

Fiscal Court Orders

REGULAR SESSION OF NELSON FISCAL COURT

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

MINUTES APPROVED - OCT. 20 AND NOV. 4

On motion of Sam Hutchins, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the minutes of the Oct. 20 regular session and of the Nov. 4 special session of Nelson Fiscal Court as presented.

BILLS AND TRANSFERS

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

**Nelson County Fiscal Court
Bills for Court Approval
November 17, 2015**

Name	Memo	Account	Amount
01 General Fund			
ADP	PR 103015	9100301 · Payroll Processing	\$ 449.69
American Tire	SO 72, 21	5105479 · Law Enforc Tires	744.16
Aqua Treat	Monthly treatment	5415329 · Civic Center Maint Contracts	184.80
Bachman Parts	Logan	5115340 · Codes - Vehicle Maintenance	61.52
Bardstown Sporting Goods	Recreation supplies - Howardstown	5405348 · Recreation Program Support	262.00
Blanchett, Clay	Service voting machines	5065336 · Election Equip Main	1,285.00
Bluegrass Integrated Comm	Voter cards postage 1015	5065427 · Elections Supplies	64.75
Choice Uniforms	Uniform shirts - Tyler	5401427 · Recreation Maint Supplies	80.00
City of Bloomfield	Annual recreation support	5405348 · Recreation Program Support	10,000.00
City of New Haven	Annual recreation support	5405348 · Recreation Program Support	10,000.00
Communicare	Indigent care services	5301357 · Indigent Person Services	210.00
Danville Office	Wrist support, fax supplies	5001445 · CJE Office supplies	121.97
Danville Office	Printer ink	5040445 · Treasurer Office Supplies	77.94
Danville Office	Permits, inspection reports	5115427 · Codes - Technical supplies	584.00
Danville Office	Pens, calc paper, fax supplies	5115445 · Codes - Office Supplies	52.75
Duplicator Sales & Service	Monthly copy charges	5205445 · Animal Control Office supplies	15.37
Economy Pest Control	Portable toilet rental Nov 2015	5401364 · Rented Equipment	70.00
Fastenal	Gate repairs	5401334 · Recreation Bldg/Grounds Maint	4.18
Feed America Ky	General Assistance - FY2016	5301515 · General Welfare Assistance	2,500.00
Feed America Ky	Feed America Program 1015	5330515 · Feed America Program	118.17
Galls	Preston	5105481 · Law Enforc Uniforms	289.37
Haydon Materials	New Haven dock	5405348 · Recreation Program Support	279.71
InterAct Public Safety Systems	Software maint agreement	5105336 · Law Enforc. Equipment Repairs	1,389.96
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	115.00
Keystone	Tail light	5205340 · Animal Control Vehicle Expense	50.00
Ky Auditor	Fiscal Court Audit 2014	9100307 · Audit Services	12,973.10
Landmark Comm News	2014 Fiscal Court Audit	9100539 · Advertising & Legal Notices	2,660.63
Landmark Comm News	Rezonings, bids, notices	9100539 · Advertising & Legal Notices	1,268.50
Lincoln Trail ADD	FY 2016 contribution	9100551 · Memberships	8,979.00
NCAH	FY 2016 Supplement	5233315 · Contract NCAH	5,500.00
Nelson County Coroner	Coroner transports Oct 2015	5020308 · Coroner Autopsy & Services	800.00
Nelson County Coroner	Coroner training Oct 2015	5020577 · Coroner travel	467.57
Newcomb Oil Co	Fuel	5135429 · EMA Fuel	72.42
Patrons Home Center	Keys- Red Cross bldg	5001445 · CJE Office supplies	1.89
Patrons Home Center	Bulbs	5080334 · Old Courthouse Bldg Maint	89.90
Patrons Home Center	Custodial supplies	5080411 · Old Courthouse Custodial Supply	468.79
Patrons Home Center	Bulbs	5081334 · Justice Center Bldg Maint	73.75
Patrons Home Center	Custodial supplies	5081411 · Justice Center Custodial Supply	440.30
Patrons Home Center	Lock, entry lever, bulbs	5085334 · Sutherland Bldg Maint	123.38
Patrons Home Center	Custodial supplies	5085411 · Sutherland Bldg Custodial Suppl	401.71
Patrons Home Center	Bulbs, socket reducer	5087334 · Old Library Bldg Maint	62.96
Patrons Home Center	General maint supplies	5090427 · Maintenance - Supplies	236.74
Patrons Home Center	Bulbs, ballasts, door stop, keys	5105334 · Law Enforc Building Maint	224.73
Patrons Home Center	Key	5105340 · Law Enforc Vehicle maintenance	3.19

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Patrons Home Center	Door repairs	5205334 · Animal Control Building Main	52.62
Patrons Home Center	Custodial supplies	5305411 · Sr Citizens Custodial Supply	401.71
Patrons Home Center	Food packing supplies	5330515 · Feed America Program	62.95
Patrons Home Center	Cable ties	5340427 · Comm Svc Supplies	5.79
Patrons Home Center	Fence repair, paint, locks, gate maint	5401334 · Recreation Bldg/Grounds Maint	332.81
Patrons Home Center	Maint supplies, bulbs, keys, gloves	5401427 · Recreation Maint Supplies	269.54
Patrons Home Center	Office setup supplies	5401445 · Recreation Office Supply	44.95
Patrons Home Center	Exit light, bulbs	5415334 · Civic Center Bldg Maint	133.91
Patrons Home Center	Custodial supplies	5415411 · Civic Center Custodial Supplies	401.71
Quick Care Express	Oct 2015 oil changes, maint	5105340 · Law Enforc Vehicle maintenance	1,918.47
Sam's Club	Annual fee	9100551 · Memberships	280.00
SecureNet	Security system - Humane Society	5205329 · Animal Control Maint Contracts	39.95
Springfield Laundry	Mops	5080411 · Old Courthouse Custodial Supply	114.20
Springfield Laundry	Mats, mops	5081411 · Justice Center Custodial Supply	444.80
Springfield Laundry	Mops	5085411 · Sutherland Bldg Custodial Suppl	93.80
Springfield Laundry	Mats, mops	5105411 · Law Enforc Custodial Supplies	122.40
Springfield Laundry	Mats	5415411 · Civic Center Custodial Supplies	37.50
Tractor Supply	Tool box	5401427 · Recreation Maint Supplies	215.99
Total 01 General Fund			68,832.00
02 Road Fund			
American Tire	Shop tires	6105479 · Tires	1,025.19
Asphalt Materials	Chip seal 1450 gallons	6105447 · Dust control-chip seal oil	2,900.00
Cintas	Custodial supply	6105427 · Garage supplies	73.94
Cintas	Uniforms	6105481 · Uniforms	1,357.12
Fastenal	Snow plow maint	6105443 · Parts	31.55
Fastenal	Bridge posts - Dee Head Rd	6105457 · Bridge & Culvert Materials	71.73
Fisher Auto	Bulbs, wiper blades, window scraper	6105427 · Garage supplies	68.40
Haydon Materials	Traffic islands - road dept parking lot	6103334 · Building Maintenance	587.45
Haydon Materials	Pete Hagan, Lydanne Rd	6105447 · Dust control-chip seal oil	1,627.33
Hydraulic Specialists	Boom mower	6105443 · Parts	3,191.63
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	75.00
Keystops	Fuel	6105429 · Fuel	7,093.69
Keystops	Oil - bulk purchase	6105439 · Lubricants	803.92
Kroger	Sugar, creamer	6105427 · Garage supplies	9.98
Larue County Ready Mix	Salt spreader supplies	6105443 · Parts	90.00
Lawson Products	Garage supplies	6105427 · Garage supplies	143.78
Mago Construction	Glenwood Dr	6105311 02 · District 2	8,652.67
Mago Construction	Road dept parking lot-paving	6103334 · Building Maintenance	5,296.71
Patrons Home Center	Custodial supplies, garage supplies	6105427 · Garage supplies	425.96
Patrons Home Center	Propane - oil truck	6105429 · Fuel	53.80
Quality Auto Glass	Windshield - Jerry Newton	6105336 · Equipment repairs	235.00
Quality Auto Glass	Rear glass - accident w/post hole driver	6105336 · Equipment repairs	206.00
Saf-ti-Co	Dee Head Bridge - impact recovery posts	6105469 · Signs & Posts	577.20
Sublet Contractors	Post driver, bush hog, salt box	6105336 · Equipment repairs	637.02
Taylor Battery Co	95 Chevy Truck	6105443 · Parts	121.55
Truck Parts & Service	Truck 306	6105443 · Parts	400.19
Total 02 Road Fund			35,756.81
03 Jail Fund			
Advanced Surveillance	DVR, 12TB storage	5101717 · Jail Equipment	4,789.00
Care A Cell	Lobby kiosk	5101428 · Canteen Inventory	1,267.95
CDA Inc.	Electronic Monitors 0915 GPS	5101314 · Contracts with Other Counties	338.25
Clems	Food	5101425 · Food	887.49
Cocora	Inventory purchases	5101428 · Canteen Inventory	82.50
Cochran Pharmaceuticals	Inmate medical	5101549 · Routine Medical	491.64
Comerstone Inst	Lights for cells	5101329 · Building Main Contracts	1,035.00
Dean Milk	Milk	5101425 · Food	989.08
Flowers Baking Co	Bread	5101425 · Food	362.88
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	80.40
Good Source Solutions	Food	5101425 · Food	596.80
Gordon Foods	Dishmachine lease	5101336 · Equipment Repairs	85.00
Gordon Foods	Cleaning supplies	5101411 · Custodial Supplies	1,655.93
Gordon Foods	Kitchen supplies	5101423 · Food Prep & Serving Supplies	387.35
Gordon Foods	Food	5101425 · Food	8,494.19
Gordon Foods	Canteen purchases	5101428 · Canteen Inventory	481.33
Gordon Foods	Testing supplies	5101549 · Routine Medical	58.16
Hurst, Donna	FY 15 menu approvals	5101423 · Food Prep & Serving Supplies	75.00

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Kentucky One	Inmate:medical	5101549 · Routine Medical	58.00
Kentucky One	Random testing, employee medical	9400547 · Employee Medical/WC Claims	296.00
Ky Juvenile Justice	0715	5102314 · Juvenile housing contracts	564.00
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	3,414.38
Patrons Home Center	Bulbs, lock, filters, cable ties	5101334 · Building Maint Supplies	212.17
Roby's Country Gardens	Food	5101425 · Food	830.25
Securus	Phone cards	5101428 · Canteen Inventory	1,935.80
Universal Toxicology LLC	Pre-trial testing	5101550 · Pretrial Testing Supplies	421.00
Total 03 Jail Fund			<u>29,889.55</u>

04 LGEA Fund			<u>825.62</u>
Haydon Materials	Various county roads	6105409 · Rock	825.62
Total 04 LGEA Fund			<u>825.62</u>

09 Ambulance Fund			
Airgas Mid America	Oxygen	5140550 · Medical supplies & Materials	201.10
American Tire	Sq 31-32-33-36-39-41	5140340 · Vehicle Maintenance & Repairs	1,258.67
American Tire	Sq 31-32-33-39	5140439 · Oil, lubes	419.66
American Tire	Sq 32-36-39	5140443 · Vehicle Parts	847.69
American Tire	Sq 33-41	5140479 · Tires	384.96
Bound Tree Medical	Medical supplies	5140550 · Medical supplies & Materials	412.62
Carey Sign	Reflective decals	5140443 · Vehicle Parts	354.00
Danville Office	Printer ink	5140445 · Office Expense	50.97
Fleet Matics	GPS Service Agreement	5140336 · Equipment Maintenance & Repairs	193.00
Foremost Equipment	Defibrillator batteries	5140550 · Medical supplies & Materials	1,211.00
Franklin Family Chevrolet	Sq 33	5140340 · Vehicle Maintenance & Repairs	225.00
Franklin Family Chevrolet	Sq 33	5140443 · Vehicle Parts	552.41
Galls	Uniforms	5140481 · Staff Uniforms	1,002.33
Galls	Medical supplies	5140550 · Medical supplies & Materials	116.19
Kenny's Laundry	Alterations	5140481 · Staff Uniforms	19.60
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	100.00
Ky Home Electronics	Chargers, USB connections	5140445 · Office Expense	36.93
Louisville Metro EMS	Instructor cards	5140569 · Training	5.75
M Rugged Mobile	Laptop repairs	5140336 · Equipment Maintenance & Repairs	1,072.35
Newcomb Oil Co	Fuel	5140429 · Fuel	5,301.64
Patrons Home Center	Custodial supplies	5140411 · Custodial supplies	148.00
Pat's Alterations	Uniform alterations	5140481 · Staff Uniforms	65.00
QuadMed Inc	Medical supplies	5140550 · Medical supplies & Materials	439.58
Sam's Club	Kitchen supplies	5140411 · Custodial supplies	181.72
Sam's Club	Vehicle maint, parts supplies	5140443 · Vehicle Parts	181.12
Sam's Club	Medical supplies	5140550 · Medical supplies & Materials	94.27
Shred-It USA	File destruction service	5140445 · Office Expense	63.41
Taylor Battery Company Inc	Batteries	5140443 · Vehicle Parts	213.02
Total 09 Ambulance Fund			<u>15,151.99</u>

Subtotal- General Fund Bills

\$ 150,455.97

13 Solid Waste Fund

ALS Association	Hwy 247	5215315 · Roadside Cleanup	200.00
Bardstown Church of God	Lenore Road	5215315 · Roadside Cleanup	500.00
Bardstown HS Key Club	Manton Rd	5215315 · Roadside Cleanup	300.00
Bloomfield Baptist Church	Murrays Run	5215315 · Roadside Cleanup	400.00
Boy Scout Troop 142	Old Boston Rd, Spenc. Mattingly, Withrow Cr	5215315 · Roadside Cleanup	200.00
Boy Scout Troop 996	Monks Road	5215315 · Roadside Cleanup	200.00
Cerebral Palsy Kids Center	Hobbs Lane	5215315 · Roadside Cleanup	200.00
Cobra Youth Wrestling	Hwy 150 Springfield Rd	5215315 · Roadside Cleanup	200.00
Cox's Creek Baptist	Murrays Run	5215315 · Roadside Cleanup	200.00
Cub Scout Pack 721	Filiatreau Lane	5215315 · Roadside Cleanup	200.00
Cub Scout Pack 996	Monks Road	5215315 · Roadside Cleanup	200.00
Girl Scout Troop #550	Hwy 150 Springfield Rd	5215315 · Roadside Cleanup	200.00
Gym Tyme South	Hwy 62 Boston Road	5215315 · Roadside Cleanup	200.00
Nelson Co Baptist Ch	Louisville Road	5215315 · Roadside Cleanup	1,000.00
Nelson Co HS Football	Hwy 55, Hwy 62 Bloomfield Rd	5215315 · Roadside Cleanup	600.00
Nelson Co HS Girls Soccer	Wilkerson Road	5215315 · Roadside Cleanup	400.00
Nelson Co HS Wrestling	Springfield Road	5215315 · Roadside Cleanup	200.00
Nelson Elite Cheer	Pottershop Rd	5215315 · Roadside Cleanup	200.00
New Hope Food Bank	Coon Hollow Rd	5215315 · Roadside Cleanup	200.00
Parkway Baptist Church	Parkway Drive	5215315 · Roadside Cleanup	300.00
Relay for Life -Smith	Roberts Road	5215315 · Roadside Cleanup	200.00
Rolling Fork Baptist Church	BG Pkwy Interchanges - Boston	5215315 · Roadside Cleanup	300.00
			200.00

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St Thomas Senior Citizens	Richie Lane & Quarry Lane	5215315 · Roadside Cleanup	400.00
Thomas Nelson HS Cheer	Templin Avenue	5215315 · Roadside Cleanup	200.00
Thomas Nelson HS Tennis	BG Pkwy Interchange - Springfield Rd	5215315 · Roadside Cleanup	200.00
American Tire	Shop tires	5215479 · Tires	1,581.62
Fisher Auto	Wiper blades, fuses	5215443 · Parts	96.96
Kentucky One	Pre employment test	9400547 · Employee Medical/WC Claims	45.00
Keystops	Fuel, oil, coolant	5215429 · Fuel & Lubricants	11,954.01
Ky Trans Cabinet	Truck license renewals - FY 2016	5215551 · Licenses	120.00
Municipal Equip	Truck 406 - tailgate lift cylinder	5215443 · Parts	866.63
Raben Tire Co	Tires, repairs	5215479 · Tires	1,316.70
Salt River	Garbage billing services	5215320 · Collection Contracts	10,487.70
Springfield Laundry	Uniforms	5215481 · Employee uniforms	442.80
Truck Parts & Service	Tire patching, valve stems, air brake tool	5215443 · Parts	145.10
Total 13 Solid Waste Fund			<u>34,456.52</u>

5 Landfill Fund			
American Tire	Shop tires	5210479 · Tires	2,502.90
AmeriGas	Propane	5210578 · Utilities	124.34
Cintas First Aid & Safety	First aid supplies	5210594 · Crew Safety Equipment	140.80
Duplicator Sales & Service	Monthly copy charges	5210445 · Office Expense	38.61
Fisher Auto	Gas cans, oil, grease, oil dry	5210427 · Main supplies	108.24
Hub City Printing	Weight tickets, roll off tickets	5210445 · Office Expense	1,770.00
Keystops	Fuel, oil, coolant	5210429 · Fuel & Lubricants	8,064.21
Mackin's Wrecker	Tow fee	5217340 · Recycling vehicle expense	175.00
McCoy & McCoy	Monitoring	5210324 · Environmental Monitoring	1,200.50
Patrons Home Center	Flashlight, batteries	5210427 · Main supplies	60.97
SpringCo Janitorial	Custodial supply	5210411 · Custodial supplies	108.89
Springfield Laundry	Cleaning supplies	5210427 · Main supplies	115.00
Springfield Laundry	Uniforms	5210481 · Uniforms	271.96
Truck Parts & Service	Truck 413	5210443 · Parts	91.72
Wayne Supply	826G Compactor	5210443 · Parts	354.42
Total 15 Landfill Fund			<u>15,127.56</u>

3 Occupational Tax Fund			
Danville Office	Paper, labels	5047445 · OLF Office supplies	56.98
Total 23 Occupational Tax Fund			<u>56.98</u>

7 PIC			
Central Ky Plumbing	Sewer line repairs	5082334 · SOB Bldg Main	99.82
Mago Construction	State Off Bldg parking lot - paving	5082334 · SOB Bldg Main	5,738.10
Patrons Home Center	Power wash sprayers, pipe repairs	5082334 · SOB Bldg Main	54.26
Patrons Home Center	Custodial supplies	5082411 · SOB Custodial Supplies	401.71
Paul Davis Restoration	Restoration services - partial billing	5082571 · SOB Repairs	50,630.64
Springfield Laundry	Mats	5082411 · SOB Custodial Supplies	46.40
Total 97 PIC			<u>56,970.93</u>

Subtotal - PIC Fund Bills			<u>\$ 106,611.99</u>
Total Bills to Pay			<u>\$ 257,067.96</u>

Nelson County Fiscal Court Additional Bills for Court Approval

November 17, 2015

Name	Memo	Account	Amount
01 General Fund			
ADP	PR reports 110515	9100301 · Payroll Processing	\$ 47.92
BP Gas	Fuel	5105429 · Law Enforc Fuel	4,900.86
Cook, Neal	Farm Auction - October 6, 2015	5001445 · CJE Office Expense	100.00
KACO	2015 Conference - Metcalfe	5025569 · Magistrates Conferences	250.00
Speedway	Fuel	5105429 · Law Enforc Fuel	333.70
St Monica Parish	Voting machine storage	5065364 · Elections Equipment Storage	1,350.00
Total 01 General Fund			<u>6,982.48</u>
02 Road Fund			
Bowman Brothers Shop	Truck 308	6105443 · Parts	115.00
Hillyard	Paper towels	6105427 · Garage supplies	134.37
Kimball Midwest	Garage supplies	6105427 · Garage supplies	138.89
Lawson Products	Garage supplies	6105427 · Garage supplies	155.40

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NWK Construction	Guardrail - Woodlawn Road Bridge	6105312 · Bridges	4,650.00
NWK Construction	Repairs - Pottershop Road guardrail	6105741 · Guardrail Replacement	2,825.00
Total 02 Road Fund			8,018.66

03 Jail Fund

Gordon Foods	Credit memo	5101425 · Food	(39.20)
Gordon Foods	Kitchen supplies	5101423 · Food Prep & Serving Supplies	890.04
Medica	Inmate medical	5101549 · Routine Medical	460.11
Total 03 Jail Fund			1,310.95

15 Landfill Fund

Ulrich, Pat	Flush leachate lines	5210581 · Leachate Maintenance	1,152.00
Total 15 Landfill Fund			1,152.00

97 PIC

Paul Davis Restoration	Restoration services - final	5082571 · SOB Repairs	29,785.74
Total 97 PIC			29,785.74

Total Additional Bills

\$47,249.83

NELSON COUNTY FISCAL COURT
PrePaid Bills and Upcoming Transfers for Court Approval
 November 17, 2015

Fund/Vendor	Description	Account	Amount
<u>Road Fund</u>			
Bluegrass Eng & Surveying	Continuing Education	6105569 · Staff Training	\$ 160.00
<u>EMS Fund</u>			
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	995.19
Less Discount			(9.94)
<u>Occupational License Fund</u>			
EMS Fund	FY 15 Appropriation	4909 09 · Transfers to EMS	100,000.00
TOTAL PAID BILLS			\$ 101,145.25

ORDINANCE AMENDING PERSONNEL POLICY (FIRST READING)

County Judge-Executive Dean Watts presented in open Court for first reading the following proposed ordinance amending the Nelson County Personnel Policies and Procedures. Said proposed ordinance was read in open Court in resume form and a full copy of the proposed ordinance is as follows:

AN ORDINANCE AMENDING THE PERSONNEL ORDINANCE, CLASSIFICATION AND COMPENSATION PLANS, PERSONNEL POLICIES AND PROCEDURES FOR NELSON FISCAL COURT

ORDINANCE NO. _____ as amended and adopted _____

WHEREAS, the Court held a first reading on _____, 2015 and after due advisement held a second reading and adoption on _____, and after due consideration,

UPON MOTION OF _____, SECONDED BY _____, AND A VOTE BEING HAD AND THE COUNTY JUDGE ANNOUNCING THAT THE MOTION CARRIED,

NOW THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF NELSON COUNTY, COMMONWEALTH OF KENTUCKY:

FAMILY AND MEDICAL LEAVE ACT OF 1993

The Family and Medical Leave Act of 1993 requires "covered" employers with at least 50

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employees to provide "eligible" employees with up to 12 workweeks of unpaid, job-protected leave in a 12 month period for specified family and medical reasons.

EMPLOYEE COVERAGE

The FMLA applies to all public agencies, including state, local, and federal employers. Thus, Nelson County is a "covered" employer as defined in the legislation.

Nelson County hereby adopts the most current version of the United States Department of Labor, Wage and Hour Division Publication on Employee Rights and Responsibilities Under the Family and Medical Leave Act, the most current version of which is attached hereto incorporated by this reference and which shall be updated with any revisions of said publication.

LEAVE ENTITLEMENT

Nelson County will grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12 month period, beginning from the date an employee's first FMLA leave begins, for reasons set forth in the above referenced publication.

SUBSTITUTION OF PAID LEAVE

It is the policy of Nelson County that employees will be required to substitute accumulated paid leave for FMLA leave. Respectively, the employee shall utilize sick leave and vacation leave in place of unpaid leave. To the extent the employee does not have 12 weeks of accumulated leave, the remainder shall be unpaid leave.

The County expressly reserves the right to deny the previous job to "key employees" in instances where such restoration would result in substantial and grievous economic injury to the County. "Key employee" is defined as a salaried FMLA-eligible employee who is among the highest 10 percent of all County employees.

"EMPLOYEE RIGHTS AND RESPONSIBILITIES. . ." attached: See FC ORDERS Page 367

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

PERSONNEL - POSITION RE-INSTATED

Recommendation was made to the Personnel Committee that a position that was eliminated a few years ago at the Code Enforcement/Occupational Tax be re-instated; this is a three-day a week position (part-time), considered necessary in allowing there to be a person in the office if current staff is outside the office and in allowing collections to be made that current staff cannot follow up on due to work load and lack of time. On motion of Sam Hutchins, second of Bernard Ice, and on affirmative vote of Court members Hutchins, Ice, Lear, Hahn and Watts, IT IS HEREBY ORDERED to re-instate the aforementioned position (Code Enforcement/Occupational Tax Office). Magistrate Metcalfe voted against the motion.

RURAL SECONDARY PROGRAM RESOLUTION AND AGREEMENT - WOODLAWN ROAD PROJECT

On motion of Sam Hutchins, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the following resolution and to authorize the County Judge-Executive to sign the following agreement:

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Attachment to Personnel Policy Ordinance (See Pp 365-66):

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth,
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

- *The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

- *Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA, and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



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Resolution and Agreement: Woodlawn Road Project (See Page 366)

R E S O L U T I O N

Fiscal Court of Nelson County

Resolution adopting and approving the execution of a Rural Secondary Program Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, and accepting all roads and streets referred to therein as being a part of the County Road System.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby certify that all roads and streets referred to in said Agreement are county roads as defined in KRS 178.010(1)(b); and

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

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

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

AYES

CJ/E Dean Watts

Magistrate Keith Metcalfe

Magistrate Sam Hutchins

Magistrate Bernard Ice

Magistrate Jeff Lear

Magistrate Jerry Hahn

NAYS

COMMONWEALTH OF KENTUCKY) SS:

NELSON COUNTY)

I, Elaine A Filiatreau, County Clerk of

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Nelson County certify that the foregoing is a true copy of the Order above. Given under my hand and seal of office this the

17 day of November, 2015.



SIGNED

CLERK OF NELSON COUNTY

AGREEMENT BETWEEN KYTC AND NELSON COUNTY, REPLACE A DRAINAGE STRUCTURE ON WOODLAWN ROAD (CR 1012) \$73,100 CB01 RURAL SECONDARY FUND.

AGREEMENT

This Agreement, entered into by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid (hereinafter called the Department) and the Nelson County Fiscal Court (hereinafter called the County);

WITNESSETH:

WHEREAS, it would be to the benefit of the traveling public to replace a drainage structure on Woodlawn Road (CR 1012) located 0.892 miles east of Hilton Lane (MP 3.346) over a tributary of Camp Branch, which shall hereinafter be referred to as the Project; and

WHEREAS, the County has expressed its desire to perform the work for the aforementioned Project and to be responsible for all phases of the Project;

NOW THEREFORE, in consideration of these premises and the mutual covenants contained herein, the parties agree as follows:

1. The Department shall be responsible for providing Rural Secondary funding in an amount not to exceed \$73,100 for the abovementioned Project.
2. If Project is performed by Contract, the County shall employ only contractors prequalified by the Kentucky Transportation Cabinet for the work items included in the Project and shall comply with all legal bidding requirements including, but not limited to, the provisions of KRS 45A and 424. Concurrence must be obtained by the County through the District 4 Chief District Engineer in Elizabethtown, KY prior to the awarding of any contract for work or materials to be used on this Project.
3. The County shall cause the Project to be constructed to a level which meets applicable county road and bridge standards (all bridges will be required to meet or exceed an H-20 loading); and all materials paid for by the Department used on, or incorporated into, the Project shall meet the requirements specified in the Highway Department's Specifications for Road and Bridge Construction, current edition of State Specifications. The County will obtain any required permits or approval of plans for work to be accomplished on state-owned right-of-way from the Cabinet's District 4 Office in Elizabethtown, KY. The County hereby agrees to put forth a reasonable effort to do maintenance on roads listed herein prior to bituminous surface being applied. Maintenance being defined but not limited to proper ditching, cleaning or replacement of clogged or deficient drain tiles, proper shouldering, surface preparation, and any other obvious maintenance the road may need. The minimum thickness of any bituminous surface applied shall be one inch.
4. The County shall indemnify and hold harmless the Department and all of its officers, agents, and employees from all suits, actions, or claims of any character because of any injuries or damages received by any person, persons, or property resulting from construction of the Project.

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5. The Department shall reimburse the County up to \$73,100 for completion of work by the County under the obligations of this agreement, which shall represent the total obligation of the Department.
6. The County agrees to be responsible for all cost above \$73,100.
7. The County shall maintain for a period of three (3) years all records of material, equipment, and labor costs involved in the performance of the work for the Project. These records may be subject to audit by the Transportation Cabinet. In order to obtain reimbursement from the Department for the Project, the County shall submit to the Office of Rural and Secondary Roads documented invoices of materials, equipment, and labor used on the Project, including certification that the work was accomplished on a publicly maintained facility in accordance with this agreement.
8. The County may submit current billing reflecting the actual cost of the project during any given work period. This bill should indicate if it is for partial payment or final payment. The current billings will be paid within a reasonable time after receipt of same by the Department; however, in no event is the County to submit billings for work performed for less than a thirty-day (30) period.
9. The Department reserves the right to inspect the methods used in order to perform the work necessary to successfully complete the Project and also reserves the right to cease all work commenced under the terms of this agreement at any time.
10. The County will pass the attached Resolution and a copy of that resolution shall be attached to and made a part of this Agreement.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its officers, thereunto duly authorized.

NELSON COUNTY FISCAL COURT

By *Jim Webb*
COUNTY JUDGE/EXECUTIVE

Date: 11-17-15

DEPARTMENT OF RURAL AND MUNICIPAL AID

By _____
COMMISSIONER

Date: _____

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

By _____
SECRETARY

Date: _____

APPROVED AS TO FORM
AND LEGALITY:

By _____ Date: _____
OFFICE OF LEGAL SERVICES

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DEPARTMENT REPORTS--ROAD DEPARTMENT

****PAUL DONAHUE TO FOREMAN** - Jerry Newton is scheduled to retire from his position as foreman at the Road Department; advertisement has been done internally for someone within the County to fill his position. On recommendation of Judge Watts, and on motion of Jerry Hahn, second of Bernard Ice, by unanimous vote of the Court, **IT IS HEREBY ORDERED** to approve moving Paul Donahue to the position of Foreman at the Road Department.

****ON-GOING** - County Engineer Jim Lemieux reported as follows:

1) On ongoing bushhogging, boom mowing, grader work, hot mix patching on various roads (finished for season), request proposal from Mago for cold mix, tree removal, and pipe installation on various roads; 2) On problems with International truck engines and resultant concern that truck could go down during winter weather work, therefore Court agreed that a tandem truck at the landfill could be prepared as a backup; 3) On recertification of three employees for weed control; 4) On delivery of salt; and 5) On two developments in progress---Cormans Crossing and Lakeside Ln.

LANDFILL/SOLID WASTE

Brad Spalding explained holiday schedule, reported on a recent EPA inspection, and told members of Nelson Fiscal Court of use of broken-up concrete (hauled after being dumped by local plants) for roadbeds at the landfill, which works well and saves on rock.

JAIL

****REGULAR REPORT** - Presented by Jailer Dorcas Figg:

NELSON COUNTY JAIL

	Total	Hardin Co	HIP	State	W-End	KCPC	In House
NOV.							
Thur. 05	129	2	4	28	7	1	115
Fri. 06	125	2	4	30	7	1	111
Sat. 07	126	2	3	30	6	1	114
Sun. 08	127	2	3	30	6	1	115
Mon. 09	127	2	3	30	5	1	116
Tue. 10	127	2	3	32	7	1	114
Wed. 11	129	2	3	32	7	1	116
Thur. 12	129	2	3	32	5	1	118
Fri. 13	134	2	3	32	5	1	123
Sat. 14	130	2	2	32	5	1	120
Sun. 15	131	2	2	32	5	1	121
Mon. 16	126	2	2	31	5	1	116
Tue. 17	127	2	3	30	6	1	115

****JUSTIN DAVID HALL EMPLOYED** - On motion of Jeff Lear, second of Bernard Ice, by unanimous vote of the Court, **IT IS HEREBY ORDERED** to approve Jailer Dorcas Figg's employment of Justin David Hall as a Deputy Jailer, this to replace retiring Deputy Jailer Doug Karr. Hall is currently employed by the Hardin County Jail.

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911 SERVICE/FUNDING

Judge Watts introduced the subject of funding 911 service and the potential for provision of a more equitable mechanism for funding of that service in view of a recent decision related to a Boone County court decision and in light of loss of revenue dedicated to 911 due to reduction in land lines. Magistrate Jeff Lear explained that 911 funds charged to cell phone users are pooled and dispersed among counties that meet 911 technological criteria. Although not now being presented as an option that should be implemented, Judge Watts said that he wanted to introduce the idea that a 911 fee could possibly be added to property tax bills as a more equitable means of funding that service and as a means of replacing the land line fees, although today's discussion is not an intent to move forward with that idea at this time.

Following appreciation expressed to Theresa Cammack for her years of service as a member of the Planning Commission, on motion of Bernard Ice, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the Nov. 17 session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK