Ky Inc	Plaza insurance 2015-2016	5085521 · Property Insurance	4,081.00

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Lowe's	Bathroom repairs	5082334 · SOB Bldg Main
Total 97 PIC		179.14
		4,290.14
<b>Subtotal - PIC Bills to Pay</b>		<b>\$ 26,291.33</b>
<b>Total Bills to Pay</b>		<b>\$ 142,873.24</b>

**Debt Payments - May 2015**

<b>General Fund - 2007 GO Bond Payment</b>		
Town & Country Bank	2007 Go Bonds - Principal	65,000.00
	2007 Go Bonds - Interest	6,435.00
		71,435.00

**PIC Fund - Salt River NCIP Note Payment**

Salt River Electric	NCIP Note Payable - Principal	191,771.23
	NCIP Note Payable - Interest	58,228.77
		250,000.00

## Nelson County Fiscal Court Additional Bills for Court Approval May 5, 2015

Name	Memo	Account	Amount
<b>01 General Fund</b>			
Bluegrass Uniforms Inc.	Pineiroia	5105481 · Law Enforc Uniforms	\$ 90.00
Central Ky Plumbing	Water heater	5425334 · Fairgrounds Support	264.18
Choice Uniforms	Uniform shirts - Russell	5340427 · Comm Svc Supplies	122.50
Conway Heaton	SO 38	5105340 · Law Enforc Vehicle maintenance	234.75
Hall, Thomas	Legal services	5310332 · Public Defender Contract	250.00
Priority 1, Inc	Ice, Hutchins 5/8/15	5025569 · Magistrates Conferences	198.00
R L Harrison Paving	Stripe parking lot	5085741 · Sutherland Bldg renovation	450.00
Thermal Equipment	AC service- Judge Kelley	5081329 · Justice Center Main Contracts	561.60
Underwood, Judith A	Civic Center Cleaning 0415	5415329 · Civic Center Maint Contracts	850.00
<b>Total 01 General Fund</b>			<b>3,021.03</b>
<b>02 Road Fund</b>			
Mago Construction	Discretionary Funds - Pottershop Rd	6105 311 07 · State Bond Projects	40,000.00
Mago Construction	Pottershop Rd	6105 311 02 · District 2	10,407.32
Quality Auto Glass	Sign truck	6105443 · Parts	255.00
<b>Total 02 Road Fund</b>			<b>50,662.32</b>
<b>13 Solid Waste Fund</b>			
American Cancer Society	Eddie Miles Rd	5215315 · Roadside Cleanup	250.00
Cystic Fibrosis Foundation	Sullivan Lane	5215315 · Roadside Cleanup	250.00
New Hope Food Bank	Hwy 46	5215315 · Roadside Cleanup	250.00
St Catherine School	Blanton Ford Rd/Howardstown Rd	5215315 · Roadside Cleanup	375.00
<b>Total 13 Solid Waste Fund</b>			<b>1,125.00</b>
			<b>\$54,808.35</b>

**NELSON COUNTY FISCAL COURT**  
**PrePaid Bills and Upcoming Transfers for Court Approval**  
May 5, 2015

Fund/Vendor	Description	Account	Amount
<b>General Fund</b>			
Lawson Products	CS supplies	5340427 · Community Service Supply	\$ 6.44
<b>Road Fund</b>			
Lawson Products	Garage supply	6105427 · Garage supplies	119.54
Less Discounts			(1.27)
<b>Occupational License Fund</b>			
PIC Fund	FY 15 Appropriation	4909 97 · Transfers to PIC	250,000.00
<b>TOTAL PAID BILLS</b>			<b>\$250,124.71</b>

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## PUBLIC HEARING - MINERALS TAX

County Judge-Executive opened a public hearing for the purpose of allowing comment on the proposed use of county road aid and local government economic assistance funds; these are funds generated by coal and minerals tax. No written comment has been received, nor was there public comment during the public hearing. Public hearing was closed.

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## PROCLAMATIONS

\*\*LYME AND TICK-BORNE DISEASES

### **Lyme And Tick-Borne Diseases Awareness Month Proclamation**

Whereas, the warm weather activities of hunting, walking, running, hiking, camping, golfing and gardening put us in closer contact with grassy and wooded areas that may be inhabited or infested by ticks, which are carried by both wildlife and domestic animals; and

Whereas, tick bites can transmit serious and potentially fatal diseases such as Lyme disease, Babesiosis, Bartonellosis, Anaplasmosis, Ehrlichiosis, Tularemia, tick-borne spotted fever and rickettsial infections, resulting in fever, rash or flu-like symptoms; and


Whereas, improper methods of removing embedded ticks may increase the risk of infection, and prompt treatment with adequate antibiotic therapy in early stages may cure Lyme and other tick-borne diseases and prevent permanent damage and complications; and

Whereas, Lyme disease, when not promptly diagnosed or properly treated, may affect the brain, heart, joints and other body organs, and it may mimic many other diseases; and

Whereas, the science and testing surrounding Lyme and tick-borne diseases is unclear; citizens and medical providers are encouraged to take all tick-borne diseases seriously; and

Whereas, the best protections against tick-borne diseases are prevention and education, use of insect repellent, performance of periodic tick checks while outdoors and after returning home and showering and drying clothes for 15 minutes immediately after coming in from the outdoors.

Now, Therefore, I, Dean Watts, County Judge Executive of the County of Nelson, do hereby proclaim May 2015 as Lyme And Tick-Borne Diseases Awareness Month in Kentucky and encourage all to learn more about these diseases and how they can protect themselves by reducing exposure to ticks.

  
\_\_\_\_\_  
Nelson County Judge Executive

5/5/15  
\_\_\_\_\_  
Date

\*\*BUILDING SAFETY MONTH

### **Building Safety Month Proclamation**

Whereas, our County's continuing efforts to address the critical issues of safety, energy efficiency, water conservation and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

Whereas, our confidence is achieved through the devotion of vigilant guardians – building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry – who work year-round to ensure the safe construction of buildings; and

Whereas, these guardians – dedicated members of the International Code Council – use a governmental consensus process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

Whereas, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the

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nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires, floods and earthquakes; and

Whereas, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities' largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and livable buildings; and

Whereas, "Resilient Communities Start with Building Codes," the theme for Building Safety Month 2015, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, water safety and conservation; energy efficiency and new technologies in the construction industry. Building Safety Month 2015 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

Now, Therefore, I, Dean Watts, County Judge Executive of the County of Nelson, do hereby proclaim the month of May 2015 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

  
Nelson County Judge Executive

5/5/15  
Date

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## DEPARTMENT REPORTS

### \*\*JAIL REPORT

Jailer Dorcas Figg presented her regular report:

### NELSON COUNTY JAIL

	Total	Hardin Co	HIP	State	W-End	In House
APRIL						
Wed. 22	121	3	0	40	7	111
Thur. 23	109	3	0	40	7	99
Fri. 24	119	3	0	40	7	109
Sat. 25	117	3	0	40	4	110
Sun. 26	114	3	0	40	3	108
Mon. 27	118	3	0	40	7	108
Tue. 28	113	3	0	39	5	105
Wed. 29	126	3	0	39	5	118
Thur. 30	125	3	0	39	6	116
MAY						
Fri. 01	119	3	0	38	7	109
Sat. 02	118	3	0	36	4	111
Sun. 03	116	3	0	37	2	111
Mon. 04	109	3	0	39	3	103
Tue. 05	113	3	0	40	2	108

\*\*EMS

EMS report was presented by Joe Prewitt as follows:

05/03/2015

Monthly EMS Run Totals  
As of April, 2015

Bardtown Area	384	80	484	\$ 300,368.00	\$ 2,657,441.83	\$ 571.74
Bloomfield Area	14	9	23	\$ 12,813.80	\$ 186,528.50	\$ 588.37
New Haven Area	28	9	35	\$ 21,861.80	\$ 189,488.85	\$ 734.38
Boston Area	16	1	17	\$ 13,449.60	\$ 78,993.60	\$ 678.39
Cox's Creek Area	6	2	8	\$ 3,923.80	\$ 71,297.47	\$ 437.41
<b>TOTAL</b>	<b>448</b>	<b>101</b>	<b>547</b>	<b>\$ 352,416.00</b>	<b>\$ 5,703,750.25</b>	<b>\$ 578.43</b>

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Average Per Day	14.9	3.4	18.2	19.9	\$	11,747.23	\$	11,503.38
Collections (YTD)					\$		\$	1,507,219.90
Collection Per Run					\$		\$	293.89
Cost Per Run					\$		\$	352.26
Difference					\$		\$	(58.37)
<b>Previous Year 2014</b>								
Totals	524		524	189	\$	308,432.80	\$	3,102,523.90
Previous Year Difference	23		23	189	\$	43,984.00	\$	81,706.36
<b>Previous Year 2013</b>								
Totals	480		480	503	\$	309,663.95	\$	3,039,841.35
Difference From Current Year	67		67	436	\$	42,762.85	\$	(123,544.90)
<b>Previous Year 2012</b>								
Totals	621		621	531	\$	323,944.50	\$	3,238,884.30
Difference From Current Year	26		26	108	\$	28,472.30	\$	(76,464.05)
<b>Previous Year 2011</b>								
Totals	463		463	495	\$	272,846.80	\$	2,595,703.30
Difference From Current Year	94		94	512	\$	79,570.00	\$	567,726.95
<b>Previous Year 2010</b>								
Totals	461		461	476	\$	276,648.00	\$	2,621,907.00
Difference From Current Year	56		56	704	\$	75,568.80	\$	541,623.25

\*7 TREAT NO TRANSPORT\*

Joe Prewitt also reported on progress of the EMT class, noting that all students who had signed up have stayed with the program. May 15 April 2015 has been scheduled as the test date.

**\*\*LANDFILL/SOLID WASTE**

DUMPSTERS - Brad Spalding explained that old dumpsters are wearing and cannot be patched further. On motion of Jeff Lear, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the purchase of dumpsters as follows:

<b>Purchase Order</b>		DATE: 4/27/15			
<b>To:</b> Central Indiana Truck Equipment 2128 South Harding Street Indianapolis, IN 46221 Phone: 317-639-4207 Fax: 317-321-2158		<b>Invoice to:</b> Nelson County Solid Waste Department 1025 Airport Road Bardelown, KY 40004 Ph: 502-348-1876 POC: Brad Spalding			
ITEM #	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTALS
1	Model 201, 2 Yard	6.00	Each	\$532.00	\$3,192.00
2	Model 301, 3 Yard	6.00	Each	\$670.00	\$4,020.00
3	Model 401, 4 Yard	4.00	Each	\$786.40	\$3,185.60
4	Model 601, 6 Yard	2.00	Each	\$1,037.00	\$2,074.00
5	Model 801, 8 Yard	4.00	Each	\$1,347.00	\$5,388.00
6	Delivery	1.00	Each	\$350.00	\$350.00
COMMENTS					
Re-Stocking of Dumpsters for Solid Waste Department					SUB-TOTAL \$18,209.60
Purchase Order Issued By: Dean Wallis					TOTAL COST \$18,209.60
					Date
					NELSON COUNTY JUDGE EXECUTIVE

ON-GOING - Spalding also reported that crews are busy hauling dirt and that old tires are scheduled to be picked up today, with one load a day to be hauled out by the contractor.



# Fiscal Court Orders

**\*\*ROAD DEPARTMENT  
COUNTY ROAD AID COOPERATIVE AGREEMENT – RESOLUTION**

On motion of Jeff Lear, second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following resolution and to authorize the County Judge-Executive to enter into the agreement:

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, 2015, this amount is **\$1,293,980.07** (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 2016.
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:
  - 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 **\$753,096.00**.
  - 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%)

# Fiscal Court Orders

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).

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.

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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.
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

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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: Den Webb  
County Judge/Executive

Date: 5/5/15

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

BY: \_\_\_\_\_  
Commissioner

Date: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

BY: \_\_\_\_\_  
Office of Legal Services

Date: \_\_\_\_\_

COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET

BY: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_

## R E S O L U T I O N

Fiscal Court of NELSON County

Resolution adopting and approving the execution of a County Road Aid Coop Program Contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, for the fiscal year beginning July 1, 2015, as provided in the Kentucky Revised Statutes and accepting all roads and streets referred to therein as being a part of the County Road System.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby accept all roads and streets

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referred to in said contract as being a part of the County Road System; and

The Fiscal Court does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and by such acceptance agrees to all the terms and conditions therein stated; and

The County Judge/Executive of the county is hereby authorized and directed to sign said Contract as set forth on behalf of the Fiscal Court of NELSON County, and the County Clerk of NELSON County is hereby authorized and directed to certify thereto.

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

AYES

NAYS

Magistrate Keith Metcalfe \_\_\_\_\_

Magistrate Sam Hutchins \_\_\_\_\_

Magistrate Bernard Ice \_\_\_\_\_

Magistrate Jeff Lear \_\_\_\_\_

Magistrate Jerry Hahn \_\_\_\_\_

COMMONWEALTH OF KENTUCKY ) SS NELSON )

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 5th day of May, 2015.

SIGNED



CLERK OF NELSON COUNTY

ON-GOING - Jim Lemieux reported on progress of the salt barn, telling Court members that sand and salt have been moved and work on the pad will be done today. He also reported on bushhogging, hot mix patching, and completion of repairs to yards that were damaged during the snow removal efforts of this winter.

SURPLUS VEHICLES - On motion of Bernard Ice, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to declare as surplus the following list of vehicles/equipment and to hold a public auction:

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## Surplus Vehicles, Etc. 5/15

1. 2007 Ford White Crown Vic 4-Door 2FAFP71W77X115066
2. 2007 Ford White Crown Vic 4-Door 2FAFP71W67X101711
3. 2009 Ford White Crown Vic 4-Door 2FAHP71V49X115433

4. *John Deere Reno Grader*

5. *Rennell's Truck* 1GTHK33K0PJ755682

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### FIRE DEPARTMENT

Fire Chief Marlin Howard expressed appreciation for the cooperative efforts between Nelson Fiscal Court and the City of Bardstown in their upgrades to fire protection in the Botland area. He also noted amount of time contributed by EMT staff in providing training to student EMT classes and in other venues, again complimenting cooperative effort between EMT and Fire Departments. Howard reported on training that fire crews are now undergoing.

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

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK