

A regular meeting of the Bracken County Fiscal Court was held Wednesday, February 13, 2013, for the purpose of transacting any business properly presented by the established agenda.

Presiding: Earl Bush  
County Judge Executive

Present: Carl Allen, Clark Hennessey, David Kelsch, David Hughes, Scotty Lippert, John Corlis, Doug Smith, and Dennis Jefferson.

Let the Record reflect that the Court members received a copy of the vendor claims to be paid and a Financial Statement ending January 31, 2013.

Upon Motion of John Corlis, seconded by David Kelsch that the minutes meeting on January 22, 2013 be accepted/approved.

Voting being unanimous.

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### **Floor open to the public to discuss anything other than agenda items**

Judge Bush opened the floor to public comments regarding any concerns or issues of others that are not related to any agenda item. He advised that there would be order held in the court. This time would be for public to voice concerns, but no personal attacks would be allowed.

### **Roads & Projects Updates**

\*Judge Bush advised the court the Road Department has been hauling base ash. The estimate for the "slip" on Willow Creek came in at \$17,600 to put up the wall and correct everything. We are trying to get more state funds to help with this project but it has to be done whether the court receives assistance or not. With no objections from the court Judge Bush will pursue the project.

\*No Objections.

\*Judge Bush advised that he has advertised and requested bids on a 2013 -1 ton-Dump Truck. Pendleton and Fleming have one that performs well and is an asset to their county road departments.

\*Judge Bush is working with Scott Martin on a reverse auction for a mini excavator. With no objections from the court, Judge Bush will continue with this bidding.

\*No Objections

### **Mers Litigation Update**

County Attorney, Mike Clark has not received a reply at this time. \*Tabled

### **Emergency Back Up Support Team**

After much discussion of the court:

A Motion made by Doug Smith, seconded by Clark Hennessey that the individuals listed below be employed at part-time/seasonal employees to help in the case of snow, ice, flooding, and any type of emergency situation that may arise for the county to need assistance of equipment operators and such. All individuals currently hold a CDL. They will provide proof when the fill out employment paperwork.

Individuals: Phillip Lucas, Joseph Jefferson, Greg Sutton, & Joey Godman.

Vote being unanimous.

### **HazMat**

Judge Bush discussed with the court, the issues that have fallen upon Area 8. Judge Bush and Emergency Mgmt Coordinator, Neider Reynolds are meeting with other counties and KEMA to get another contract established. It is possible we will move to Area 6 the upcoming spring. Judge Bush and Mr. Reynolds will advise the court when they receive further details.

### **Bracken County Sheriff 2012 Annual Settlement**

Upon Motion of John Corlis, seconded by Scotty Lippert that the 2012 annual settlement presented by the Bracken County Sheriff be accepted/approved.

Vote being unanimous.

**Recind BTGNTF funds & apply to Sheriff Deputies Salaries (for pay increases)**

Bracken Co Sheriff, Howard Niemeier advised that he would like for the Fiscal Court to Rescind the payment made to BTGNTF in the amount of \$3,636.62 and apply it to his account 01-5015-103. This would provide for a raise for each deputy and also the secretary. There was much discussion on budgeting and fee office budgets running calendar year as opposed to the County budget running on a fiscal year. Discussion was held on planning for enough funds in both budgets to cover costs. The sheriff was asked to include all raises and expenditures through his next budget, if court assistance is needed it should be listed on the fee office budget. Further discussion was held.

**Rescind Payment to BTGNTF - \$3,636.62**

Upon Motion of John Corlis, seconded by David Hughes that the court rescind the payment to the BTGNTF in the amount of \$3,636.62.

Vote being unanimous.

**Increase Sheriff Deputies and Secretary**

Upon Motion of David Hughes, seconded by John Corlis that the court allocate \$1,864 to the Sheriff Deputies Salary Advance Account (01-5015-103). This is to increase the pay of Deputies and the Secretary in the department. Sheriff Niemeier advises that his budget would not allow for the increases in 2013. He needs \$1,864 in funds to provide increases to employees through June 30, 2013. At that time he will ask the court to include funds in the 13-14 budget Magistrate Hughes advised Sheriff Niemeier that all his future budgets should include and show increases for employees in his department.

Vote being unanimous.

**First Reading: Ordinance # 13-01 Regarding Flood Damage Prevention**

Upon Motion of Dennis Jefferson, seconded by Doug Smith that the court approve/pass the 1<sup>st</sup> Reading of Ordinance #13-01 regarding Flood Damage Prevention shown below.

Vote being unanimous.

**Resolution #13-02; Regarding a 50/50 Grant for land and water funds (Industrial Park-Part of the Horse Trails Project)**

Upon Motion of John Corlis, seconded by Scotty Lippert that the Court pass the Resolution below committing to 50% of project costs should the land and water grant be awarded. (This will be part of the Horse Trails Project on the Industrial Park). This committed amount by the fiscal court is not to exceed \$75,000.

Vote being unanimous.

**Bracken County Clerk 2012 Annual Settlement**

Upon Motion of David Kelsch, seconded by Doug Smith that the following 2012 Annual Settlement submitted by the Bracken County Clerk, Rae Jean Poe, be accepted/approved.

Vote being unanimous.

**General Fund Vendor Claims**

Upon Motion of Dennis Jefferson seconded by Scotty Lippert that the following General Fund Vendor Claims be approved for payment.

Vote being unanimous.

Abstain: John Corlis – due to payment to Brooksville Farm Supply.

**General Fund Transfers**

Upon Motion of Scotty Lippert, seconded by Doug Smith that the following General Fund Transfers be accepted/approved.

Vote being unanimous.

**Road Fund Vendor Claims**

Upon motion of David Kelsch seconded by Doug Smith that the following Road Fund Vendor Claims be approved for payment.

Vote being unanimous.

**Road Fund Transfers**

Upon Motion of Clark Hennessey, seconded by Scotty Lippert that the following Road Fund Transfers be accepted/approved.

Vote being unanimous.

**Jail Fund Vendor Claims**

Upon Motion of Doug Smith, seconded by John Corlis that the following Jail Fund Vendor Claims be accepted/approved for payment.

Vote being unanimous.

**Jail Fund Transfers**

Upon Motion of Scotty Lippert, seconded by David Kelsch that the following Jail Fund Transfers be accepted/approved.

Vote being unanimous.

**Jail Fund Interfund Transfers**

Upon Motion of Dennis Jefferson, seconded by John Corlis that the following Jail Fund Interfund Transfers be accepted/approved.

Vote being unanimous.

**Dispatch/911 Vendor Claims**

Upon motion of John Corlis, seconded by Scotty Lippert that the following Dispatch/911 Fund Claims be approved for payment.

Vote being unanimous.

**Dispatch/911 Fund Transfers**

Upon Motion of Clark Hennessey, seconded by David Hughes that the following Dispatch/911 Fund Transfers be accepted/approved.

Vote being unanimous.

\*2/27/2013 Sheriff will be having a Town Hall Meeting in the Courthouse.

\*Judge Bush Reminded Magistrates that District 6 will be at meeting on 2/27 to discuss the Rural Secondary Road Program and Flex Funds

\*Justice Center is still proposing a move in May/June 2013.

\*Judge Bush advised that he is still waiting on plans and costs for the Courthouse renovations.

\*Judge Bush advised the the Fiscal Court Audit is complete and the audit went very well. The auditor reviewed suggestions regarding accounts for the next budget regarding Judicial Center accounts.

\*Michael Clark informed the Court of the new policies of the Bracken District Court relative to how Jail bills will be enforced and collected. The new policy will require the County Attorney to make the payment of jail bills a condition of Conditional Discharged time. Should the jail bill not be paid it will become a civil action requiring a small claims action on behalf of the County.

Upon motion of John Corlis, seconded by Doug Smith that the February 13, 2013 meeting of the Bracken County Fiscal Court be adjourned.

Vote being unanimous.

S/ \_\_\_\_\_  
Tina K. Teegarden, Fiscal Court Clerk

S/ \_\_\_\_\_  
Earl Bush, County Judge