

**APRIL 21, 2009**

The Oldham County Fiscal Court convened at a regular meeting at 2:00PM with the Judge-Executive Duane Murner, County Attorney John Fendley and the following Magistrates in attendance: Steve Church, Rick Rash, Bob Leslie, David Voegele, Steve Greenwell, Bob Deibel, and Iva Davis.

Magistrate Scott Davis was not present.

**APPROVAL OF AGENDA:**

Motion made by Magistrate Greenwell and seconded by Magistrate Deibel to approve the agenda as submitted. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion made by Magistrate Leslie and seconded by Magistrate Voegele to approve the minutes of April 7, 2009 as submitted with a clarification on page 243 stating the Industrial Disposal Rate will be .20 less per cart "per month". Motion carried unanimously.

**PUBLIC COMMENT:**

None.

**CURRENT STIMULUS GRANT APPLICATIONS & FUNDING PRESENTATION:**

Deputy Judge-Executive Gish updated the court on the Stimulus Program.

**LEADERSHIP OLDHAM COUNTY – CO-OP STUDENT:**

Deputy Judge-Executive Gish introduced Kevin Mockus as the current co-op student from the Leadership group.

**STORM WATER MANAGEMENT DISTRICT BOARD UPDATE:**

Storm Water Management District Board Chairman Kevin Eldridge and County Engineer Beth Stuber updated the court on the storm water fee collections, the proposed budget and status of the Notice of Violation from the Division of Water.

**BID OPENING – COMMERCE PKWY TRAIL – PHASE 2**

The following bids for Commerce Pkwy Trail – Phase 2 were opened: **Exhibit #1 4/21/2009**

Excel Excavating - \$765,786.05  
 Early Construction Services, Inc - \$410,508.00  
 National Water Services - \$375,000.00  
 Dugan & Meyers - \$589,076.70  
 Ohio Valley Asphalt - \$369,727.00

The bids were given to Planning and Development Services for review and recommendation.

**COUNTY ADMINISTRATION:****Payables**

Motion made by Magistrate Church and seconded by Magistrate Rash to approve the payables as submitted. **Exhibit #2 4/21/2009**. Motion carried unanimously.

**COMMUNITY BUSINESS:****2<sup>nd</sup> Reading/Public Hearing - Brownsboro Master Plan**

The following people presented information and/or responded to questions regarding the Brownsboro Master Plan:

Doug Wampler  
 George Parrish  
 Senator Ernie Harris  
 Attorney Bill Croley on behalf of Carl Pollard  
 Debbie Stevens  
 John Fendley

Senior Planner Emily Liu  
 Attorney Stuart Ulferts  
 Planning Commission Chairman Kevin Jeffries

*The public hearing was closed.*

Magistrate Iva Davis was not present for the remainder of the meeting.

Motion made by Magistrate Rash and seconded by Magistrate Deibel to approve the Brownsboro Master Plan as submitted. **Exhibit #3 4/21/2009.**

Motion made by Magistrate Voegelé and seconded by Magistrate Leslie to amend the main motion to include the following revision: Pg. 5, under "Plan Purpose", change the word "should" to "may" to read "This plan **may** be used by the Oldham County Planning Commission..." Motion carried 6 to 1 on a roll call vote. Magistrates Church, Voegelé, Leslie, Greenwell, Rash and Deibel voted yes. Judge-Executive Murner voted no.

Motion made by Magistrate Church and seconded by Magistrate Leslie to amend the main motion to include the following addition: Pg. 31 at the end of the 1<sup>st</sup> paragraph, "**On-going studies will not become a part of this plan without the approval of Planning and Zoning Commission and Fiscal Court upon completion of the study.**" Motion carried 6 to 1. Judge-Executive Murner voted no.

Motion made by Magistrate Church and seconded by Magistrate Greenwell to amend the main motion to include the following addition: Pg. 21, under "Rural Areas/Conservation Residential Developments, 1. Conservation Residential Developments should cluster residential uses **or be designed and developed to preserve open spaces or areas.**" Motion carried unanimously.

Motion made by Magistrate Church and seconded by Magistrate Rash to amend the main motion to include a revision to the 1<sup>st</sup> sentence in #2 on page 21 to read as follows: "The open space in a Conservation Residential Development should be preserved by conservation easements, restrictive documents forbidding any type of development into perpetuity."

Motion made by Magistrate Deibel and seconded by Magistrate Church to amend the main motion to include the following revision: Pg. 18 & 19 after the "Landscaping Guidelines", "Sign Guidelines" and "Architecture Guideline" add "intended principally for non-residential development." Motion carried unanimously.

Motion made by Magistrate Greenwell and seconded by Magistrate Voegelé to amend the main motion to include the following revision: Pg. 21 under "Rural Areas/Conservation Residential Developments, 2<sup>nd</sup> sentence in #2 remove the words "**type of**" from "...type of agriculture...". Motion carried unanimously.

Main motion passed unanimously.

## **2<sup>nd</sup> Reading/Public Hearing – Dilapidated Structure**

County Attorney John Fendley read the proposed Ordinance KOC-09-300-806 and the floor was open for public comment.

*There being no public comment the hearing was closed.*

Motion made by Magistrate Deibel and seconded by Magistrate Rash to adopt Ordinance #KOC 09-300-806 relating to dilapidated structures as submitted. **Exhibit #4 4/21/2009.** Motion carried unanimously.

## **PERSONNEL/APPOINTMENTS**

### **North Oldham Fire Protection District Board**

Motion made by Judge-Executive Murner and seconded by Magistrate Church to appoint Greg Cobb to the North Oldham Fire Protection District Board with a term to expire 6/30/09. Motion carried unanimously.

### **Storm Water Management District Board**

Judge-Executive Murner presented a resume for Steve Cummings as a possible appointment to the Storm Water Management District Board to be determined at the next meeting. **Exhibit #5 4/21/2009.**

## **Tri County Community Action Agency Board**

Judge-Executive Murner presented a resume for Rev. Susan Jinnet-Sack as a possible appointment to the Tri County Community Action Agency Board to be determined at the next meeting. **Exhibit #6 4/21/2009.**

### **Assessment Appeals Board**

Judge-Executive Murner presented a resume for Ellen Van Nagell as a possible appointment to the Assessment Appeals Board to be determined at the next meeting. **Exhibit #7 4/21/2009.**

## **COMMITTEE REPORTS/RECOMMENDATIONS:**

### **UTILITIES COMMITTEE**

#### **Junk Drop-Off Update**

Solid Waste Coordinator Linda Fountain updated the court on the county junk drop-off event. She also announced that Industrial Disposal will be donating the proceeds from the scrap metal to the county for recycling education.

### **EMERGENCY SERVICES COMMITTEE**

#### **Highway Safety Grant Application**

Motion made by Magistrate Deibel and seconded by Magistrate Church to authorize the filing of the Kentucky Safety Grant Application as submitted. **Exhibit #8 4/21/2009.** Motion carried unanimously.

### **CAPITAL IMPROVEMENTS COMMITTEE**

#### **Bike/Pedestrian Bridge Project – Land Survey**

Motion made by Magistrate Church and seconded by Magistrate Greenwell to transfer \$7500.00 from the SLO funds to the Bike/Pedestrian Bridge Project for the survey as presented. Motion carried unanimously.

### **TECHNOLOGY/GIS COMMITTEE**

#### **URSA Software Program**

Motion made by Magistrate Rash and seconded by Magistrate Church to accept the contract with Black Bear for the Ursa Minor Max package for \$4,475.00 as submitted. **Exhibit #9 4/21/2009.** Motion carried unanimously.

#### **Independence Communications Contract – Point to Point with OCD**

Motion made by Magistrate Rash and seconded by Magistrate Leslie to accept the contract with Independence Communications for a point to point system between the OCD tower and the courthouse as submitted. **Exhibit #10 4/21/2009.** Motion carried unanimously.

#### **Spam Filter Contract**

Motion made by Magistrate Rash and seconded by Magistrate Voegelé to accept the contract with Websense for the spam filter as submitted. **Exhibit #11 4/21/2009.** Motion carried unanimously.

### **ROAD COMMITTEE**

#### **Bond Release – Erosion Control – LaGrange Commerce Center Lot 11**

Motion made by Magistrate Greenwell and seconded by Magistrate Deibel upon recommendation of the County Engineer to release the \$3500.00 erosion control bond for Lagrange Commerce Center Lot 11. Motion carried unanimously.

#### **Bond Release – Erosion Control – Rawlings**

Motion made by Magistrate Greenwell and seconded by Magistrate Deibel upon recommendation of the County Engineer to release the \$9500.00 erosion control bond for The Rawlings Group. Motion carried unanimously.

### **PARKS COMMITTEE**

### **Courthouse Lawn – Oldham County Day**

Motion made by Magistrate Rash and seconded by Magistrate Deibel to authorize the use of the courthouse lawn for Oldham County Day for 7/17-7/19/09. Motion carried unanimously.

### **Fireworks Contract**

Motion made by Magistrate Rash and seconded by Magistrate Leslie to approve the contract with Advanced Technique Fireworks, Inc. for \$12,500.00 as submitted. **Exhibit #12 4/21/2009**. Motion carried 6-1. Magistrate Voegele voted no.

Magistrate Leslie announced the Tri County Community Action Agency will be having a Poker Run on 4/24/09 and for further info please call 222-1349.

### **FINANCE COMMITTEE**

Magistrate Church stated the individual budget meetings are complete and the committee is wrapping everything up into one final budget for recommendation.

### **EMERGENCY SERVICES COMMITTEE**

Magistrate Deibel updated the court on the revised Alarm Ordinance. The 1<sup>st</sup> reading will be held on 5/5/2009.

### **OTHER BUSINESS:**

Judge-Executive Murner gave updates on the following:

- Storm debris removal process
- Burn ban in effect on 5/1
- Additional information from OLDA is in the binders for review.

### **PUBLIC COMMENT:**

None.

### **MEETING ADJOURNED:**

Motion made by Magistrate Rash and seconded by Magistrate Church to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 6:00 PM.

Respectfully Submitted,

---

Tina M. Schaaf  
Fiscal Court Clerk  
April 21, 2009