

Fiscal Court Orders

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

NELSON COUNTY FIRE AND RESCUE FEES - PUBLIC HEARING

County Judge-Executive Dean Watts called to order a public hearing, as advertised, in order to hear comments related to a request by Nelson County Fire and Rescue to increase fire dues for that agency from \$50 to \$60; proposal has been made that there be an incremental increase of \$2 over a period of years. Judge Watts reported no written comments; there were no comments from those present at the meeting. Therefore, the public hearing was closed.

LOCAL GOVERNMENT ECONOMIC ASSISTANCE - PUBLIC HEARING

County Judge-Executive Dean Watts called to order a public hearing related to LGEA funds and their use. No written comments have been received. Funding from the minerals tax is used on roads. With no comment from those present, the public hearing regarding LGEA funds was closed.

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**
May 17, 2016

Name	Memo	Account	Amount
01 General Fund			
ADP	PR processing 042916	9100301 · Payroll Processing	\$ 434.34
AIA Kentucky	Spaulding training	5115569 · Codes - Staff Training	95.00
American Tire	SO 43	5105479 · Law Enforc Tires	525.52
Aqua Treat	Monthly water treatment	5415329 · Civic Center Maint Contracts	184.80
Bardstown Schools	FY 2015-2016 Student Transportation	6301370 · School Children Transport	5,285.09
Becky's Vac Shop	Vacuum repairs- motor	5105411 · Law Enforc Custodial Supplies	45.00
Bluegrass Integrated Comm	Voter cards postage 0416	5065427 · Elections Supplies	231.00
Bluegrass Uniforms Inc	Riley	5105481 · Law Enforc Uniforms	69.00
Code Administrators Assoc	Membership Dues - Coffman	5115551 · Codes - Dues & Certifications	25.00
Coulter's Towing	SO 38	5105369 · Law Enforc Towing Services	67.50
Danville Office	Office supplies	5001445 · CJE Office Expense	13.46
Danville Office	Paper, envelopes	5040445 · Treasurer Office Supplies	49.98
Danville Office	Paper, pencil lead	5115445 · Codes - Office Expense	44.13
Feed America Ky	Feed America Program 0416	5330515 · Feed America Program	225.00
Galls	Safety vests	5115481 · Codes - Uniforms	74.05
Galls	Uniforms	5105481 · Law Enforc Uniforms	1,551.35
Haydon Materials	Sand - baseball fields	5401334 · Recreation Bldg/Grounds Maint	155.54
J & G Equip	Weed eater supplies	5340427 · Comm Svc Supplies	14.98
JBK, Inc.	Roof repairs - Wave 3 camera area	5087334 · Old Library Bldg Maint	468.50
Joe Hill's	Blades for hedge trimmers	5340427 · Comm Svc Supplies	83.49
KACo Unemployment	2016 Unemployment Premium	9400208 · Unemployment Insurance	16,792.93
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	210.00
Ky Housing - Codes	Compliance, final occupancy stickers	5115427 · Codes - Technical supplies	156.00
L&W Emergency Equip	SO 28	5105441 · Law Enforcement Equipment	1,885.41
Landmark Comm News	Budget amend, bridge bids, salt bids	9100539 · Advertising & Legal Notices	573.60
Leo Talbott & Sons	Control module for chiller	5080329 · Old Courthouse Main Contracts	1,980.00
Leo Talbott & Sons	Air compressor, AC service	5085329 · Sutherland Bldg Main Contracts	690.00
Leo Talbott & Sons	Heat pumps, boiler	5415329 · Civic Center Maint Contracts	1,310.00
Nelson County Coroner	Coroner transports 0416	5020308 · Coroner Autopsy & Services	1,200.00
Nelson County Coroner	Continuing education	5020569 · Coroner Training & Education	125.00
Nelson County Extension Office	Audio and visual equipment	5415446 · Civic Center Supplies & Equip	3,500.00

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Patrons Home Center	Wasp spray, sand for ash tray dispensers	5080411 · Old Courthouse Custodial Supply	14.07
Patrons Home Center	Water fountain repairs, bulbs	5081334 · Justice Center Bldg Maint	209.13
Patrons Home Center	Flag snaps	5081411 · Justice Center Custodial Supply	50.96
Patrons Home Center	Ballasts, bulbs	5085334 · Sutherland Bldg Maint	205.48
Patrons Home Center	Painting	5086334 · Wickland Building/Repairs	122.91
Patrons Home Center	Maint supplies	5090427 · Maintenance - Supplies	72.58
Patrons Home Center	Trim repairs, keys, bolts	5105334 · Law Enforc Building Maint	57.17
Patrons Home Center	Marking paint	5105435 · Law Enforc Supplies	11.98
Patrons Home Center	Entrance glass install	5105571 · Law Enforc. Building Repairs	24.39
Patrons Home Center	Connect gas line to generator	5145420 · Tower and Generator Maint	109.20
Patrons Home Center	Bulbs	5205334 · Animal Control Building Main	134.70
Patrons Home Center	Horse rescue	5205385 · Animal Rescue Services	24.98
Patrons Home Center	Water hose and nozzle	5205427 · Animal Control Feed & supplies	22.98
Patrons Home Center	Baseball fields - keys, locks	5401334 · Recreation Bldg/Grounds Maint	255.65
Patrons Home Center	Weed killer, keys, paint/primer, supplies	5401427 · Recreation Maint Supplies	194.76
Patrons Home Center	Balltown park repairs	5405348 · Recreation Program Support	77.46
Quality Auto Glass	Storefront windows, door, glass; glaze counter tops	5105571 · Law Enforc. Building Repairs	8,050.00
Settles, Bobby	Buff floors	5080329 · Old Courthouse Main Contracts	90.00
Sherwin Williams	Fence painting	5086334 · Wickland Building/Repairs	450.80
Springfield Laundry	Mats, mops	5080411 · Old Courthouse Custodial Supply	54.20
Springfield Laundry	Mats	5081411 · Justice Center Custodial Supply	444.80
Springfield Laundry	Mops, mats	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	25.00
St Monica Parish	Voting machine storage	5065364 · Elections Equipment Storage	1,350.00
Sunbelt Rentals	Rent aerator - soccer fields	5401334 · Recreation Bldg/Grounds Maint	52.85
Tractor Supply	Weed killer, sprayer repairs, gas can	5090427 · Maintenance - Supplies	127.96
Tractor Supply	Horse rescue	5205385 · Animal Rescue Services	58.95
Tractor Supply	Batting cage repair/maint	5401334 · Recreation Bldg/Grounds Maint	51.60
Total 01 General Fund			50,626.43

02 Road Fund

Cintas	Uniforms	6105481 · Uniforms	1,357.44
CMI Equipment	Boom mower	6105443 · Parts	47.28
Hydraulic Specialists	Boom mower	6105336 · Equipment repairs	1,371.24
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	70.00
Keystops	Washer fluid, mystik, antifreeze	6105427 · Garage supplies	631.90
Keystops	Fuel	6105429 · Fuel	7,594.51
Kroger	Sugar, creamer	6105427 · Garage supplies	23.74
Lasco	Truck 300; filters	6105443 · Parts	145.93
Limestone Farm Lawn	Boom mower repairs	6105443 · Parts	802.67
Mago Construction	Bennetts Ln	311 07 · State Bond Projects	29,553.15
Patrons Home Center	Primer, paint stripping, keys	6105427 · Garage supplies	42.52
Patrons Home Center	Shovels	6105475 · Tools	25.98
Peterson Truck	Truck 300	6105443 · Parts	242.58
Saf-ti-Co	Private road signage	6105420 · 911 Road Signage	330.50
Saf-ti-Co	Sign posts	6105469 · Signs & Posts	1,982.50
Sublet Contractors	Tandem 305, Roller trailer	6105336 · Equipment repairs	861.89
Truck Parts & Service	Mirror mount, creeper, freon	6105427 · Garage supplies	237.91
Truck Parts & Service	Truck 300, Service Truck	6105443 · Parts	97.22
Wayne Supply	Hydraulic oil	6105439 · Lubricants	98.33
Wayne Supply	Road Tractor	6105443 · Parts	30.94
Total 02 Road Fund			45,548.23

03 Jail Fund

Care A Cell	Lobby kiosk 0416	5101428 · Canteen Inventory	801.85
Clems	Food	5101425 · Food	1,716.38
Coca Cola	Inventory purchases	5101428 · Canteen Inventory	255.00
Cochran Pharmaceuticals	Inmate medical	5101549 · Routine Medical	1,690.34
Dean Milk	Milk	5101425 · Food	733.43
Flowers Baking Co	Bread	5101425 · Food	331.30
Flowers Baking Co	Inventory	5101428 · Canteen Inventory	369.84
Gordon Foods	Cleaning supplies	5101411 · Custodial Supplies	537.77
Gordon Foods	Kitchen supplies	5101423 · Food Prep & Serving Supplies	161.71
Gordon Foods	Food	5101425 · Food	3,137.50
Gordon Foods	Canteen purchases	5101428 · Canteen Inventory	184.37
IHS Pharmacy	Inmate medical	5101549 · Routine Medical	367.74
Kentucky One	Inmate medical 0416	5101549 · Routine Medical	808.00
Kentucky One	Employee medical	9400547 · Employee Medical/WC Claims	45.00
Leo Talbott & Sons	Ice machine	5101329 · Building Main Contracts	150.00
Maxima Supply	Inventory purchases	5101428 · Canteen Inventory	1,992.26
Medica	Inmate medical	5101549 · Routine Medical	204.52
Patrons Home Center	Thermostat cover guard, filters, bolts	5101334 · Building Maint Supplies	81.59
Redwood Toxicology	Testing supplies	5101550 · Pretrial Testing Supplies	690.00
Roby's Country Gardens	Food	5101425 · Food	523.50
Securus	Phone cards	5101428 · Canteen Inventory	1,757.60
Total 03 Jail Fund			16,539.70

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04 LGEA Fund			
Haydon Materials	Various county roads	6105409 · Rock	1,159.81
Total 04 LGEA Fund			1,159.81
09 Ambulance Fund			
American Tire	Sq 33 34 35 36 38 39	5140340 · Vehicle Maintenance & Repairs	1,481.95
American Tire	Sq 33 34 36 38	5140439 · Oil, lubes	433.99
American Tire	Sq 33 35 39	5140443 · Vehicle Parts	1,293.55
American Tire	Sq 33 38 39	5140479 · Tires	304.57
Bound Tree Medical	Medical supplies	5140550 · Medical supplies & Materials	1,360.10
Danville Office	Forms	5140445 · Office Expense	28.99
Fleet Matics	GPS Service Agreement	5140336 · Equipment Maintenance & Repairs	407.80
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	140.00
Nelson Co Health Center	Employee medical	5140549 · Employee Medical	244.00
Newcomb Oil Co	Fuel	5140429 · Fuel	4,345.42
Patrons Home Center	Dryer vent, light control sensor	5140334 · Building maintenance	35.98
Pat's Alterations	Uniform alterations	5140481 · Staff Uniforms	19.00
QuadMed Inc	Medical supplies	5140550 · Medical supplies & Materials	329.92
Sam's Club	Antifreeze, washer fluid	5140439 · Oil, lubes	47.99
Sam's Club	Vehicle supplies	5140443 · Vehicle Parts	71.83
Sam's Club	Printer ink, memory cards	5140445 · Office Expense	131.82
Sam's Club	TV, dvd player, printer	5140446 · Housing expenses	359.88
Sam's Club	Tissue	5140550 · Medical supplies & Materials	15.88
TESS Company	Oxygen	5140550 · Medical supplies & Materials	63.45
Tractor Supply	Muffler for generator	5140334 · Building maintenance	44.98
Total 09 Ambulance Fund			11,161.10
Subtotal - General Fund Bills			\$ 125,035.27
13 Solid Waste Fund			
Bethlehem NHS	Hwy 31E New Haven Rd	5215315 · Roadside Cleanup	\$ 200.00
Bloomfield Baptist Church	Murrays Run	5215315 · Roadside Cleanup	400.00
Bloomfield Church of God	BG Parkway Interchange Bloomfield	5215315 · Roadside Cleanup	200.00
Boy Scout Troop 142	Old Boston Rd, Spencer Mattingly, Withrow Cr	5215315 · Roadside Cleanup	200.00
Euclid Lodge #13	Poplar Flat, Gilkey Run	5215315 · Roadside Cleanup	400.00
Girl Scout Troop #550	Hwy 150 Springfield Rd	5215315 · Roadside Cleanup	200.00
Nelson Co 4H	Hwy 62 Bloomfield Rd	5215315 · Roadside Cleanup	200.00
Nelson Co HS Girls Soccer	Wilkerson Road	5215315 · Roadside Cleanup	400.00
Culver, Charles Eric	Boot allowance	5215481 · Employee uniforms	75.00
FleetPride	Transmission fluid	5215427 · Garage supplies	499.56
FleetPride	Parts for Truck 414; filters	5215443 · Parts	1,247.40
General Fund	3% - 11658 customers@\$8/mo	5215543 · Franchise fee	33,573.60
Hillyard	Trash bags	5215315 · Roadside Cleanup	1,602.79
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	75.00
Keystops	Fuel	5215429 · Fuel & Lubricants	8,603.11
Lasco	Truck 414	5215443 · Parts	1,423.08
Salt River	Garbage billing services	5215320 · Collection Contracts	10,514.70
Springfield Laundry	Uniforms	5215481 · Employee uniforms	421.55
Total 13 Solid Waste Fund			60,235.79
15 Landfill Fund			
AmeriGas	Propane	5210578 · Utilities	340.50
City of Bardstown	50% cost - repair damaged city truck	5210336 · Equipment Repairs	831.24
Fisher Auto	Shifter cable - 1999 Chevy	5210443 · Parts	135.71
FleetPride	Filters, seal clamp, ignition switch	5210443 · Parts	926.80
FleetPride	Pliers, ratchets, socket & extension sets	5210475 · Tools	822.42
Hite Engineering	2016 Annual site survey	5210323 · Engineering	5,121.07
Kentucky One	Random testing	9400547 · Employee Medical/WC Claims	70.00
Keystops	Fuel	5210429 · Fuel & Lubricants	3,439.62
Lasco	Truck 304 - clutch; brake drum handler	5210443 · Parts	3,324.43
McCoy & McCoy	Monitoring	5210324 · Environmental Monitoring	12,873.95
Patrons Home Center	Truck 418	5210443 · Parts	16.99
SpringCo Janitorial	Janitorial supply	5210411 · Custodial supplies	230.85
Springfield Laundry	Cleaning supplies	5210427 · Main supplies	115.00
Springfield Laundry	Uniforms	5210481 · Uniforms	271.96
Wayne Supply	Highlift, compactor	5210443 · Parts	715.47
Total 15 Landfill Fund			29,236.01
23 Occupational Tax Fund			
Danville Office	Desk organizer copy holder	5047445 · OLF Office supplies	49.99
Total 23 Occupational Tax Fund			49.99
97 PIC			
Springfield Laundry	Mats	5082411 · SOB Custodial Supplies	32.80
Total 97 PIC			32.80
Subtotal - PIC fund bills			\$ 89,554.59
Total Bills			\$ 214,589.86

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Nelson County Fiscal Court Additional Bills for Court Approval May 17, 2016

Name	Memo	Account	Amount
01 General Fund			
ADP	PR processing 050516	9100301 · Payroll Processing	\$ 47.92
Duplicator Sales	Monthly copy charges	5205445 · Animal Control Office supplies	15.37
Economy Pest Control	Portable toilet rental May 2016	5401364 · Rented Equipment	70.00
Galls	Tactical gun mounted lights (5)	5105481 · Law Enforc Uniforms	555.00
Kelco Supply	Cot	5020427 · Coroner Supplies	3,220.39
L&W Emergency Equip	Siren - Homeland Security Grant	5139446 · Weather Siren Equipment	17,900.00
Lawson Products	Spray adhesive, stain remover, maint supply	5090427 · Maintenance - Supplies	111.81
Modern Marketing	DARE Supplies	5105348 · DARE Program	512.58
Quick Care Express	April 2016 maintenance	5105340 · Law Enforc Vehicle maintenance	2,320.01
Saf-ti-Co	Signs - No Parking, Handicap Access.	5401469 · Park signage	909.20
SecureNet	Security system - Humane Society	5205329 · Animal Control Maint Contracts	39.95
Speedway	Fuel	5105429 · Law Enforc Fuel	600.83
Total 01 General Fund			26,303.06
02 Road Fund			
Hayes Pipe Supply	Pipe	6105457 · Bridge & Culvert Materials	18,424.86
Kimball Midwest	Industrial cleaners, disc	6105427 · Garage supplies	149.85
Saf-ti-Co	Private road sign	6105420 · 911 Road Signage	134.50
Saf-ti-Co	Various street signs	6105469 · Signs & Posts	354.20
Team Boone	Masden Road - cross drain clearing	6105457 · Bridge & Culvert Materials	600.00
Total 02 Road Fund			19,663.41
03 Jail Fund			
Kentucky One	Pre employment testing	9400547 · Employee Medical/WC Claims	135.00
Total 03 Jail Fund			135.00
09 Ambulance Fund			
Kentucky One	Pre employment testing	9400547 · Employee Medical/WC Claims	45.00
M Rugged Mobile	Laptop repairs	5140336 · Equipment Maintenance & Repairs	306.85
Mohawk Medical	Medicine and supplies	5140550 · Medical supplies & Materials	312.17
TESS Company	Oxygen	5140550 · Medical supplies & Materials	51.05
Total 09 Ambulance Fund			715.07
13 Solid Waste Fund			
Mr. Music	Truck 414	5215339 · Radios, Repair and Maint	100.00
New Hope Food Bank	Coon Hollow Rd	5215315 · Roadside Cleanup	300.00
Sublet Contractors	Truck 414	5215443 · Parts	32.18
Total 13 Solid Waste Fund			432.18
15 Landfill Fund			
Brandeis	Crimping materials	5210541 · Hydraulic Parts & Equipment	45.52
Duplicator Sales	Monthly copy charges	5210445 · Office Expense	124.98
Haydon Materials	Rock	5210571 · Property Maintenance	338.76
Lawson Products	Garage supplies	5210427 · Main supplies	103.37
Quill Corporation	Cordless phone - new shop	5210445 · Office Expense	129.99
Roppel's	826 Compactor maint	5210336 · Equipment Repairs	150.00
Whayne Supply	AC compressor - Highlift	5210443 · Parts	815.44
Whayne Supply	Fuel cap - backhoe	5210443 · Parts	35.32
Total 15 Landfill Fund			1,743.38
Total Additional Bills			\$ 48,992.10

NELSON COUNTY FISCAL COURT
PrePaid Bills and Upcoming Transfers for Court Approval
May 17, 2016

Fund/Vendor	Description	Account	Amount
General Fund			
BP Gas	Fuel		
Nelson County Jail	Transfers from General Fund - Apr 2016	5105429 · Law Enforcement Fuel	\$ 4,624.46
USI Insurance	Add 2016 Garbage Truck, remove old	4909 03 · Transfers to Jail	157,167.83
		9100521 · County insurance	129.48

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Road Fund

Kimball Midwest
Less Discount

Scraper

6105427 · Garage supplies

5.49
(0.05)

EMS Fund

Buzick
Less Discount
Mohawk Medical
Less Discount

Door repairs

5140334 · Building maintenance

3.29
(0.13)

Medicine and supplies

5140550 · Medical supplies & Materials

407.32
(4.07)

Solid Waste Fund

TNHS Project Grad

BG Pkwy Interchange - New Haven

5215315 · Roadside Cleanup

200.00

Landfill Fund

Kimball Midwest
Less Discount

Tester

5210475 · Tools

52.11
(0.52)

PIC Fund

Miscellaneous
Salt River Electric
Salt River Electric

Closing costs - sale to Thai Summit

8011716 07 · Thai Summit

27.00

Salt River Electric

Principal Balance - Note Payable

7500 603 12 · Salt River Note Principal

1,106,602.74

Salt River Electric

Interest due on Note Payable

7500 607 12 · Salt River Note Interest

350,151.48

TOTAL PAID BILLS

\$ 1,619,366.43

ORDINANCE SETTING BUDGET FOR NELSON COUNTY FOR FISCAL YEAR 2016-17 (SECOND READING)

The following ordinance is approved after a second reading on motion of Sam Hutchins, second of Jeff Lear, and by affirmative vote of all Court members:

BUDGET SUMMARY

WHEREAS, the proposed budget was tentatively approved by the fiscal court on May 3, 2016, 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 2016-2017 and the amounts stated are appropriated for the purposes indicated.

(01) GENERAL FUND	
General Government	\$ 1,300,000
Protection to Persons & Property	1,691,000
General Health & Sanitation	839,500
Social Services	201,500
Recreation	477,000
Roads	55,000
Transportation	235,000
Debt Service	139,000
Capital	218,000
Administration	1,733,000
Reserve	114,000
TOTAL	<u>\$ 7,003,000</u>

(02) ROAD FUND

Roads	\$ 1,281,000
Capital	805,000
Administration	385,000
Reserve	146,000
TOTAL	<u>\$ 2,617,000</u>

(03) JAIL FUND

Protection to Persons & Property	\$ 1,414,500
Administration	337,500
Reserve	15,000
TOTAL	<u>\$ 1,767,000</u>

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(04) LGEA FUND
Roads \$ 195,000
Reserve 155,000
TOTAL \$ 350,000

(09) EMS FUND
Protection to Persons & Property
Capital \$ 1,697,300
Administration 162,500
Reserve 574,200
TOTAL 136,000
\$ 2,570,000

(13) SOLID WASTE FUND
General Health & Sanitation
Capital \$ 1,727,500
Administration 55,000
Reserve 316,600
TOTAL 257,900
\$ 2,357,000

(15) LANDFILL
General Health & Sanitation
Capital \$ 1,466,000
Administration 415,000
Reserve 421,400
TOTAL 595,600
\$ 2,898,000

(23) OCC LICENSE TAX FUND
General Government \$ 143,600
Protection to Persons & Property 75,000
Transportation 44,800
Administration 15,700
Reserve 254,900
TOTAL \$ 534,000

(97) PUBLIC IMPROVEMENT CORP FUND
General Health & Sanitation \$ 42,600
Debt Reserve 903,400
Reserve 3,000
TOTAL \$ 949,000

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 Waitts, 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.nelsoncountyny.com, with the Treasurer's reports.

APPOINTMENTS

**BIDC -- On motion of Jerry Hahn, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the appointment of Tim Sharp to the BIDC Board:

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NELSON COUNTY FISCAL COURT

ORDER

Pursuant to the relative Kentucky Revised Statutes, Tim Sharp is hereby appointed to the Bardstown Industrial Development Corporation Board for a term in accordance to the Bylaws or governing Regulations in place.

Dean Watts
Dean Watts
Nelson County Judge Executive

5-17-16
Date

**LINCOLN TRAIL AGING ADVISORY COUNCIL - On motion of Sam Hutchins, second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve the appointment of Judy Cederholm to the Lincoln Trail Aging Advisory Council:

NELSON COUNTY FISCAL COURT

ORDER

Pursuant to the relative Kentucky Revised Statutes, Judy Cederholm is hereby appointed to the Lincoln Trail Aging Advisory Council for a term in accordance to the Bylaws or governing Regulations in place.

Dean Watts
Dean Watts
Nelson County Judge Executive

5-17-16
Date

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NELSON COUNTY FIRE AND RESCUE DUES

On motion of Keith Metcalfe, second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve increasing that Fire Department's dues from \$50 to \$60 annually.

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HEAVEN HILL INDUSTRIAL REVENUE BOND RESOLUTION AND AGREEMENT

Following lengthy discussion, on recommendation of the County Judge-Executive, and on motion of Jerry Hahn, second of Bernard Ice, and by affirmative vote of Court members Hahn, Ice, Hutchins and Watts, IT IS HEREBY ORDERED to

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approve the following resolution and Memorandum of Agreement between the County of Nelson and Heaven Hill Distilleries, Inc. Magistrates Metcalfe and Lear voted against the motion.

RESOLUTION

A RESOLUTION OF THE FISCAL COURT OF THE COUNTY OF NELSON, KENTUCKY (THE "COUNTY") AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY AND HEAVEN HILL DISTILLERIES, INC., RELATING TO THE ACQUISITION, CONSTRUCTION, EQUIPPING AND INSTALLATION OF A PRODUCT DISTRIBUTION FACILITY AND TANGIBLE PROPERTY THEREIN TO BE LOCATED IN THE COUNTY; AGREEING TO UNDERTAKE THE ISSUANCE OF INDUSTRIAL BUILDING REVENUE BONDS AT THE APPROPRIATE TIME TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING, EQUIPPING AND INSTALLING SAID FACILITY; AND TAKING OTHER PRELIMINARY ACTION.

WHEREAS, Heaven Hill Distilleries, Inc. (the "Company"), is a Kentucky corporation duly organized and in good standing under the laws of the Commonwealth of Kentucky (the "Commonwealth"; and

WHEREAS, the Company proposes to undertake an industrial building project, within the meaning of the Industrial Buildings for Cities and Counties Act, as amended, Sections 103.200 to 103.285 of the Kentucky Revised Statutes (the "Act"), consisting of: (i) the construction of a product distribution facility in the County; (ii) the reimbursement to the Company for costs already incurred and paid with respect to the construction of the product distribution facility; and (iii) the payment of certain costs of issuance (the Project and the payment of costs of issuance, collectively the "Project"); all in furtherance of the purposes of the Act and the public benefit of the residents and inhabitants of the County; and

WHEREAS, the County (the "Issuer") is authorized by the Act to issue its industrial building revenue bonds (the "Bonds") for the purpose of defraying the cost of the Project; discussions have occurred between the Company and the Issuer incident to the issuance of the Bonds by the Issuer; the Issuer has agreed with the Company to issue the Bonds based upon compliance by the Company with certain conditions, requirements, and obligations, and subject to the approval by the Issuer of the terms of all agreements, ordinances, and other documents required incident to the Bonds issue; and the Issuer has authorized the Company to proceed with the Project, subject to reimbursement of the initial costs of the Project from the proceeds of the Bonds, when, as, and if issued; and

WHEREAS, based upon an estimate of the costs of the Project, the Issuer proposes to issue the Bonds in an amount not to exceed TWENTY-NINE MILLION DOLLARS (\$29,000,000.00), such Bonds to be delivered by the Issuer to pay the costs of the Project, together with costs incident to the authorization and issuance of the Bonds, but with such contributions from the Company as may be necessary; and

WHEREAS, the Issuer proposes to enter into at the appropriate time a lease agreement with the Company (the "Lease Agreement") with respect to the Project, whereby the Company will covenant and agree to make rental payments sufficient to provide for payment of principal of, premium, if any, and interest on the Bonds as the same become due and payable and any other costs of the Issuer incurred in connection with the issuance of the Bonds and the Project; the liability of the Company under this instrument or any other instrument related to the issuance of the Bonds shall be limited to its interest in the Project to be financed thereby and no other party shall have the right to obtain payment from the Company or from any assets of the Company other than such Project; and

WHEREAS, the undertaking of the Project by the Company will promote economic development of the Commonwealth and the County, will encourage the increase of industry, and will improve the economic welfare of the inhabitants of the County; and

WHEREAS, it is deemed necessary and advisable that a Memorandum of Agreement between the Issuer and the Company be executed setting forth the agreements of the parties with respect to the financing of the Project, the issuance of the Bonds to defray the costs thereof, and the payments by the Company with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF THE ISSUER AS FOLLOWS:

SECTION I. It is hereby found, determined, and declared that the recitals set forth in the preamble to this Resolution, which are incorporated in this Section by reference, are true and correct.

Fiscal Court Orders

SECTION II. The Project is intended to accomplish the public purposes of the Act by promoting the economic development of the Commonwealth and the Issuer, and encouraging the increase of industry.

SECTION III. The Issuer hereby undertakes to issue the Bonds in a principal amount not to exceed TWENTY-NINE MILLION DOLLARS (\$29,000,000.00) to finance or reimburse the Company for the certain costs relating to the Project, for a term of 30 years. The issuance of the Bonds shall be conditioned upon the negotiation of acceptable terms with the purchase of the Bonds and the execution of an acceptable Lease Agreement between the Issuer and the Company.

SECTION IV. The Company has represented that it will have sufficient financial resources to finance the Project and to place in operation and continue to operate, maintain and insure the Project throughout the term of the Bond issue, meeting when due the obligations of the proposed Lease Agreement; and sufficient safeguards will be provided in the Lease Agreement to insure that all money provided from the proceeds of the sale of the Bonds will be expended by way of direct expenditure or reimbursement, solely and only for the purposes of the Project.

SECTION V. The County Judge/Executive is hereby authorized and directed to execute, and the Fiscal Court Clerk of the Issuer is hereby authorized and directed to attest, a Memorandum of Agreement between the Issuer and the Company setting forth their preliminary agreements respecting the Bonds and the financing of the Project in the form attached hereto as Exhibit A.

SECTION VI. THE BONDS SHALL NOT BE A GENERAL OBLIGATION OR INDEBTEDNESS OF THE ISSUER, THE COMMONWEALTH OR ANY AGENCY OR POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF THE CONSTITUTION AND LAWS OF THE COMMONWEALTH BUT SHALL BE PAYABLE SOLELY FROM THE LEASE PAYMENTS TO BE MADE BY THE COMPANY TO THE ISSUER PURSUANT TO THE LEASE AND ANY SECURITY MORTGAGED AND PLEDGED THEREFOR, WHICH COLLATERAL SECURITY MAY INCLUDE THE PROJECT.

SECTION VII. In order to induce the acquisition, construction, equipping and installation of the Project in the County with the resultant public benefits which will flow therefrom, it is deemed necessary and advisable that the Memorandum of Agreement hereinafter referred to be approved and executed for and on behalf of the Issuer. Accordingly, the Memorandum of Agreement by and between the Company and the Issuer substantially in the form and with the contents set forth in Exhibit A attached hereto and incorporated herein by reference is hereby approved and the County Judge/Executive is hereby authorized and directed to execute and deliver said Memorandum of Agreement.

SECTION VIII. The Issuer assumes no responsibility for the acquisition, construction, equipping, installation or operation of the Project, all of which shall be the sole responsibility of the Company.

SECTION IX. The Company has requested, and the Issuer hereby approves, the employment of Bingham Greenebaum Doll LLP as "Bond Counsel." Bond Counsel is authorized and directed to take any other legal action necessary or appropriate in connection with the issuance of the Bonds. The County Attorney is authorized and directed to assist Bond Counsel in any appropriate manner.

SECTION X. No recourse shall be had for the payment of the principal of or premium or interest on any of the Bonds or for any claim based thereon or upon any obligation, covenant or agreement therein contained against any past, present or future officer, member, employee or agent of the Issuer, as such, either directly or through the Issuer, under any rule of law or equity, statute or constitution, or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such officers, members, employees or agents as such shall be expressly waived and released as a condition of and consideration for the adoption of this Resolution and the issuance of the Bonds.

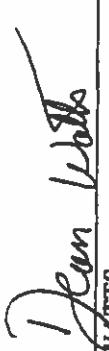
SECTION XI. This Resolution and Memorandum of Agreement approved hereby constitute the present official intent of the Issuer to issue the Bonds at a later date.

SECTION XII. No County funds shall be expended on the Project, except such as are derived from Bond proceeds.

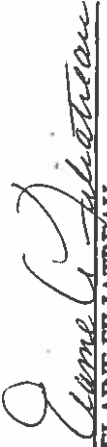
SECTION XIII. This Resolution shall be in full force and effect upon its adoption.

Fiscal Court Orders

INTRODUCED, SECONDED, READ AND ADOPTED AT A DULY CONVENED MEETING OF THE FISCAL COURT OF THE COUNTY OF NELSON, KENTUCKY, held on the 17th day of May, 2016, on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Fiscal Court Clerk, ordered to be filed and recorded as required by law, and declared to be in full force and effect according to law.


DEAN WATTS
COUNTY JUDGE/EXECUTIVE

(SEAL)

ATTEST:

ELAINE FILIATREAU
FISCAL COURT CLERK

CERTIFICATE OF THE CLERK

I, the undersigned, do hereby certify that I am the duly qualified and acting Fiscal Court Clerk of the Fiscal Court of Nelson County, that the foregoing Resolution is a true copy of said Resolution duly adopted by the Fiscal Court of Nelson County, signed by the County Judge/Executive, and attested under seal by me as Fiscal Court Clerk of Nelson County, at a properly convened meeting held on the 17 day of May, 2016, as shown by the official records in my custody and under my control; that attached hereto are true copies of the documents approved therein, and that copies of such documents have also been duly filed and recorded in the official records of said Fiscal court.

IN WITNESS WHEREOF, I have hereunder set my hand as Fiscal Court Clerk of Nelson County this 17 day of May, 2016.


ELAINE FILIATREAU
FISCAL COURT CLERK

EXHIBIT A

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT executed as of this 17th day of May, 2016, by and between the COUNTY OF NELSON, KENTUCKY, a county and political subdivision of the Commonwealth of Kentucky (the "Issuer"), and HEAVEN HILL DISTILLERIES, INC., a Kentucky corporation duly organized and existing under the laws of the Commonwealth of Kentucky (the "Company").

Recitals

A. The Issuer is authorized by the Industrial Buildings for Cities and Counties Act (the "Act"), KRS 103.200 to 103.285, to issue revenue bonds and use the proceeds thereof to finance the costs of acquisition of industrial facilities for use in the industrial operation of a private business enterprise, in order to accomplish the public purposes of promoting the economic development of the Commonwealth of Kentucky (the "Commonwealth"), and encouraging the increase of industry in the Commonwealth.

Fiscal Court Orders

- B. The Company, as borrower, has applied to the Issuer for the issuance of industrial building revenue bonds (the "Bonds") of the Issuer, in order to finance: (i) the acquisition, construction, equipping and installation of a product distribution facility and tangible property therein, and all improvements to, or replacements thereof, to be located on Loretto Road, Nelson County, Kentucky (the "County"), for the purpose of establishing industrial buildings; (ii) the reimbursement to the Company for costs already incurred and paid with respect to the construction of the product distribution facility; and (iii) the payment of certain costs of issuance (the project and the payment of costs of issuance, collectively the "Project"); all in furtherance of the purposes of the Act and the public benefit of the residents and inhabitants of the County.
- C. The Fiscal Court of the Issuer has found and determined that the Project will tend to accomplish the public purposes of the Act by promoting the economic development of the Commonwealth, and encouraging the increase of industry in the Commonwealth.
- D. The Issuer proposes to issue the Bonds to finance the cost of the Project and desires to authorize the Company to proceed with the Project and to be reimbursed out of the proceeds of the Bonds for any costs of the Project incurred prior to the issuance of the Bonds.
- E. The Issuer proposes to enter into at the appropriate time a lease agreement with the Company with respect to the Project, whereby the Company will covenant and agree to make rental payments sufficient to provide for payment of (i) principal of, (ii) premium, if any, and (iii) interest on the Bonds as the same become due and payable, and (iv) any other costs of the Issuer incurred in connection with the issuance of the Bonds and the Project (the "Lease Agreement").

Section 1. Representations and Undertakings of the Company. The Company represents, undertakes, covenants, and agrees as follows:

- A. The Company, including any subsidiaries thereof, intends to use the Project at all times during the 30-year term of the aforementioned Lease Agreement or the sooner termination of such Lease Agreement (the "Term"), for the purposes hereinbefore indicated.
- B. The Company will cause contracts to be entered into for, or will otherwise provide for, the acquisition and construction of the Project.
- C. Prior to or contemporaneously with the delivery of any Bonds, the Company will enter into the Lease Agreement with the Issuer under the terms of which the Company will obligate itself to: (i) undertake and complete the acquisition, construction, installation and equipping of the Project; and (ii) to pay to the Issuer amounts sufficient in the aggregate to pay the principal of, interest on, and premium, if any, on the Bonds, as and when the Bonds shall become due and payable, such Lease Agreement to contain such other provisions as shall be agreed upon by the Issuer and the Company.
- D. As a condition to the issuance of the Bonds, the Company shall enter into an agreement with the Issuer, pursuant to which the Company shall make payments in lieu of taxes ("PILOT Payments") to the Bardstown Independent School District (the "School District") in such annual amounts as are equal to all taxes which the School District could have levied in each year if the Project was not exempt from ad valorem taxes by virtue of the County's ownership, during the Term.
- E. From and after the date of this Memorandum of Agreement, throughout the existence of any of the Bonds, and at all times thereafter, the Company will indemnify, protect, and hold harmless the Issuer, all members of the Fiscal Court of the Issuer, and all of the Issuer's officers, employees, and agents from any and all costs, claims, expenses and liability (including, without limitation, reasonable attorneys' fees related thereto) arising from or related to: (i) the issuance of the Bonds; (ii) the ownership or operation of the Project, and including the building and business located therein or related thereto; and (iii) any other action of Issuer arising from, or related to, this Memorandum of Agreement and the transaction contemplated herein.
- F. The Company will take such further action and adopt such further proceedings as may be requested to implement its aforesaid undertakings or as it may deem appropriate in pursuance thereof.

Section 2. Undertakings of the Issuer. Subject to the fulfillment of the conditions herein stated, the Issuer agrees as follows:

- A. Based upon an estimate of the costs of the Project, the Issuer will authorize or cause to be authorized the issuance and sale of the Bonds pursuant to the terms of the Act as then in force in an aggregate principal amount not to exceed TWENTY-NINE

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MILLION DOLLARS (\$29,000,000), and for a term of 30 years, such Bonds to be delivered by the Issuer to pay the costs of the Project, together with costs incident to the authorization and issuance of the Bonds, but with such contributions from the Company as may be necessary.

B. The Issuer will adopt or cause to be adopted such proceedings and authorize the execution of such documents as may be necessary or acceptable for: (i) the authorization, issuance, and sale of the Bonds upon a negotiated basis; (ii) the acquisition, construction, installation and equipping of the Project; and (iii) the Lease Agreement relating to the Project and the Bonds, all as shall be authorized by law and upon terms which shall be mutually satisfactory to the Issuer and the Company.

C. The aggregate payments stipulated under the Lease Agreement shall be sufficient (in addition to the covenants of the Company to properly maintain and insure the Project) to pay the principal of, interest on and premium, if any, on all Bonds as and when the same become due and payable and to pay all other costs associated therewith.

D. The Issuer will take or cause to be taken such other acts and adopt such further proceedings as may be required to implement the aforesaid undertakings as it may deem appropriate.

Section 3. General Provisions.

A. All commitments of the Issuer and the Company pursuant to this Memorandum of Agreement are subject to the condition that on or before one year from the date hereof (or such other date as shall be mutually satisfactory to the Issuer and the Company) the Issuer and the Company shall have agreed to mutually acceptable terms and conditions with respect to the aforementioned Lease Agreement and all other documents required in connection with the Bonds and the Project.


B. This Memorandum of Agreement, and the Resolution approving it, constitute the present intent of the Issuer to issue the aforementioned Bonds at a later date.

C. **IT IS UNDERSTOOD AND AGREED THAT THE BONDS AND THE INTEREST THEREON, WHEN AND IF ISSUED, SHALL NEVER BE A GENERAL OBLIGATION OF THE ISSUER BUT A SPECIAL LIMITED OBLIGATION PAYABLE SOLELY IN THE AMOUNTS PAYABLE UNDER A LEASE AGREEMENT AND OTHER REVENUES OF THE PROJECT. NEITHER THE ISSUER, THE COMMONWEALTH OF KENTUCKY, NOR ANY POLITICAL SUBDIVISION OF THE COMMONWEALTH OF KENTUCKY SHALL BE OBLIGATED TO PAY THE PRINCIPAL OR INTEREST ON SUCH BONDS OR OTHER COSTS INCIDENT THERETO.**

D. It is further understood and agreed that no recourse under or upon any obligation, covenant, acceptance or agreement contained in this Memorandum of Agreement, the Resolution or the Bonds or any related documents, or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of any Bond, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to the owner or any holder of any Bond, or otherwise, of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of this Memorandum of Agreement and any related documents and the issuance of the Bonds.

IN WITNESS WHEREOF, the parties hereto have entered into this Memorandum of Agreement by their officers thereunto duly authorized on the day and year first above written.

FISCAL COURT OF NELSON COUNTY,
KENTUCKY




DEAN WATTS
COUNTY JUDGE/EXECUTIVE

Fiscal Court Orders

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ATTEST:


ELAINE FILIATREAU
FISCAL COURT CLERK

HEAVEN HILL DISTILLERIES, INC.

By _____

Name: _____

Title: _____

BOSTON VOLUNTEER FIRE AND RESCUE - REQUEST FOR INCREASE IN FEES

BOSTON VOLUNTEER FIRE AND RESCUE DEPARTMENT

Wednesday, May 11, 2016

Dean Watts, Judge Executive
Nelson County Fiscal Court
1 Court Square, Second Floor
Bardstown, Ky. 40004

Dear Sir:

The Board of Directors of Boston Volunteer Fire Department would like to petition the Fiscal Court for an increase in the subscriber's fee from \$40 each resident, to \$50 each resident. This is due to inflation in all areas. As our equipment gets older the maintenance gets larger. As you can see in last year's financial statement (which is enclosed) we ran a deficit of \$94,311 for the year. This will do nothing but to continue to grow. This does not include the up grade of the personal equipment which is required.

The Boston Volunteer Fire and Rescue Department cover an area North to the Bullitt Co. line, West to the Hardin Co. line, South to the 3000 block of Hwy 52, East to the 7275 block of Hwy 62, and the Blue Grass Parkway the 10 mile marker to the 13 mile marker.

Enclosed is a financial statement for the last four years along with a copy of the Constitution and Bylaws.

If you have any questions please do not hesitate to call at (502)544-1766

Cordially,

Michael Goss


On motion of Bernard Ice, second of Jerry Hahn, by unanimous vote of the Court, IT IS HEREBY ORDERED to schedule a public hearing for the June 7 session of Nelson Fiscal Court.

DEPARTMENT REPORTS

**EMS

Reporting for EMS, Eva Prewitt told Court members that a siren has been ordered for the Botland Fire station and has been delivered. Another grant application is being made for replacement of another siren; Judge Watts stated that the Nazareth area is being targeted for the siren.

Fiscal Court Orders

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****JAIL**

Jailer Dorcas Figg presented her regular report:

NELSON COUNTY JAIL				NELSON COUNTY JAIL			
	Total	Hardin Co	HIP	State	W-End	In House	
MAY							
Wed. 04	121	4	1	25	10	106	WORK RELEASE 4
Thur. 05	119	4	1	25	10	104	CIRCUIT SENTENCE TO JAIL 6
Fri. 06	115	4	1	25	10	100	DRUG COURT 1
Sat. 07	112	4	1	24	7	100	
Sun. 08	113	4	1	24	5	103	CIRCUIT WAITING COURT 60
Mon. 09	121	4	1	24	11	105	
Tue. 10	119	4	3	24	11	101	TOTAL OF 75 HAS NOT BEEN SENTENCED
Wed. 11	123	4	3	24	10	106	
Thur. 12	125	4	3	24	10	108	
Fri. 13	125	4	3	34	10	108	
Sat. 14	122	4	3	34	4	111	
Sun. 15	124	4	2	34	5	113	
Mon. 16	123	4	2	34	8	108	
Tue. 17	130	4	2	35	7	117	

NELSON COUNTY JAIL				NELSON COUNTY JAIL			
	WORK RELEASE	CIRCUIT SENTENCE TO JAIL	DRUG COURT	CIRCUIT WAITING COURT	TOTAL OF 75 HAS NOT BEEN SENTENCED		
	4	6	1	60			

NUMBER OF DAYS INMATES SERVED F/APRIL 2016			
DAYS	INMATES	DAYS	DAYS
1	66	16	16
2	52	17	17
3	14	18	18
4	10	19	19
5	20	20	20
6	17	21	21
7	13	22	22
8	11	23	23
9	4	24	24
10	9	25	25
11	4	26	26
12	6	27	27
13	10	28	28
14	4	29	29
15	5	30	30

APRIL DAILY AVERAGE			
Mandays	Average		
CI	690	23	
CD	204	6	
NELSON	3037	101	
TOTAL	3931	131	

NEW ARREST AND RELEASES F/APRIL 2016			
ARRIVALS	MALE	FEMALE	TOTAL
	168	67	233
RELEASES	MALE	FEMALE	TOTAL
	165	72	237

SENTENCED INMATES
DISTRICT COURT 5
WEEKENDS 7
WAITING COURT 15
HIP 2
WORK RELEASE 0
C/S 0
STATE SENTENCED 31
CI 4
CD 4
CI SERVING WEEKENDS 0
COMMUNITY SERVICE 6

****LANDFILL**

Landfill Engineer Brad Spalding presented the annual survey re-lated to history of landfill usage/space:

NELSON COUNTY SOLID WASTE DISPOSAL FACILITY

ANNUAL SURVEY DATA
CONTAINED LANDFILL
VOLUME USED - JULY 1995 TO APRIL 2016

SECTION STATION (FEET)	VOLUME BETWEEN SECTIONS (MODIFIED 1/04) (CUBIC YARDS)	AREA USED	VOLUME USED
0+00	0		0
1+00	0		0
2+00	29791	23664	43622
3+00	136520	37129	112580
4+00	229699	42024	146580
5+00	303582	47277	165372
6+00	322126	47521	175552
7+00	279063	40033	162137
8+00	226530	34516	138057
9+00	199318	32917	124680
10+00	192756	32478	121102
11+00	185533	34311	123683
12+00	164002		115883

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13+00	121913	28266	93635
14+00	73699	22297	65776
15+00	36577	13222	34763
16+00	12583	5550	12213
17+00	516	1045	1935
18+00	0	0	0
TOTALS	2,527,397		1,637,970
REMAINING VOLUME =			889,427 CY

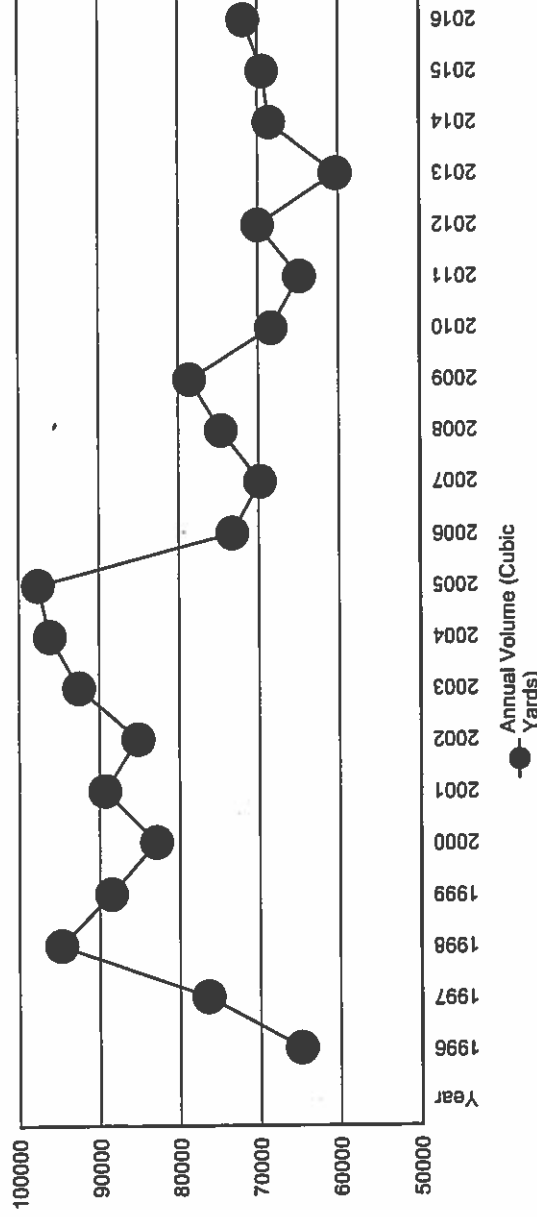
CUBIC YARDS UTILIZED BY YEAR

4/86	4/97	4/98	4/2000	4/2001	4/2002	4/2003
64,804	76,463	94,791	88,550	82,917	89,319	85,181

4/2004	4/2005	4/2006	4/2007	4/2008	4/2009	4/2010	4/2011
96,156	97,630	73,318	69,815	74,671	78,598	68,359	64,778

4/2012	4/2013	4/2014	4/2015	4/2016
70,007	60,341	68545	69414	71,763

Nelson County Landfill Annual Survey Comparison



**ROAD DEPARTMENT

COPPERFIELD STOP SIGN - As requested by residents there, and as described by County Engineer Jim Lemieux, on motion of Jerry Hahn, second of Jeff Lear, by unanimous vote of the Court, IT IS HEREBY ORDERED to approve a 4-way stop sign in Copperfield Estates.

WOODLAWN RD. CULVERT REPLACEMENT

Woodlawn Road Culvert Replacement Project # 201NC-001	
BID OPENING May 5, 2016 10:00 A.M.	
Contractor	Bid Item # 1 Culvert Replacement
HICON Construction Bardstown, KY	No Bid
Scott & Murphy Bowling Green, KY	No Bid

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T&C Contracting Louisville, KY	No Bid	
Do All Construction Caneyville, KY	No Bid	
Hornback Construction Co Hodgenville, KY	\$59,450.00	
Adams Contracting Lexington KY	\$109,000.00	
* Kelvin Wilson Dozing Hardyville, KY	\$40,000.00	

On motion of Sam Hutchins, second of Bernard Ice, by unanimous vote of the Court, IT IS HEREBY ORDERED to award the Woodlawn Rd. culvert project to Kelvin Wilson Dozing as bid.

CORMAN'S CROSSING PHASE 6 - Bond assuring construction of roads in Corman's Crossing to county specifications, \$100,104.00, is approved on motion of Jeff Lear, second of Jerry Hahn, and by affirmative vote of all Court members:

March 25, 2016

County of Nelson

Attn: Dean Watts
One Court Square
Bardstown, Kentucky 40004

RE: Irrevocable Letter of Credit No. 94854-30
Corman's Crossing / Whiskey Springs Land Company, LLC
105 Old Bloomfield Pike
Bardstown, KY 40004
Amount: \$100,104.00
Expiration: March 25, 2017

To Whom it May Concern:

We hereby establish our Irrevocable Letter of Credit No. 94854-30 in your favor for the account of Whiskey Springs Land Company, LLC / , for the sum not to exceed the aggregate of **One Hundred Thousand - One Hundred and Four Dollars (cents \$100,104.00)** available by your one or more clean drafts drawn at sight on us.

Each draft so drawn must be marked "Drawn under Lincoln National Bank, 41 Lincoln Square, Hodgenville, KY, 42748 Credit No.94854-30 and to be accompanied by signed statement from Nelson Fiscal Court that Whiskey Springs Land Company, LLC failed to honor their contractual agreement with the Nelson County Fiscal Court.

This credit is subject, so far as applicable to "The Uniform Customs and Practice for Documentary Credits, 1993 Revision, The International Chamber of Commerce Publication No. 500."

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored if drawn and presented for payment to our main office, Lincoln National Bank, 41 Lincoln Square, Hodgenville, KY, 42748

This letter of credit cannot be revoked or canceled until the project is completed and accepted by the County, except that after a period of one (1) year from the date hereof. We may terminate our obligations hereunder on thirty (30) days advance written notice to the County.

Sincerely,



JOHN DOWNS
BRANCH MANAGER



LINCOLN
NATIONAL BANK

LOAN DEPARTMENT
LINCOLN WAY BRANCH
BARDSTOWN502-348-0562
BANK #500159 NMLS #629491

Fiscal Court Orders

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

WHISKEY SPRINGS LAND CO, LLC
THAT WHEREAS JO HARVA WILSON (OWNER) proposes to develop a certain tract of land in Nelson County, Kentucky, entitled CORMAN'S SUBSIDIARY, P/LC and WHEREAS the subdivision regulations of Nelson County, Kentucky requires the completion of the proposed improvements prior to the recording of any plat, but in lieu thereof, with the approval of the appropriate governing body permits immediate recording by the furnishing of a performance bond sufficient in amount to cover the expense of construction and installation of the proposed improvements, and

WHISKEY SPRINGS LAND CO, LLC
WHEREAS JO HARVA WILSON (OWNER), have agreed to obligate self to Nelson County, Kentucky, for the required improvements secured by this performance bond,

NOW THEREFORE, The OWNER, as principal, is hereby firmly held unto Nelson County, Kentucky, in the penal sum of \$100,000 ^{or} For completion of Var. 01A (Roadway) as shown on the plat of the Final Recorded Plat for CORMAN'S SUBSIDIARY PHASE 6 and all other required improvements according to the provisions and conditions required by the Nelson County Engineer, the requirements and design standards set forth in the Subdivision Regulations for Nelson County and the General Provisions for the Design & Construction of Public Roadways for Nelson County as adopted by the Nelson Fiscal Court on January 18, 2000.

The condition of this obligation is such that if the principals shall in all respects well and truly perform and observe the provisions and conditions required by the Nelson County Engineer, the requirements and design standards set forth in the Subdivision Regulations for Nelson County and the General Provisions for the Design & Construction of Public Roadways for Nelson County as adopted by the Nelson Fiscal Court on January 18, 2000, all of same to be completed by (date: MAR 25 2017) then this obligation shall be void. Otherwise this bond is to remain in full force and effect.

In the event the required improvements are not completed as required above, then at the entire discretion and judgment of the Nelson County Engineer this bond will remain in full force and effect until such improvements are completed as required herein. At the sole discretion of the County, this Performance Bond's completion date may be extended provided a Letter of Credit is extended or other approved security for performance of all terms, conditions, and requirements set forth in this Performance Bond is provided.

Provided that upon the satisfaction of the conditions of this bond, Nelson County shall promptly discharge and release the letter of credit executed by (Bank) LINCOLN NATIONAL BANK in favor of the Nelson County Fiscal Court. Nelson County agrees that notwithstanding any other provision herein, that it shall promptly discharge and release the security herein in the manner provided above, upon delivery to Nelson County of cash or a certified check in the sum of \$100,000 for the completion of Var. 01A (Roadway) as shown on the Final Recorded Plat of CORMAN'S SUBSIDIARY, P/LC, as substitute security for the faithful performance of the obligations of the principal as set out herein.

That in the event that the principal herein should fail to comply with the terms and conditions herein set out then in that event the County of Nelson shall, at its sole and complete option and discretion, have the right to cause such work to be completed to the County of Nelson's satisfaction and to recover the expense thereof from the principal herein, and in the event that the principal should fail or decline to reimburse or otherwise indemnify the County of Nelson for such expense, the County of Nelson may draw on the aforesaid letter of credit or instigate such legal action as may be necessary or required to recover indemnification of those expenses incurred in the performance as aforesaid, and in addition thereto, to recover all costs and expenses, including legal fees incurred in the collection of such expenses.

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NOW THEREFORE, in order to secure the payment of any such default in performance required herein, the principal herein has this date has delivered to the County of Nelson, Kentucky, a letter of credit by BANK: LINCOLN NATIONAL BANK dated 3-25-16 in the Amount of \$ 100,104.92 which shall be security for performance of the terms and conditions herein, and shall be binding upon the principal to the same extent as if fully written out herein.

WITNESS the signature of the principals on this 3 day of MARCH, 2016.

[Signature]
OWNER Signature

Address: 105 Old Blomfield Pike
Bardstown, KY 40004
Phone: 502-249-0383

ON-GOING - Jim Lemieux reported on on-going Road Department work; he also explained a "Road Closing" notice that has been sent out due to creek washing out side of Murphy Ln and the resultant danger there.

REC DEPARTMENT - On-going events at Recreation Park were outlined by Recreation Director Tyler Wimpsett, including work on soccer and football fields. * ***** ***

OLD/NEW BUSINESS

Note was made of Wickland luncheon being held today; Thai Summit work is on-going at Industrial Park; Nelson County Fire and Rescue expressed appreciation for support shown by Nelson Fiscal Court, also noting that they will not be doing door-to-door solicitation for the Crusade for Children fundraiser; and county department heads said that salt and materials bids will be forthcoming. ***

On motion of Sam Hutchins, second of Keith Metcalfe, by unanimous vote of the Court, IT IS HEREBY ORDERED to adjourn the May 17 session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK