

# Fiscal Court Orders

Nov. 7, 2018  
SPECIAL SESSION OF NELSON FISCAL COURT

Book 40  
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COURT MET IN SPECIAL SESSION, PRESENT COUNTY JUDGE-EXECUTIVE DEAN WATTS AND THE FOLLOWING NAMED MAGISTRATES: JEFF LEAR, BERNARD ICE, SAM HUTCHINS AND KEITH METCALFE. MAGISTRATE JERRY HAHN WAS ABSENT.

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Nelson Fiscal Court  
(Special Court Meeting) AMENDED  
Agenda

Wednesday November 7, 2018  
9:00 a.m.

Minutes – Bills – Transfers

1. Board Appointments
2. 2017 Sheriff Tax Settlement (Pending Audit)
3. Second Reading on MHS Ordinance
4. Heaven Hill Distillery Distribution Center/Warehouse Bond Ordinance
5. Russ Salsman / Hemp Farmers Needed
6. Road Department Report
  - Southfork Trails – Release of Bond
  - Copperfield Curbs
  - Road Construction Standards
7. Landfill/Solid Waste Report
8. EMS Report
9. Jail Report
10. Recreation Report
11. Surplus County Equipment/Property
  - Rock
  - Vehicles
12. Feeding America Program Schedule
  - November 21
  - December 19
13. Old or New Business

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MINUTES APPROVED – OCT 16

On motion of Sam Hutchins, second of Jeff Lear, by affirmative vote of all Court members present (Hahn absent), IT IS HEREBY ORDERED to approve the minutes of the Oct. 16 session of Nelson Fiscal Court as presented.

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BILLS AND TRANSFERS

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

Nelson County Fiscal Court  
Bills for Court Approval  
November 7, 2018

Name	Memo	Account	Amount
01 General Fund			
ADP	PR Processing - 101218	9100301 - Payroll Processing	\$ 485.87
Bardstown Housing Auth	Bethany Haven - Nov 2018	5315399 - Emergency Shelter for Children	300.00
Bardstown Mills	Weed killer, cleaning supplies	5401427 - Recreation Maint Supplies	37.68
Bill Brown Construction	Windows - pay estimate #3	5080742 - Old Courthouse Renovation	61,623.00
Bluegrass Seed	Seed	5401334 - Recreation Bldg/Grounds Maint	75.50

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Brite Wholesale	Bulbs - sallie port elevator	5081334	Justice Center Maint Supplies	6.00
Brite Wholesale	Bulbs	5205334	Animal Control Building Main	133.58
Bumper to Bumper	AC - Service truck; A ltermator - Brian	5090340	Maintenance - Vehicle Maint	339.59
Bumper to Bumper	Battery cable	5340340	Comm Svc Vehicle Main	9.95
Central Ky Comm Action	Staffing for Voluntary Action	5301315	Community Action Services	1,014.00
Chase Card Services	Postage, iCloud backup	5001445	CJE Office Expense	311.29
Chase Card Services	Toner, Payroll fund checks, meter ink	5040445	Treasurer Office Supplies	362.44
Chase Card Services	Certified mail - nuisance reports	5115563	Codes - Postage	40.20
Chase Card Services	Binders, office supply	5401445	Recreation Office Supply	22.56
Coulter's Towing	Towing fee	5105340	Law Enforc Vehicle maintenance	470.00
County Clerk	2018 Property tax bills	5010199	Co Clerk Fees Payable	2,954.13
Cundiff, Leo	Sweep parking lot	5415329	Civic Center Maint Contracts	100.00
Duplicator Sales	Copier Fee	5205445	Animal Control Office supplies	21.01
Flaget Memorial Hospital	Suspect testing	5105547	Law Enforc Suspect Testing	43.00
Galls	Uniforms	5105481	Law Enforc Uniforms	853.45
Grigsby, Tim	Stamp cleaning	5001445	CJE Office Expense	20.00
Grigsby, Tim	Stamp cleaning	5115445	Codes - Office Expense	20.00
Harp Enterprises	Voiting machine repair	5065336	Election Equip Main	637.42
Hillyard	Ice melt	5090406	County-wide Main Supplies	1,290.75
Hillyard	Cups	5105445	Law Enforc Office Expense	93.78
Holt Computers	Network and remote service setup	5001445	CJE Office Expense	220.00
Holt Computers	Printer, setup	5115445	Codes - Office Expense	169.00
Intertech Mechanical Services	Cooling Tower - Draw #2	5081741	AOC Capital Construction	71,059.01
Irving Materials Inc.	Curb repairs	5085334	Sutherland Bldg Maint	239.00
Johnson Controls	Fire extinguisher inspection	5415329	Civic Center Maint Contracts	35.00
Kentucky One	Employee medical	9400547	Employee Medical/WC Claims	142.00
Kleentech	Emergency service - water extraction	5081570	Justice Center Repairs	1,063.00
Ky Housing Elevator Division	Annual elevator inspections	5080329	Old Courthouse Main Contracts	100.00
Ky Housing Elevator Division	Annual elevator inspections	5085329	Sutherland Bldg Main Contracts	100.00
Ky Housing Elevator Division	Annual elevator inspections	5087329	Old Library Maint Contracts	100.00
L&W Emergency Equip	Light bars, gun locks - 2 vehicles	5105340	Law Enforc Vehicle maintenance	6,496.50
Leo Talbot & Sons	Chiller air handler, AC service	5080329	Old Courthouse Main Contracts	1,115.00
Leo Talbot & Sons	AC service	5085329	Sutherland Bldg Main Contracts	290.00
Leo Talbot & Sons	AC units, pressure switch	5105329	Law Enforc Bldg Main Contracts	665.00
Lowe's	Batteries for panic alarms	5081334	Justice Center Maint Supplies	4.50
Lowe's	Carpet runner - circuit clerk	5081570	Justice Center Repairs	128.24
Lowe's	Siren repairs	5139336	Weather Siren Repairs	73.07
Lowe's	Mulch	5401427	Recreation Maint Supplies	27.76
Mago Construction	Paving	5205334	Animal Control Building Main	2,955.57
Ronnie's Custom Care	Monthly cleaning	5081329	Justice Center Main Contracts	4,000.00
S & P Cleaning Svc	Cleaning service 1018	5080329	Old Courthouse Main Contracts	1,200.00
S & P Cleaning Svc	Cleaning service 1018	5085329	Sutherland Bldg Main Contracts	1,430.00
Schiller	Coupler rods	5081334	Justice Center Maint Supplies	150.00
Springfield Laundry	Mats	5080411	Old Courthouse Custodial Supply	71.43
Springfield Laundry	Mats	5081411	Justice Center Custodial Supply	618.10
Springfield Laundry	Mats	5085411	Sutherland Bldg Custodial Suppl	110.45
Springfield Laundry	Mats	5105411	Law Enforc Custodial Supplies	141.48
Springfield Laundry	Mats	5415411	Civic Center Custodial Supplies	25.64
Tatum Auto Supply	Power steering and brake fluid	5090340	Maintenance - Vehicle Maint	8.38
Taylor Battery Co	Battery	5340340	Comm Svc Vehicle Main	102.31
Taylor Battery Co	Battery	5401340	Recreation Vehicle Maint	121.50
Underwood, Judith A	Civic Center Cleaning 1018	5415329	Civic Center Maint Contracts	850.00
Total 01 General Fund				165,077.14
<b>02 Road Fund</b>				
Asphalt Materials	Chip seal	6105447	Dust control-chip seal oil	20,883.89
Bluegrass Seed	Seed	6105431	Fences & ROW	76.50
Bumper to Bumper	Garage supplies	6105427	Garage supplies	17.95
Bumper to Bumper	2012 Ford, Dually, Snow plow, misc parts	6105443	Parts	451.94
Buzick	Concrete, wire mesh	6105457	Bridge & Culvert Materials	125.66
Buzick	Mailbox replaced - Chester Hahn Rd	6105537	Property damage claims	36.54
Chase Card Services	Inventory software subscription	6103445	Office Supplies	25.00
Chase Card Services	Work light - Lee	6105427	Garage supplies	92.99
Chase Card Services	Concrete saw belt, snow truck lights	6105443	Parts	173.57
Cintas First Aid & Safety	First aid supplies	6105594	Crew Safety Equipment	47.62
CMI Equipment	Gradall	6105443	Parts	18.22
Contech Construction Products	Pipe	6105457	Bridge & Culvert Materials	5,958.65
Cross Tech	Equipment repair	6105336	Equipment repairs	200.14
GBA	Paper, memo and message book, highlighters	6103445	Office Supplies	54.15
Kenworth Trucks	Truck 301	6105443	Parts	64.47

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Kerr Office Plus	6103445 · Office Supplies	15.00
Kimball Midwest	6105427 · Garage supplies	44.10
Mago Construction	311 01 · District 1 Paving	20,221.30
Mago Construction	311 01 · District 1 Paving	75,418.95
Mago Construction	311 04 · District 4 Paving	92,001.49
Mago Construction	730-01 · Flex Funds Projects	60,026.29
Salt River	6105315 · Poles	7,069.21
Salt River	6105431 · Fences & ROW	395.00
Tatum Auto Supply	6105443 · Parts	22.99
Taylor Battery Co	6105443 · Parts	102.31
Total Truck Parts, Inc.	6105443 · Parts	27.22
Truck Parts & Service	6105427 · Garage supplies	251.10
Wayne Supply	6105443 · Parts	129.22
<b>Total 02 Road Fund</b>		<u>283,951.47</u>
<b>03 Jail Fund</b>		
Advanced Systems Technology Inc	5101336 · Equipment Repairs	848.00
CDA Inc.	5101314 · Contracts with Other Counties	1,328.25
Chase Card Services	5101411 · Custodial Supplies	85.47
Chase Card Services	5101437 · Linens	69.44
Clems	5101425 · Food	3,623.75
Cochran Pharmaceuticals	5101549 · Routine Medical	1,172.45
Dean Milk	5101425 · Food	438.34
Duncan Septic Service	5101329 · Building Main Contracts	300.00
Flowers Baking Co	5101425 · Food	1,396.09
ICS Jail Supplies	5101437 · Linens	1,341.60
ICS Jail Supplies	5101453 · Prisoner Hygiene	621.75
Ky Home Electronics	5101406 · Tools and maint supplies	19.99
Leo Talbott & Sons	5101329 · Building Main Contracts	540.00
Lowe's	5101406 · Tools and maint supplies	56.98
Masters Supply Inc	5101463 · Plumbing Supplies and Repairs	458.01
Maxima Supply.	5101428 · Canteen Inventory	2,796.17
Nu Life Cartridge	5101428 · Canteen Inventory	616.99
Nu Life Cartridge	5101445 · Office Supplies	460.88
Reiter Dairy	5101425 · Food	2,650.33
Shred-It USA	5101445 · Office Supplies	828.55
<b>Total 03 Jail Fund</b>		<u>19,653.04</u>
<b>04 LGEA Fund</b>		
Mago Construction	6105405 · Hot and cold mix	1,992.37
<b>Total 04 LGEA Fund</b>		<u>1,992.37</u>
<b>09 Ambulance Fund</b>		
3-D Graphics	5140481 · Staff Uniforms	993.50
Apparel and Awards Factory	5140481 · Staff Uniforms	559.68
Bardstown Upholstery	5140340 · Vehicle Maintenance & Repairs	205.05
Bardstown Upholstery	5140443 · Vehicle Parts	59.95
Bound Tree Medical	5140550 · Medical supplies & Materials	256.60
Buzick	5140334 · Building maintenance	44.44
Chase Card Services	5140443 · Vehicle Parts	108.00
Chase Card Services	5140543 · Licenses	620.00
Foremost Equipment	5140336 · Equipment Maintenance & Repairs	1,005.00
Jones and Bartlett Publishers	5140569 · Training	3,140.13
Kentucky One	9400547 · Employee Medical/WC Claims	70.00
LifeGas	5140550 · Medical supplies & Materials	130.30
QuadMed Inc	5140550 · Medical supplies & Materials	701.76
Stericycle	5140550 · Medical supplies & Materials	95.28
Stryker Medical	5140336 · Equipment Maintenance & Repairs	1,105.26
Taylor Battery Co	5140443 · Vehicle Parts	222.62
Trizetto Provider Solutions	5140445 · Office Expense	80.00
<b>Total 09 Ambulance Fund</b>		<u>9,397.57</u>
<b>Subtotal -General Bills</b>		<u>\$480,071.59</u>
<b>13 Solid Waste Fund</b>		
ALS Association	5215315 · Roadside Cleanup	200.00
Bardstown Church of God	5215315 · Roadside Cleanup	500.00
Bardstown HS Key Club	5215315 · Roadside Cleanup	300.00
Bardstown HS Project Graduation	5215315 · Roadside Cleanup	200.00
Bethany Haven	5215315 · Roadside Cleanup	200.00
Bloomfield Church of God	5215315 · Roadside Cleanup	200.00
Boston School	5215315 · Roadside Cleanup	500.00

# Fiscal Court Orders

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Boy Scout Troop 721	Hwy 62E	5215315	Roadside Cleanup	200.00
Cerebral Palsy Kids Center	Hobbs Lane	5215315	Roadside Cleanup	200.00
DP All Star Boosters	West Stephen Foster	5215315	Roadside Cleanup	200.00
Euclid Lodge #13	Poplar Flat Rd. Gilkey Run	5215315	Roadside Cleanup	500.00
First Cedar Creek Baptist	Murrays Run	5215315	Roadside Cleanup	200.00
Kiwanis Club	Hwy 605	5215315	Roadside Cleanup	200.00
Nelson Co Beekeepers	Louisville Rd	5215315	Roadside Cleanup	200.00
NC Community Clinic	Hwy 62 Bloomfield Rd	5215315	Roadside Cleanup	200.00
Nelson Co Special Olympics	Barnes Rd. Wheeler Rd. Airport Rd	5215315	Roadside Cleanup	400.00
New Hope Ladies Auxillary	Hwy 457	5215315	Roadside Cleanup	500.00
Parkway Baptist Church	Parkway Drive	5215315	Roadside Cleanup	200.00
Peoples Church	Nazareth Road	5215315	Roadside Cleanup	200.00
St Ann 4H Club	Hwy 84, Hwy 247, Spalding Hollow, Stiles Rd	5215315	Roadside Cleanup	1,000.00
St Michael Parish	Plum Run Rd	5215315	Roadside Cleanup	900.00
St Thomas Mens Club	Balltown Rd. Loretto Rd	5215315	Roadside Cleanup	600.00
St Thomas Young at Heart	Ritchie Ln. Quarry Ln	5215315	Roadside Cleanup	400.00
Thomas Nelson HS Baseball	Mobley Mill	5215315	Roadside Cleanup	200.00
Thomas Nelson HS Project Grad	BG Pkwy New Haven	5215315	Roadside Cleanup	400.00
Working the Puzzle for Autism	Clarktown Rd	5215315	Roadside Cleanup	300.00
Bumper to Bumper	Truck 412, 416	5215443	Parts	41.96
Chase Card Services	Safety vests (120)	5215315	Roadside Cleanup	99.00
Chase Card Services	Postage for delinquent accts	5215445	Office Supplies	250.00
Galeton	Rain gear, gloves	5215594	Crew Safety Equipment	352.20
Gregory Container Co	Rear load dumpsters	5215739	SW Equipment	11,042.00
Kentucky One	Pre employment testing	9400547	Employee Medical/WC Claims	210.00
Lasco	Truck 410, 416, 419	5215443	Parts	715.96
Lawson Products	Garage supplies	5215427	Garage supplies	159.35
Mackin's Wrecker	Truck 414	5215369	Towing Service	525.00
Springfield Laundry	Uniforms	5215481	Employee uniforms	1,009.12
Tatum Auto Supply	Vehicle supplies	5215548	Deceased Animal Program	7.98
Total Truck Parts, Inc.	LED Beacons, Truck 412 repairs	5215443	Parts	247.37
Truck Parts & Service	Truck 416: work lights for trucks	5215443	Parts	323.95
UHL Truck Sales	Truck 414 transmission repairs	5215443	Parts	1,469.36
Total 13 Solid Waste Fund				25,553.25
<b>15 Landfill Fund</b>				
Bardstown Mills	Trimmer	5210475	Tools	222.98
Brite Wholesale	Aerator repairs	5210581	Leachate Maintenance	1,303.05
Bumper to Bumper	Truck 413, Old Compactor	5210443	Parts	90.68
Buzick	Wood stakes, flagging tape	5210427	Main supplies	44.76
Chase Card Services	Postage, software	5210445	Office Expense	134.89
Duplicator Sales	Monthly copier charges	5210445	Office Expense *	162.58
Galeton	Rain gear	5210594	Crew Safety Equipment	240.10
Greer Electrical Contractors	Replace light pole - Muir Avenue/Foster Height	5210537	Property damage claims	3,083.00
Kimball Midwest	Garage supplies	5210427	Main supplies	255.01
Kimberland, David	Office cleaning 1018	5210329	Maintenance Contracts	420.00
Lasco	Trucks 303, 413, 417	5210443	Parts	2,238.38
Lasco	Hub bearing	5217340	Recycling vehicle expense	290.00
Municipal Equip	Truck 413, Roll off box repairs	5210443	Parts	780.28
National Industrial Safety	Gloves	5210594	Crew Safety Equipment	119.76
Quill Corporation	Tissue, trash bags	5210411	Custodial supplies	100.97
SMIR Environmental	Methane Sampling	5210324	Environmental Monitoring	626.00
Sprigg, Thomas	Boot allowance	5210481	Uniforms	75.00
Springfield Laundry	Cleaning supplies	5210427	Main supplies	149.90
Springfield Laundry	Uniforms	5210481	Uniforms	362.70
Tatum Auto Supply	Transmission fluid, blades, scrapers	5210427	Main supplies	41.46
Tatum Auto Supply	Compactor, Trucks 409, 413	5210443	Parts	262.62
Total Truck Parts, Inc.	Strobe lighting	5210594	Crew Safety Equipment	157.65
Truck Parts & Service	Tire repair	5210427	Main supplies	19.08
Truck Parts & Service	Truck 413: tire repair supplies	5210443	Parts	157.67
W W Grainger	Custodial and cleaning supplies	5210411	Custodial supplies	96.28
Wayne Supply	Backhoe, Compactor	5210443	Parts	823.92
Total 15 Landfill Fund				12,258.72
<b>23 Occupational Tax Fund</b>				
Shred-It USA	File destruction service	5047445	OLF Office supplies	82.93
Total 23 Occupational Tax Fund				82.93
<b>Subtotal - PJC Bills</b>				
				\$ 37,894.90
<b>TOTAL BILLS TO PAY</b>				\$517,966.49

# Fiscal Court Orders

## Nelson County Fiscal Court Additional Bills for Court Approval November 7, 2018

Name	Memo	Account	Amount
<b>01 General Fund</b>			
ADP	PR Processing - 102618	9100301 · Payroll Processing	\$ 459.34
Aqua Treat	Monthly water treatment	5415329 · Civic Center Maint Contracts	184.80
Bluegrass Integrated Comm	Voter cards postage 1018	5065427 · Elections Supplies	176.75
Danville Office	Monthly copier agreement	5001445 · CJE Office Expense	62.94
Feed America Ky	1018 distribution	5330515 · Feed America Program	198.09
Harp Enterprises	Voting machine repair	5065336 · Election Equip Main	876.32
Holt Computers	Service calls	5001445 · CJE Office Expense	119.00
Holt Computers	Service call - Network	5040445 · Treasurer Office Supplies	60.00
Johnson Controls	Fire extinguisher inspection, replacement	5080329 · Old Courthouse Main Contracts	64.00
Johnson Controls	Fire extinguisher inspection, replacements	5205329 · Animal Control Maint Contracts	279.00
Neat Steel LLC	Concrete accessories	5420507 · Stephen Foster Drama	1,374.75
<b>Total 01 General Fund</b>			<u>3,854.99</u>
<b>02 Road Fund</b>			
Asphalt Materials	Chip seal 2629.15 gallons	6105447 · Dust control-chip seal oil	4,995.38
Buzick	Mailbox replaced - Drake Ridge	6105537 · Property damage claims	204.99
Certified Laboratories	Salt box lubricants	6105439 · Lubricants	169.35
CMI Equipment	Gradall	6105443 · Parts	405.39
Holt Computers	Service call - Brad's computer	6103445 · Office Supplies	60.00
Irving Materials Inc.	Allen Rd	6105457 · Bridge & Culvert Materials	675.00
Lawson Products	Garage supplies	6105427 · Garage supplies	88.66
<b>Total 02 Road Fund</b>			<u>6,598.77</u>
<b>03 Jail Fund</b>			
Complete Primary Care	93 Inmate visits Oct 2018	5101549 · Routine Medical	3,720.00
Complete Primary Care	Medical Contract Oct 2018	5101549 · Routine Medical	2,000.00
<b>Total 03 Jail Fund</b>			<u>5,720.00</u>
<b>09 Ambulance Fund</b>			
Chase Card Services	Car charger	5140336 · Equipment Maintenance & Repairs	10.50
Verizon Connect	Vehicle Tracking Subscription	5140336 · Equipment Maintenance & Repairs	432.50
<b>Total 09 Ambulance Fund</b>			<u>443.00</u>
<b>13 Solid Waste Fund</b>			
New Hope Ladies Auxillary	Jim Clark Road	5215315 · Roadside Cleanup	200.00
<b>Total 13 Solid Waste Fund</b>			<u>200.00</u>
<b>15 Landfill Fund</b>			
Buzick	Maintenance supplies	5210427 · Main supplies	32.57
Modern Supply	Annual lease renew - welding tanks	5210427 · Main supplies	431.20
<b>Total 15 Landfill Fund</b>			<u>463.77</u>
			<u>\$ 17,280.53</u>

**NELSON COUNTY FISCAL COURT**  
Paid Bills and Transfers for Court Approval  
November 7, 2018

Fund/Vendor	Description	Account	Amount
<b>General Fund</b>			
First Insurance Group	Add - Cooling Tower	5081521 · Justice Center Insurance	\$ 169.00
Lawson Products	Gloves, drain opener	5090427 · Maintenance - Supplies	136.55
Less Discount			(1.36)
USI Insurance	Add - 2018 Ford F150	9100521 · County insurance	417.38
<b>TOTAL PAID BILLS</b>			<u>\$ 721.57</u>

**TRANSFERS:**

Nelson County Jail      Transfers (to) from General Fund -Oct 2018    4909 03 · Transfers to Jail      (2,285.77)

# Fiscal Court Orders

APPOINTMENTS - EXTENSION BOARD

On motion of Jeff Lear, second of Sam Hutchins, by affirmative vote of all Court members present, IT IS HEREBY ORDERED to approve the appointments of Therese Johnson and Adam Wheatley to the Nelson County Extension Board.

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SHERIFF MIKE NEWTON'S 2017 TAX SETTLEMENT

The following tax settlement, presented by Sheriff Mike Newton, is approved, pending audit, on motion of Bernard Ice, second of Jeff Lear, and by affirmative vote of all Court members present:

*Amended*

**2018 STATE TAX SETTLEMENT  
Mike Newton, NELSON COUNTY SHERIFF**

**CHARGES**

	Assessment
Real Estate	121,472,758
Leasehold	11,650,000
Tangible/Rec Mach	2,577,740
Inv/Fin Gd, Pub Wh, Vehic, Mfg Gp	1,056,415
Manf Mach	908,400
Boats & Air, Unmfg Ag	46,000
Tangible	
Added Real Estate	19,175
Added Tangibles	
Added Inv./Fin Goods	
Exon. Real Estate	
Exon. Tangible	
Exon. Manf Mach	
Exon Inv/Fin Goods	
LSG	
Penalty	
Total	

	Rate	Collection Amt.
	0.00122	148,196.76
	0.00015	1,747.50
	0.0045	11,599.83
	0.0005	528.21
	0.0015	1,362.60
	0.00015	6.90
	0.00001	0.00
	0.00122	23.39
	0.0045	0.00
	0.0005	0.00
	0.00122	0.00
	0.0045	0.00
	0.0015	0.00
	0.0005	0.00
		1,388.53
		7,672.46
		172,526.19

**CREDITS**

Discounts on LSG	
Discounts - Real Estate, ETC.	
Exon. Real Estate - Decrease	230,450
Exon. Tangibles - Decrease	52,701
Exon. Tang	
Delinquent Real Estate	28,526,098
Delinquent Leasehold	
Delinquent Tangibles	867,481
Delinquent Manf Mach	
Delinquent Inv./Fin Goods etc.	220,626
Delinquent Boats-Air	
Total	

	0.00122	0.47
	0.0045	281.15
	0.00001	237.15
	0.00122	0.00
	0.00015	34,801.84
	0.0045	3,903.66
	0.0015	0.00
	0.0005	110.31
	0.00015	0.00
		39,334.59

**Payments to State**

October	
November	
December	
January	71,255.83
February	17,898.00
March	15,848.54
April	20,962.52
Total Paid to State	125,964.89

Charges	172,526.19
Credits	39,334.59
Commissions	5,660.67
Net Due	127,530.93
Refunds	1,566.67
Total Due	125,964.26

0.63

**2018 COUNTY TAX SETTLEMENT  
Mike Newton, NELSON COUNTY SHERIFF**

**CHARGES**

	Assessment
Real Estate	121,472,758
Tangible	2,577,740
Inv./Fin Goods	875,485
Pub Wh Rs	108,600
Boats/Air	46,000
Added Real Estate	19,175
Added Tangible	
Added Inv./Fin Goods	
Added E911	

	Rate	Collection Amt.
	0.00143	173,706.04
	0.00143	3,686.17
	0.00143	1,251.94
	0.00143	155.30
	0.00015	6.90
	0.00143	27.42
	0.00143	0.00
	0.00143	0.00

# Fiscal Court Orders

Exon. Real Estate	
Exon. Tangible	
Exon Inv./Fin Goods	
<b>E911</b>	<b>32,496</b>
<b>Fire Acres</b>	<b>998</b>
Bank Deposit Taxes	
LSG	
Franchise	
Distilled Spirits	
Penalties	
<b>Total</b>	

0.00143		0.00
0.00143		0.00
0.00143		0.00
<b>FEE</b>	<b>32,496.00</b>	
<b>0.02</b>	<b>19.96</b>	
	1,627.54	
	47,677.92	
	790,599.91	
	8,515.71	
	<b>1,059,770.81</b>	

<b>CREDITS</b>	
Discounts on LSG	
Discounts - Real Estate, ETC.	
Exon. Real Estate - Decrease	230,450
Exon. Tangibles - Decrease	52,701
Exon. Inv/Fin Goods	
Exon. Boats/Air	
<b>Exon E911</b>	
<b>Exon Fire Acres</b>	
<b>Delinquent E911</b>	
<b>Delinquent Fire Acres</b>	<b>54</b>
<b>Delinquent Real Estate</b>	<b>28,526,098</b>
<b>Delinquent Tangibles</b>	<b>867,481</b>
<b>Delinquent Inv./Fin Goods</b>	<b>220,626</b>
<b>Delinquent Pub Wh Rs</b>	
<b>Delinquent Boats-Air</b>	
<b>Total</b>	

0.00143	16,124.77	
0.00143	329.54	
0.00143	75.36	
0.00143	0.00	
0.00015	0.00	
	<b>48.00</b>	
<b>0.02</b>	<b>7,080.00</b>	
<b>1.08</b>	<b>1.08</b>	
0.00143	40,792.32	
0.00143	1,240.50	
0.00143	315.50	
0.00143	0.00	
0.00015	0.00	
	<b>66,007.07</b>	

<b>Payments to County</b>	
Prior to October	
October	
November	
December	
January	314,699.06
February	571,530.49
March	35,399.13
April	28,864.22
<b>Total Paid</b>	<b>950,492.90</b>

Charges	1,059,770.81
Credits	66,007.07
Commissions	41,410.49
Net Due	952,353.25
Refunds	1,850.35
<b>Total Due</b>	<b>950,492.90</b>

0.00

## 2018 SCHOOL TAX SETTLEMENT Mike Newton, NELSON COUNTY SHERIFF

**CHARGES**

	Assessment
Real Estate	81,502,456
Leasehold	
Inv/Fin Gd	1,711,432
Pub Wh Rs	
Boats-Air	
Added Real Estate	19,175
Added Tangible	
Added Inv Fin Gds	
Exon. Real Estate	
Exon. Tangibles	
Exon. Inv Fin Goods	
LSG	
Franchise	
Distilled Spirits	
Penalties	
<b>Total</b>	

Rate	Collection Amt.
0.00764	622,678.76
0.00764	13,075.34
0.00764	0.00
0.00764	0.00
0.00764	0.00
0.00764	146.50
0.00764	0.00
0.00764	0.00
0.00764	0.00
0.00764	0.00
0.00764	0.00
0.00764	0.00
0.00764	8,695.41
	183,047.99
	2,648,828.22
	33,977.68
	<b>3,510,449.90</b>

**CREDITS**

Discounts on LSG	
Discounts - Real Estate, ETC.	
Exon. Real Estate - Decrease	224,450
Exon. Tangibles - Decrease	52,701
Exon. Inv/Fin Goods	
Delinquent Pub Wh Rs	
Delinquent Real Estate	13,432,761
Delinquent Tangibles	241,728
Delinquent Inv/Fin Gd	92,151
Delinquent Boats-Air	
<b>Total</b>	

0.00764	0.00
0.00764	54,074.00
0.00764	1,714.80
0.00764	402.64
0.00764	0.00
0.00764	0.00
0.00764	102,626.29
0.00764	1,846.80
0.00764	704.03
0.00764	0.00
	<b>161,368.56</b>

# Fiscal Court Orders

<b>Payments to School</b>		
Prior to October		
October		Charges 3,510,449.90
November		Credits 161,368.56
December		Commissions 73,679.80
January	451,260.16	Net Due 3,275,401.54
February	2,643,322.28	Refunds 5,327.08
March	140,167.08	Total Due 3,270,074.46
April	109,101.63	
Total Paid	3,343,851.15	
Commissions Received	73,646.37	
	<u>3,270,204.78</u>	

130.32

Interest paid 130.31

## 2018 LIBRARY TAX SETTLEMENT Mike Newton, NELSON COUNTY SHERIFF

<u>CHARGES</u>	Assessment	Rate	Collection Amt.
Real Estate	121,472,758	0.00079	95,963.48
Tangible	2,577,740	0.00079	2,036.41
Inv/Fin Gds	875,485	0.00079	691.63
Pub Wh Rs	108,600	0.00079	85.79
Pub Wh Tr		0.00079	0.00
Boats-Air	46,000	0.00079	36.34
Added Real Estate	19,175	0.00079	15.15
Added Tangible		0.00079	0.00
Added Pub Wh Rs		0.00079	0.00
Exon. Real Estate		0.00079	0.00
Exon. Tangibles		0.00079	0.00
Exon. Inv/Fin Gds		0.00079	0.00
Exon. Pub Wh Tr		0.00079	0.00
LSG			899.13
Distilled Spirits			469,823.13
Franchise			23,453.01
Penalties			4,705.41
Total			597,709.49

<u>CREDITS</u>			
Discounts on LSG			9,507.67
Discounts - Real Estate, ETC			182.06
Exon. Real Estate - Decrease	230,450		
Exon. Tangibles - Decrease	52,701		41.63
Exon. Inv/Fin Goods			0.00
Delinquent Pub Wh Rs			0.00
Delinquent Boats-Air			0.00
Delinquent Real Estate	28,526,098		22,535.62
Delinquent Tangibles	867,481		685.31
Delinquent Inv /Fin Goods	220,626		174.29
Total			33,126.58

<b>Payments to Library</b>		
Prior to October		
October		Charges 597,709.49
November		Credits 33,126.58
December		Commissions 23,994.77
January	189,620.97	Net Due 540,588.14
February	318,404.27	Refunds 1,017.78
March	17,755.03	Total Due 539,570.36
April	13,790.09	
Total Paid	539,570.36	

0.00

## 2018 EXTENSION TAX SETTLEMENT Mike Newton, NELSON COUNTY SHERIFF

<u>CHARGES</u>	Assessment	Rate	Collection Amt.
Real Estate	121,472,758	0.000103	12,511.69
Leasehold		0.000103	371.61
Inv/Fin Gds	3,607,825	0.000103	0.00
Pub Wh Rs		0.000103	0.00
Pub Wh Tr		0.000103	0.00
Boats-Air		0.000103	0.00



# Fiscal Court Orders

Added Real Estate	19,175
Added Tangible	
Added Inv/Fin Goods	
Exon. Real Estate	
Exon. Tangibles	
Exon. Inv/Fin Gd	
Exon. Pub Wh Tr	
LSG	
Distilled Spirits	
Franchise	
Penalties	
Total	

0.000103	1.98
0.000103	0.00
0.000103	0.00
0.000103	0.00
0.000103	0.00
0.000103	0.00
0.000103	0.00
0.000103	0.00
	117.23
	61,255.41
	3,052.39
	613.49
	77,923.80

**CREDITS**

Discounts on LSG	
Discounts - Real Estate, ETC.	
Exon. Real Estate - Decrease	230,450
Exon. Tangibles - Decrease	52,701
Delinquent Real Estate	28,526,098
Delinquent Tangibles	867,481
Delinquent Inv./Fin Goods	220,626
Delinquent Pub Wh Rs	
Delinquent Boats/Air	
Total	

0.000103	1,239.54
0.000103	23.74
0.000103	5.43
0.000103	2,938.19
0.000103	89.35
0.000103	22.72
0.000103	0.00
0.000103	0.00
	4,318.97

**Payments to Extension**

Prior to October	
October	
November	
December	
January	24,719.59
February	41,513.84
March	2,314.95
April	1,796.23
Total Paid	70,344.61

Charges	77,923.80
Credits	4,318.97
Commissions	3128.2
Net Due	70,476.63
Refunds	132.03
Total Due	70,344.60

0.01

**2018 SOIL CONSERVATION TAX SETTLEMENT**  
Mike Newton, NELSON COUNTY SHERIFF

**CHARGES**

Real Estate	Assessment	121,472,758
Added Real Estate		19,175
Exon. Real Estate (Increase)		
LSG		
Franchise		
Penalties		
Total		121,491,933

Rate	Collection Amt.
0.000052	6,316.58
0.000052	1.00
0.000052	0.00
	59.18
	316.34
	302.55
	6,995.65

**CREDITS**

Discounts - Real Estate, ETC.	
Exon. Real Estate - Decrease	230,450
Delinquent Real Estate	28,526,098
Total	28,756,548

0.000052	0.02
0.000052	11.98
0.000052	1,483.36
	1,495.36

**Payments to Soil Conservation**

Prior to October	
October	
November	
December	
January	3,116.01
February	640.99
March	659.41
April	783.28
Total Paid	5,199.69

Charges	6,995.65
Credits	1,495.36
Commissions	233.77
Net Due	5,266.52
Refunds	66.84
Total Due	5,199.68

0.01

**2018 NORTHEAST NELSON FIRE TAX SETTLEMENT**  
Mike Newton, NELSON COUNTY SHERIFF

**CHARGES**

Real Estate		Assessment	15,773,924
Exon. Real Estate			
Added Real Estate			
Franchise			
Penalties			
District Change In			
Total			11,676.01

Rate	Collection Amt.
0.0007	11,041.75
0.0007	0.00
0.0007	0.00
	16.09
	618.17
	0.00
	11,676.01

# Fiscal Court Orders

**CREDITS**

Discounts - Real Estate, ETC.	52,400
Exon. Real Estate - Decrease	2,097,285
Delinquent Real Estate	
<b>Total</b>	

0.0007		36.68
0.0007		1,468.10
		<u>1,504.78</u>

**Payments to Northeast Nelson**

Prior to October	
October	
November	
December	
January	4,847.75
February	1,877.15
March	1,547.55
April	1,717.01
<b>Total</b>	<u>9,989.46</u>

Charges	11,676.01
Credits	1,504.78
Commissions	101.71
Net Due	<u>10,069.52</u>
Refunds	<u>80.05</u>
	<u>9,989.47</u>

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-0.01

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**ORDINANCE AMENDING ORDINANCE RELATING TO ZONING REGULATIONS SECTION 7.2 (SECOND READING)**

The following ordinance is approved after a second reading on motion of Keith Metcalfe, second of Sam Hutchins, and by affirmative vote of Court members Metcalfe, Hutchins, Ice and Lear:  
**COMMONWEALTH OF KENTUCKY**  
 COUNTY OF NELSON  
 NELSON FISCAL COURT  
 ORDINANCE NO. 930.1-16

**An Amended Ordinance relating to Section 7.2: Manufactured Home Subdivision District (MHS) of the Zoning Regulations for Bardstown, Bloomfield, Fairfield, New Haven, and Nelson County, Kentucky**

**7.2: Manufactured Home Subdivision District (MHS)**

**Intent:** The intent of this zoning district classification is to provide, when properly applied, home sites, offered for sale, specifically designed and intended for mobile home occupancy, recognizing the special characteristics and requirements of this type of residential development. Other than the requirements specifically enumerated and listed in this section, developments in areas with this zoning classification are to be held to the same standard and made to meet the same regulations and requirements, procedural and substantive, as any other residential subdivision.

**A. Principal Uses Permitted**

Manufactured Housing, one unit per lot.

**B. Accessory Uses Permitted**

Home Occupations.  
 Garage or other accessory building  
 Private recreational facilities

**C. Conditional Uses Permitted**

- (1) **Schools, Churches, Cemeteries.** Conditions may be imposed that limit/control traffic flow or circulation, lighting as well as any other condition that helps the particular use to blend with its unique surroundings.
- (2) **Instructional/Research Facilities, Rehabilitation Centers.** Conditions may be imposed that limit or specify the size and type of structure or structures, that impose a maximum number of employees and/or individuals to be accommodated on site at any one time, limit seasons or hours of operation, limit the specific area to be used for the particular use, impose specific screening and/or buffering requirements, as well as any other requirement or condition that allows the use to blend in with its particular surroundings.

# Fiscal Court Orders

- (3) Home Occupations (as defined in Article 5) with special allowance: with a conditional use permit granted under this section an otherwise allowed home occupation may employ up to one (1) non-resident employee. Conditions that be imposed include: special provision for parking may be required and otherwise allowed signage may be restricted.
- (4) Bed and Breakfast Establishments or Short-Term Rentals: Prior to the approval of a conditional use permit hereunder, the BOA must consider the impact of the proposed use upon surrounding properties and insure that the character of the area is protected. This conditional use shall meet the mandatory requirements set forth in Section 4.3(C) of these Regulations and the following mandatory criteria: (1) The maximum stay for a guest shall be 30 consecutive days. A dwelling unit rented to and occupied by the same occupant for 31 consecutive days or more is not considered a bed and breakfast establishment or short term rental. (2) The bed and breakfast or short-term rental shall be in the name of the Applicant/Owner, who shall be an owner of the real property upon which the B&B or short-term rental use is to be permitted. (3) The BOA may limit the number of rooms and maximum occupancy. (4) The Applicant/Owner must provide the Planning Commission and post on the exterior of the site the name and contact information for a responsible local contact person who will be available during periods of occupancy. (5) The maximum occupancy of the dwelling shall not exceed two (2) times the number of bedrooms, not including the resident owner and family members. (6) Such use shall be limited to detached single-family dwellings or an approved detached accessory dwelling and shall not be located in two-family or multi-family residential dwellings, condominiums, townhouses, or single-wide manufactured homes. (7) Only minimal food service shall be served or otherwise provided to guests, and evidence of annual food safety permit from the Health Department must be submitted at the time of annual inspection. (8) The dwelling unit shall maintain its exterior appearance as a single-family residential structure, and there shall be minimal outdoor signage identifying the conditional use, as allowed by applicable sign regulations. (9) The dwelling unit shall have off-street parking and comply with the minimum/maximum parking standards as set forth in Article 11 of this Ordinance. (10) The use shall comply with all applicable building, health, fire and related safety codes at all times and shall be inspected by the Building Inspector and Fire Marshal before any activity can occur. Evidence of fire and building compliance shall be submitted at the time of annual inspection. (11) As part of the consideration of an application under this section, the BOA shall, when considering compliance with Section 4.3 (C) of these regulations consider the following relevant factors as a basis for approval or denial of the Conditional Use: (a) The land use character of the area in which the proposed use will locate. Mixed use areas are generally considered more appropriate for bed and breakfast establishments and short-term rentals. Mixed density residential areas are not as appropriate for bed and breakfast establishments and short-term rentals as mixed use areas but can be considered as appropriate with proof of appropriateness given. Areas of solid single family residential use should be limited as locations for bed and breakfast establishments and short term rentals with a general presumption that such use may have a detrimental effect on the character of the area and its housing stock. (b) The number of bed and breakfast establishments and short-term rental units in the area, specifically on the block where the proposed use will be located. As a general presumption, too many bed and breakfast establishments and short-term rental units in a smaller area will change the character of the area, provide unique challenges to the permanent residents of the area and will deter long-term residency in the area. Evidence to overcome this presumption shall be provided as part of any application for a bed and breakfast establishment or short term rental use. (c) The character of the structure to be used and the impact of the proposed use on the availability/affordability of housing for permanent residency. Permanent residents are an important and vital part of the community. They support local business and the community as a whole. Removing too many dwelling units from permanent residency to be used solely for bed and breakfast establishment or short term rental is presumed detrimental the vibrancy of the community. Evidence to overcome this presumption shall be provided as part of any application for a bed and breakfast establishment or short-term rental use. Preference shall be given by the BOA to applications with a permanent resident owner/operator on site during periods of occupancy. (d) In addition to the above relevant factors, the BOA may further consider other relevant factors deemed by the BOA to be unique to the subject property.
- (5) Child Care/Daycare Facilities, Type II: Conditions that may be imposed or that are mandatory (\*) include: that a fenced play yard be provided (\*); and that special screening or buffering may be required.

# Fiscal Court Orders

D. Planned Unit Development Uses Permitted (approved as provided for in Section 8.2 of these Regulations)

(1) Golf Courses, Recreational Facilities and similar uses: providing for public accessibility to relatively undeveloped green spaces and forest reserves, provided that: adequate parking facilities and traffic access are provided based on anticipated demand; and adequate buffers between active uses and adjacent properties are provided where deemed necessary by the Planning Commission.

E. Dimension and Area Requirements

Standard	Requirement
Height (maximum)	35 feet
Lot Area (minimum)	
Served by sanitary sewer	10,000 square feet
Not served by sanitary sewer	30,000 square feet
Lot Area (maximum)	3 acres
Lot Width (minimum)	100 feet
Open Space (minimum)	30 percent
Front Yard Setback (minimum)	35 feet
	Note: Except along roadways classified as collectors or higher by the transportation element of the adopted comprehensive plan where the setback is 50 feet from roadway right-of-way.
Side Yard Setback (minimum)	10 feet
Rear Yard Setback (minimum)	35 feet

F. Parking Requirements

Parking requirements may be found in Article 11 of these Zoning Regulations, by use.

G. Sign Requirements

Sign requirements as set out in Article 12 of these Zoning Regulations.

Given First Reading at a Regular Meeting of the Fiscal Court of Nelson County, Kentucky on the 2nd day of October, 2018.

Adopted this 7th day of November, 2018, by 4 ayes and 0 nays.

NELSON FISCAL COURT

ATTEST:  
*Clara A. Dillion*  
Nelson County Court Clerk

*Jim Walls*  
County Judge/Executive

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ORDINANCE - ISSUANCE OF INDUSTRIAL REVENUE BONDS (HEAVEN HILL DISTILLERIES, INC. PROJECT) - SECOND READING

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

ORDINANCE NO. B.1 (2018)

AN ORDINANCE OF THE COUNTY OF NELSON, KENTUCKY, AUTHORIZING THE ISSUANCE OF UP TO \$29,000,000 PRINCIPAL AMOUNT OF INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2018 (HEAVEN HILL DISTILLERIES, INC., PROJECT), IN ONE OR MORE

# Fiscal Court Orders

Nov. 7, 2018  
SPECIAL SESSION OF NELSON FISCAL COURT

Book 40  
Page 277

**SERIES FOR THE PURPOSE OF FINANCING AN INDUSTRIAL BUILDING PROJECT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF: (i) A DEED FROM HEAVEN HILL DISTILLERIES, INC. TO THE COUNTY OF NELSON, (ii) A LEASE AGREEMENT BETWEEN THE COUNTY AND HEAVEN HILL DISTILLERIES, INC., (iii) A MORTGAGE, (iv) A BOND PURCHASE AGREEMENT, (v) A PAYMENT IN LIEU OF TAXES AGREEMENT, IF APPLICABLE, AND (vi) ANY AND ALL OTHER RELATED DOCUMENTS; AND TAKING OTHER RELATED AND INCIDENTAL ACTION.**

**WHEREAS**, the County of Nelson, Kentucky (“Issuer”), pursuant to the provisions of the Industrial Buildings for Cities and Counties Act, as amended, Sections 103.200 to 103.285, inclusive, of the Kentucky Revised Statutes, (the “Act”), is authorized to issue its revenue bonds and to make the proceeds from the sale thereof available to a company for the purpose of financing industrial building facilities as defined in the Act, such bonds being payable from rental payments made by such company; and under the Act the financing of industrial buildings constitutes a public purpose;

**WHEREAS**, Heaven Hill Distilleries, Inc., a Kentucky corporation (“Company”), proposes that the Issuer, pursuant to the Act, assist the Company in financing the acquisition, construction and installation of a production distribution center and tangible property therein to be located on Loretto Road, Nelson County, Kentucky, for the purpose of establishing industrial buildings for the storage and distribution of tangible property (collectively, the “Project”), which Project and the site thereof are more particularly described in the Lease Agreement hereinafter identified and approved; and the Project qualifies for financing as an “industrial building” within the meaning of the Act; and

**WHEREAS**, the acquisition, construction and installation of the Project will result in the retention of industry and a substantial number of employment opportunities in the community that would otherwise not be available;

**WHEREAS**, on May 17, 2016, the Fiscal Court of the Issuer adopted a resolution (the “Inducement Resolution”) authorizing industrial building revenue bond financing for the benefit of the Company and affirming the Issuer’s agreement to undertake such financing at the appropriate time, subject to compliance with the provisions of the Act;

**WHEREAS**, the Kentucky Economic Development Finance Authority has approved the issuance of the Bonds (as defined herein) and the reduction in the state ad valorem tax in connection with the Bonds and the Project pursuant to KRS 103.210;

**WHEREAS**, at the request of the Company the Issuer is prepared to issue its revenue Bonds pursuant to the Act for purposes of financing the acquisition, construction and installation of the Project and paying costs of issuance of the Bond, upon terms which are set forth in the Lease Agreement hereinafter identified and approved;

**WHEREAS**, pursuant to the provisions of Section 103.230 of the Act, the Company will make a request in writing, addressed to the County Judge/Executive acting on behalf of the Issuer, that the sale of the Bonds hereinafter identified and authorized, to bear interest as set out in the Bond Purchase Agreement hereinafter identified and approved, shall be made upon a negotiated basis; and

**WHEREAS**, it is necessary and proper in the interests of the health, safety, convenience and general welfare of the citizens, residents and inhabitants of the Issuer and its environs that the Issuer (a) authorize the issuance of the Bonds pursuant to the Act in order to finance, for the benefit of the Company, the acquisition, construction and installation of the Project and to pay certain costs of the issuance of the Bonds, (b) authorize the execution of a Lease Agreement between the Issuer, as lessor, and the Company, as lessee, (c) authorize the execution of a Mortgage and the execution of related documents, (d) authorize the execution of a Bond Purchase Agreement and the execution of related documents, (e) authorize the execution of a Bond Payment in Lieu of Taxes Agreement, and (f) authorize and approve the sale of the Bonds and approve other necessary or related documents and actions.

# Fiscal Court Orders

BE IT ORDAINED BY THE FISCAL COURT OF NELSON COUNTY, KENTUCKY, AS FOLLOWS:

**Section 1.** For the purposes set forth in the preamble, which is incorporated as a part hereof, the Issuer, acting by and through the Fiscal Court, hereby:

(A) Confirms and ratifies the Inducement Resolution and the prior discussions and agreements described therein, whereby the Issuer agreed preliminarily to authorize and issue its Bonds for the Company pursuant to the Act in order to finance the Project;

(B) Accepts from the Company the conveyance of the Project and the sites thereof, subject to the terms and conditions contained in the instruments of conveyance and in the Lease Agreement hereinafter identified and approved;

(C) Authorizes the sale, issuance, execution and delivery of up to \$29,000,000 principal amount of Nelson County Industrial Building Revenue Bonds, Series 2018 (Heaven Hill Distilleries, Inc. Project) (the "Bonds"), which shall be issued in substantially the form and subject to the terms and specifications set forth in the Bond Purchase Agreement identified and approved herein, all subject to compliance with the provisions of the Act; and

(D) Authorizes the use of the proceeds of the Bonds, as provided in the Bond Purchase Agreement, Mortgage and Lease Agreement hereinafter identified and approved, to pay the costs of acquisition, construction and installation of the Project and to pay certain costs of issuance of the Bonds.

**Section 2.** The County/Judge Executive is hereby authorized, empowered and directed to execute, acknowledge and deliver on behalf of the Issuer, as lessor of the Project, and the Company, as lessee (the "Lease Agreement"), which Lease Agreement is hereby approved, authorized and adopted in substantially the form previously submitted and filed with the Clerk of the Fiscal Court, with such changes therein and completions thereof as the officer executing the same may require or approve on behalf of the Issuer, upon the advice of counsel, such approval to be conclusively evidenced by the execution and delivery thereof.

**Section 3.** In order to provide for the security of the Bonds, the County Judge/Executive is hereby authorized, empowered and directed to execute and acknowledge on behalf of the Issuer a Mortgage in favor of the purchaser of the Bonds. The Mortgage is hereby approved, authorized and adopted in substantially the form previously submitted and filed with the Clerk of the Fiscal Court, with such changes and completions as the officer executing the same may require or approve on behalf of the Issuer, upon the advice of counsel, such approval to be conclusively evidenced by the execution and delivery thereof. So that the statutory mortgage lien provided by Section 103.250 of the Act shall not attach to the Project, the Issuer hereby declares its intention and elects to follow the provisions of Section 103.251 of the Act with respect to the imposition of a foreclosable lien on the Project in connection with the security of the Bonds. The Bonds shall be issued no later than one (1) year from the date of adoption of this Ordinance, shall mature as to principal no later than the date which is thirty (30) years from the date of issuance of the Bonds and shall be subject to redemption and shall bear interest payable periodically at a rate approved by the Company, all as provided in the Bond Purchase Agreement hereinafter identified, reference to which is hereby made.

**Section 4.** With respect to the authorization and sale of the Bonds, and upon the request of the Company, the Issuer approves, and the County Judge/Executive is authorized and directed to execute and deliver on behalf of the Issuer, a Bond Purchase Agreement between the Issuer and the purchaser of the Bonds to be designated by the Company, and as approved by the Company (the "Bond Purchase Agreement"), being in substantially the form submitted herewith, with such changes and completions as the officer executing the same may require or approve on behalf of the Issuer, upon the advice of counsel, such approval to be conclusively evidenced by the execution and delivery thereof. The sale of the Bonds pursuant to the terms of the Bond Purchase Agreement is hereby authorized, approved and directed.

**Section 5.** The County Judge/Executive is hereby authorized, empowered and directed to execute, acknowledge and deliver on behalf of the Issuer, if applicable, a Payment In Lieu of Taxes Agreement between the Issuer and the Company (the "Payment In Lieu of Taxes Agreement"), which Payment In Lieu of Taxes Agreement is hereby approved, authorized and

# Fiscal Court Orders

adopted in substantially the form previously submitted and filed with the Clerk of the Fiscal Court, with such changes therein and completions thereof as the officer executing the same may require or approve on behalf of the Issuer, upon the advice of counsel, such approval to be conclusively evidenced by the execution and delivery thereof.

**Section 6.** The County Judge/Executive, the Fiscal Court Clerk, the County Treasurer, the County Attorney and other appropriate officials of Issuer, and each of them, for and on behalf of the Issuer, are hereby authorized, empowered and directed to do and perform any and all things necessary to effect the execution and delivery of the Lease Agreement, the Mortgage, the Bond Purchase Agreement, the Payment In Lieu of Taxes Agreement and related documents, the performance of all obligations and the preservation of all rights of the Issuer thereunder, the execution and delivery of the Bonds and the performance from time to time of all other actions of whatever nature necessary to carry out the authority conferred or contemplated by and the purposes of this Ordinance, the Lease Agreement, the Mortgage, the Bond Purchase Agreement, and the Payment In Lieu of Taxes Agreement and related documents, and further to approve and to execute all papers, documents, certificates or other instruments that may be required for the carrying out and effectuation from time to time of the authority conferred by and the purposes of this Ordinance, the Lease Agreement, the Mortgage, the Bond Purchase Agreement, the Payment In Lieu of Taxes Agreement and related documents, or to evidence said authority and purposes.

**Section 7.** The Bonds and the interest thereon do not represent or constitute an indebtedness of the Issuer or the Commonwealth of Kentucky within the meaning of the Constitution or statutes of the Commonwealth or a pledge of the faith and credit of the Issuer or the Commonwealth. The Issuer shall never be required to pay from its own funds any obligations deriving from the issuance of the Bonds, and the Bonds are declared to be special and limited obligations payable solely and only from the receipts derived under the Lease Agreement and the Mortgage, as provided in the documents herein approved.


**Section 8.** The provisions of this Ordinance may be supplemented from time to time by resolution of the Fiscal Court.

**Section 9.** The provisions of this Ordinance are hereby declared to be severable and, if any section or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

**Section 10.** In the event of any conflict or conflicts between the provisions of this Ordinance and of any prior ordinances, resolutions or parts thereof, the provisions of this Ordinance shall prevail.


**Section 11.** This Ordinance shall be in full force and effect upon its passage and approval and upon publication of the legal notice required by Section 103.210 of the Act.

This Ordinance was given first reading at a duly convened meeting of the Fiscal Court held on October 16, 2018, and given second reading and adopted at a duly convened meeting of the Fiscal Court held on November 7, 2018.

  
\_\_\_\_\_  
Dean Watts, County Judge/Executive

11-7-18  
\_\_\_\_\_  
Date

Approved:

  
\_\_\_\_\_  
Elaine Filiatreau, Fiscal Court Clerk

11-7, 2018  
\_\_\_\_\_  
Date

Approved as to Form and Legality:

Nelson County Attorney

By: \_\_\_\_\_  
Matthew Hite, County Attorney

# Fiscal Court Orders

Nov. 7, 2018  
SPECIAL SESSION OF NELSON FISCAL COURT

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## CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Nelson County Fiscal Court (the "Fiscal Court"), and as such Clerk I further certify that the foregoing is a true, correct and complete copy of an Ordinance duly adopted by the Fiscal Court upon second reading at a duly convened meeting held on Nov. 7, 2018, signed by the County Judge/Executive, approved by me as Clerk and in full force and effect as therein stated, all as shown by the official records of the Fiscal Court in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of November, 2018.

  
Elaine Filiatreau, Fiscal Court Clerk

## PILOT AGREEMENT

THIS PILOT AGREEMENT ("Agreement") is entered into and effective as of November 7, 2018, by and between (i) HEAVEN HILL DISTILLERIES, INC., a Kentucky corporation (the "Company"), and (ii) COUNTY OF NELSON, KENTUCKY, a county and political subdivision of the Commonwealth of Kentucky (the "Issuer"). The Company and the Issuer are hereinafter individually referred to as a "Party" and collectively as "Parties."

### RECITALS:

- A. Pursuant to resolution adopted on or about May 17, 2016 (the "Resolution"), the Fiscal Court of Nelson County, Kentucky authorized the issuance of Industrial Building Revenue Bonds in an amount up to TWENTY-NINE MILLION DOLLARS (\$29,000,000.00) for a term of thirty years (the "Bonds") to pay the costs of the acquisition, construction, equipping and installation of the Project, as hereinafter defined.
- B. The Kentucky Economic Development Finance Authority (the "Authority") approved the issuance of the Bonds pursuant to KRS 103.210(1).
- C. The Fiscal Court of the Issuer adopted an ordinance on November 7, 2018 (the "Ordinance") to issue and sell the Bonds, and to use the proceeds of the Bonds to acquire and develop the Project.
- D. As an inducement to the Issuer to issue the Bonds and to the Authority to approve the Bonds, the Company shall, during the "Term," as defined herein, make certain payments of city, local and county taxing authority ad valorem taxes and those imposed by the Commonwealth of Kentucky ("Commonwealth"), as provided herein.

### AGREEMENT:

NOW, THEREFORE, the Parties hereby agree as follows:

#### 1. DEFINITIONS.

- 1.1 Building* shall mean the industrial building located on the Real Property and site improvements and appurtenances.
- 1.2 Effective Date* shall mean the date the Bonds are issued.
- 1.3 Equipment* shall mean equipment and machinery for the Company's manufacturing and production processes located in or at the Building, including any improvements or additions thereto or replacements thereof.
- 1.4 Bonds* shall mean the industrial revenue bonds, in a face amount up to \$29,000,000.00, for a term of thirty years, which the Issuer has agreed to issue at the request of the Company, to pay the costs of acquisition, construction, equipping and installation of the Project, as more particularly described in the Ordinance and corresponding transaction documents.



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**1.5 Payment Date** shall mean December 31 of each year during the Term, beginning December 31, 2019.

**1.6 PILOT** ("Payment in Lieu of Tax") shall mean the payment, as more particularly described in Section 2, to be made by the Company in lieu of all school taxes due and payable, during the Term, relating to the Project.

**1.7 Project** shall mean the Real Property, Building and Equipment, collectively.

**1.8 Real Property** shall mean the real property located on Loretto Road, in Bardstown, Nelson County, Kentucky, as more particularly described on attached Exhibit A.

**1.9 Term** shall have the meaning described in, and be concurrent with, the term of the Bonds.

**2. PILOT.** As an inducement to the Issuer to issue, and the Authority to approve, the Bonds, the Company agrees to pay during the Term, on or before the Payment Date, an annual PILOT to the Bardstown Independent School District ("School District") in such annual amounts as are equal to all taxes which the School District could have levied in such year if the Project was not exempt from ad valorem taxes by virtue of Nelson County's ownership.

**3. CONTINGENT UPON BONDS.** Notwithstanding anything herein to the contrary, the Company is under no obligation to proceed with the Project or the Bonds. If the Company does not proceed with the Project, or if the Bond transaction is not consummated for any reason whatsoever, other than a default by the Issuer, or if the Bonds are terminated by the Company for any reason, then this Agreement shall be null and void.

**4. LEASEHOLD TAXES.** The Parties acknowledge that, upon issuance of the Bonds, the Company may be obligated to pay certain leasehold taxes on the Project pursuant to KRS 132.020. The Parties hereby agree that the amounts due under Section 2 shall be reduced by the amount of any such leasehold tax payment.

## 5. MISCELLANEOUS.

**5.1 Entire Agreement.** This Agreement embodies the entire agreement and understanding of the Parties related to its subject matter and supersedes all prior proposals, understandings, agreements, correspondence, arrangements and contemporaneous oral agreements relating to the subject matter of this Agreement. No representation, promise, inducement or statement of intention that has not been embodied in this Agreement has been made by any party.

**5.2 Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement.

**5.3 Amendment; Waiver.** This Agreement may be amended, modified or superseded only by a written instrument signed by all of the Parties to this Agreement. No party will be deemed to have waived compliance by another party of any provision of this Agreement unless such waiver is contained in a written instrument signed by the waiving party and no waiver that may be given by a party will be applicable except in the specific instance for which it is given. The failure of any party to enforce at any time any of the provisions of this Agreement or to exercise any right or option contained in this Agreement or to require at any time performance of any of the provisions of this Agreement, by any of the other parties, will not be construed to be a future waiver of such provisions and will not affect the validity of this Agreement or any of its provisions or the right of such party thereafter to enforce each provision of this Agreement. No course of dealing will operate as a waiver or modification of any provision of this Agreement or otherwise prejudice such party's rights, powers and remedies.

**5.4 Binding Effect.** All of the provisions of this Agreement will be binding upon and inure to the benefit of and be enforceable by the Parties to this Agreement and their respective successors and assigns.

**5.5 Equipment.** The Parties hereby agree that the purchase, installation or use of improvements or additions to, or replacements of, the Equipment, will not cause Company to incur any property tax or otherwise increase the PILOT payments hereunder.

**5.6 Further Assurances.** Throughout the Term, each party will execute and deliver such additional documents or take such additional actions as may be requested by another

# Fiscal Court Orders

from a decision hereunder shall be instituted exclusively in the courts of the Commonwealth of Kentucky located in Nelson County.

**5.9 Limited Assignment; Binding Effect.** Neither Party shall assign any of its rights or obligations under this Agreement without obtaining the prior written consent of the other Party, except that the Company may assign all of its rights and obligations under this Agreement without the prior consent of the Issuer in connection with the sale of the Project or in connection with a merger or other transfer by operation of law. Subject to the foregoing, all the provisions of this Agreement shall be binding upon, and shall inure to, the benefit of and be enforceable by the Parties to this Agreement and their respective heirs, legal representatives, successors and assigns.

**5.10 Severability of Provisions.** If a court in any proceeding holds any provision of this Agreement or its application to any person or circumstance invalid, illegal or unenforceable, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those to which it was held to be invalid, illegal or unenforceable, shall not be affected, and shall be valid, legal and enforceable to the fullest extent permitted by law, but only if and to the extent such enforcement would not materially and adversely frustrate the Parties' essential objectives as expressed in this Agreement. Furthermore, in lieu of any such invalid or unenforceable term or provision, the Parties intend that the court add to this Agreement a provision as similar in terms to such invalid or unenforceable provision as may be valid and enforceable, so as to effect the original intent of the parties to the greatest extent possible.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the date first written above.

HEAVEN HILL DISTILLERIES, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

("Company")

COUNTY OF NELSON, KENTUCKY

By: Dean Watts  
Name: Dean Watts  
Title: County Judge/Executive

("Issuer")

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## DEPARTMENT REPORTS

\*\*ROAD DEPARTMENT  
SOUTHFORK TRL  
To: Dean Watts, NCJE; Magistrates  
From: Bradley T. Spalding, P.E.  
Date: 11/1/18  
Subject: Southfork Estates, - County Acceptance  
JBH Properties  
Brad Hurst - Developer

Southfork Estates final surface was placed on September 18, 2018 and more than 50% of the homes (13 of 24) have been constructed. The asphalt base was installed on 9/9/16 and the road has been through two (2) winters.

The Developer has requested the County accept the road (Southfork Trail).

South Fork Trail 00+00 to 13+15 -(1,315 feet) 22 wide pavement with dirt shoulders and ditches.

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A street light has been installed at the intersection of New Haven Road (Hwy. 31E) and Southfork Trail. All other requirements have been completed.

  
Bradley T. Spalding, P.E.  
County Engineer

11-1-18

Date

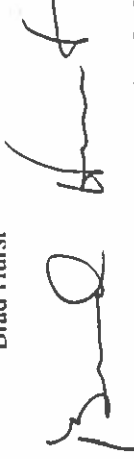
To: Nelson County Fiscal Court

ATTN: Judge Dean Watts

JBH Properties would like to request Nelson Fiscal Court to accept Southfork Trail into the county road system. All improvements have been completed and inspected by the county engineer. Also, more than 50% of the homes built are now completed.

Thank You

Brad Hurst



On motion of Keith Metcalfe, second of Jeff Lear, by affirmative vote of Court members Metcalfe, Lear, Ice and Hutchins, IT IS HEREBY ORDERED to release the bond on Southfork Trl. and to accept that road into the county system.

COPPERFIELD CURBS - County Road Engineer described an issue with curbs in Copperfield subdivision not having been built to county standards; 2" curbs were put in rather than 3". He described the project as it was initially approved in 2015 and explained that this appears to be an unintentional mistake. The developers have presented a plan to address drainage here without replacing all curbs; an engineering firm has signed off on these plans. Developers are asking for a waiver on the 3" curbs at the upper end of the street in question, with drop boxes to be installed as a means of allowing for water run-off if needed. At the lower end of the street, 2" curbs will be replaced with 3" curbs. Spalding presented his recommendations for fixing this problem without requiring that all curbing be replaced. Noting that this action applies to this particular situation only, on motion of Sam Hutchins, second of Jeff Lear, by affirmative vote of Court members Hutchins, Lear, Ice and Metcalfe, IT IS HEREBY ORDERED that Copperfield developers must abide by the County engineer's recommendations, in general by replacing curbing at the lower end of the street and by adding drop boxes on the upper end.

ROAD CONSTRUCTION STANDARDS - Brad Spalding explained to Court members changes that the City of Bardstown has made to its road construction design standards, suggesting that the County review these for consideration as possible update to county requirements:

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Typical Pavement Section

*6'3", 7*

**Street Classification**

Residential Cul-de-sac (<1,000 ft.)	9" DGA, 3" Asphalt Base, 1.25" Asphalt Surface
Residential Collector (>1,000 ft.)	9" DGA, 3.5" Asphalt Base, 1.25" Asphalt Surface
Commercial	12" DGA, 4.5" Asphalt Base, 1.25" Asphalt Surface
Light Industrial (LIP)	12" DGA, 5.5" Asphalt Base, 1.5" Asphalt Surface
Industrial	14" DGA, 6" Asphalt Base, 1.5" Asphalt Surface

**Minimum Pavement Section Thicknesses\***

\*Minimum pavement designs based on a 15 year design life and a CBR of 3 or less

**NOTES:**

Alternate pavement designs may be submitted to the Office of the City Engineer for approval by a licensed Engineer with an accompanying geotechnical report.

Alternate designs shall be in accordance with the current edition of KYTC's Pavement Design Guide and Standard Specifications.

Subgrade stabilization is recommended for any soil with a CBR less than 7.

Use geotextile fabrics in accordance with KYTC standards in saturated foundation areas and in embankment benching areas or as required by the City Engineer.

Roadside ditches shall be a minimum of six (6) inches below the bottom of the pavement stone base layer.

A subgrade drainage system shall be installed in accordance with the Standard Specifications with underdrains at a minimum spacing of 100 feet center-to-center along the edges of the roadway or as required by the City Engineer.

Date: 3/15/18	Drawn By: TJC	Not to Scale
<b>PAVEMENT DESIGN DETAIL</b>		
CITY OF BARDSTOWN 220 North Fifth Street Bardstown, KY 40004 Phone: (502) 348-5947 Fax: (502) 348-2433		

**ON-GOING - Lee Mattingly reported on on-going Road Department activity: Road repair due to washouts as a result of recent heavy rains, chip-seal work on various roads as weather permits, culvert replacement on Allen Rd., preparation for snow removal, salt supplies, completion of bush-hogging for season with crews boom mowing on various roads.**

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HEMP

Representing a Frankfort consulting firm, Russ Salsman appeared before Nelson Fiscal Court for discussion of hemp and the need for farmers who would contract with their company to produce this product.

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DEPARTMENT REPORTS (CONTINUED)

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

John Greenwell told Court members that weather conditions had resulted in need to work on landfill access roads. Beyond work on the application process for landfill, Greenwell reported that work proceeds as normal.

# Fiscal Court Orders

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**\*\*EMS**

Regular report presented by Joe Prewitt:  
Monthly EMS Run Totals  
As of October, 2018

11/05/2018

Areas	Monthly Completed Runs	Monthly Non Transport	Monthly (Total Calls)	Year To Date Calls	Monthly Charges	Year To Date Charges	Average Charge Per Run
Bardstown Area	407	76	483	1894	\$ 451,797.76	\$ 1,709,376.83	\$ 902.52
Bloomfield Area	21	5	26	107	\$ 24,878.72	\$ 88,516.56	\$ 827.26
New Haven Area	18	8	26	121	\$ 19,725.64	\$ 99,007.06	\$ 818.24
Boston Area	19	7	26	71	\$ 20,684.08	\$ 48,933.97	\$ 689.21
Cox's Creek Area	15	6	21	89	\$ 14,297.52	\$ 64,654.82	\$ 726.46
<b>TOTAL</b>	<b>480</b>	<b>111</b>	<b>591</b>	<b>2291</b>	<b>\$ 531,383.72</b>	<b>\$ 2,010,489.24</b>	<b>\$ 877.56</b>

Average Per Day	15.5	3.6	19.1	18.6	\$ 17,141.41	\$ 16,345.44
Collections (YTD)					\$	\$ 728,075.00
Collection Per Run					\$	\$ 317.80
Cost Per Run					\$	\$ 403.99
Difference					\$	\$ (65.19)
RETURNS TO STATION I		9				

Previous Year 2017 Totals	560	2409	\$ 361,251.65	\$ 1,572,485.30
Difference From Current Year	31	-118	\$ 170,132.07	\$ 438,003.94

Previous Year 2016 Totals	632	2355	\$ 372,867.40	\$ 1,451,873.40
Difference From Current Year	-41	-64	\$ 158,516.32	\$ 568,615.84

Previous Year 2015 Totals	631	2317	\$ 385,995.00	\$ 1,425,213.30
Difference From Current Year	-40	-26	\$ 145,388.72	\$ 595,275.94

Previous Year 2014 Totals	507	2150	\$ 293,834.05	\$ 1,236,057.60
Difference From Current Year	84	141	\$ 237,749.67	\$ 774,431.64

Previous Year 2013 Totals	526	2143	\$ 267,495.90	\$ 1,214,874.90
Difference From Current Year	65	148	\$ 243,887.82	\$ 795,614.34

"7 TREAT NO TRANSPORT"

**\*\*JAIL**

Regular report presented by Jailer Dorcas Figg:

October, 2018

## NELSON COUNTY JAIL

OCTOBER	Total	HIP	State	W-End	OUT	TO	CT	In House
Wed 17	161	0	58	0	3			158
Thur 18	156	0	61	0	3			153
Fri 19	148	0	59	0	3			145
Sat 20	144	0	59	0	3			141
Fri 21	145	0	59	0	3			142
Mon 22	145	0	56	0	3			142
Tue 23	148	0	56	0	3			145
Wed 24	141	0	51	0	3			138
Thur 25	140	0	52	0	4			136
Fri 26	134	1	51	0	4			129
Sat 27	136	1	50	0	4			131
Sun 28	133	1	50	0	4			128
Mon 29	134	2	49	0	4			128
Tue 30	135	2	51	0	4			129
Wed 31	141	2	53	0	4			135

Thur 01	147	3	54	4	4			140
Fri 02	152	4	54	4	4			144
Sat 03	149	1	54	4	4			144
Sun 04	134	1	52	4	4			129
Mon 05	137	1	51	4	4			132
Tue 06	137	3	51	5	5			129
Thur 07	136	3	51	5	5			128

**\*\*RECREATION**

Recreation Director Bryce Greer reported on winterization of football and baseball fields, with soccer fields to follow. He told Court members that boys basketball will begin in January.

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### SURPLUS PROPERTY

On motion of Bernard Ice, second of Sam Hutchins, by unanimous vote of the Court, IT IS HEREBY ORDERED to declare Dist. 1 rocks as surplus, as well as two vehicles, and to advertise for bids (Hahn absent):

# Fiscal Court Orders

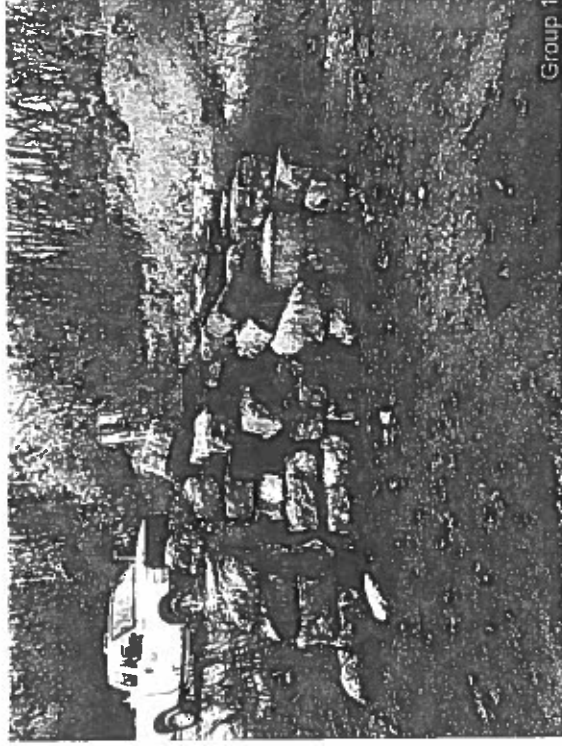
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Nelson Fiscal Court  
Surplus Rock

Group 1



There are two surplus vehicles on our lot.

1995 Chevy 1500 -- VIN: 1GCEC14H8SZ261166  
Mileage: 240152

1999 Ford E350 Ambulance -- VIN: 1FDXE40F6XHA89060  
Mileage: 251689

Thanks

*Lee Mattingly*  
Assistant Road Supervisor

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Following review of schedule for Feed America, on motion of Sam Hutch-  
ins, second of Bernard Ice, by affirmative vote of all Court members present, IT  
IS HEREBY ORDERED to adjourn the Nov. 7 special session of Nelson Fiscal Court.

DEAN WATTS, NELSON COUNTY JUDGE-EXECUTIVE

ELAINE A FILIATREAU, NELSON COUNTY CLERK