

MARCH 16, 2010

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

Magistrates Church and Iva Davis were not present.

APPROVAL OF AGENDA:

Motion made by Magistrate Greenwell and seconded by Magistrate Leslie to approve the agenda as presented with the following additions "1st reading of an amendment to the Animal Control Ordinance, two IT contracts and an appointment to the Lagrange Fire Protection District Board". Motion carried unanimously.

APPROVAL OF MINUTES:

Motion made by Magistrate Leslie and seconded by Magistrate Deibel to approve the minutes of March 2, 2010 as submitted. Motion carried unanimously.

PUBLIC COMMENT:

Dewey Wotring, LaGrange (voiced concerns regarding how the donation from the Rawlings Foundation has been represented)
County Clerk Julie Barr, LaGrange (announced poll workers are still needed)

PUBLIC COMMENT RESPONSE:

Magistrate Scott Davis agreed with Mr. Wotring regarding the donation.

Judge-Executive Murner stated George Rawlings' generosity is appreciated regardless of whether it came from him personally or the foundation.

OCPD – CITIZEN ACADEMY PRESENTATION:

Lt. Col. Billy Way presented information regarding the upcoming Citizens Academy class scheduled to begin 4/13/2010.

JAIL BUDGET PRESENTATION:

Jailer Mike Simpson presented the proposed FY 2010/2011 budget for the jail. **Exhibit #1 3/16/2010**

GIS ANNOUNCEMENT:

GIS Specialist Adam Reinhardt announced the GIS website is up and running. He also stated the GIS membership dues for the next fiscal year have gone from \$10,000/yr to \$5,000.00 per seat.

APPOINTMENTS/PERSONNEL:**LaGrange Fire Protection District Board**

Motion made by Judge-Executive Murner and seconded by Magistrate Greenwell to appoint Amy Alvey to the LaGrange Fire Protection District Board to fulfill the unexpired term of Mary Lynn Tingle.

Motion made by Magistrate Scott Davis and seconded by Magistrate Leslie to table the decision on the appointment until the next meeting. Motion carried 4-3 on a roll call vote. Magistrates Voegele, Leslie, Scott Davis and Rash voted yes. Magistrates Greenwell, Deibel and Judge-Executive Murner voted no.

COUNTY ADMINISTRATION:**Payables**

Motion made by Magistrate Leslie and seconded by Magistrate Voegele to approve the payables as submitted. **Exhibit #2 3/16/2010.**

Motion made by Magistrate Deibel and seconded by Magistrate Voegele to table the approval of the payables until the amount due to the Oldham County Fairgrounds is verified. Motion carried unanimously.

CONTRACTS/RESOLUTIONS:**MOA – Department of Corrections**

Deputy Judge Executive Paula Gish presented the revised Memorandum of Agreement with the Department of Corrections regarding the land swap agreement which eliminates the previously proposed fueling station.

Motion made by Magistrate Deibel and seconded by Magistrate Rash to authorize the Judge-Executive to sign the MOA with Kentucky State Reformatory, Roederer Correctional Complex and Kentucky Justice Cabinet as submitted. **Exhibit # 3 3/16/2010**. Discussion followed.

A second motion was made by Magistrate Leslie and seconded by Magistrate Greenwell to approve the MOA as presented. Motion carried 5-1-1. Magistrate Scott Davis opposed and Magistrate Voegele abstained.

COMMUNITY BUSINESS:

1st Reading – Amendment – Animal Control Ordinance

County Attorney John Fendley summarized for a 1st reading Ordinance #10-840-862 related to amending the Animal Control Ordinance. The 2nd reading and public hearing will be held on 4/6/10.

COUNTY ADMINISTRATION (Con't):

Payables

Motion made by Magistrate Leslie and seconded by Magistrate Rash to put the payables back on the table. Motion carried unanimously.

Original motion to pay the claims as submitted passed 6-0-1. Magistrate Rash abstained.

COMMITTEE REPORTS/RECOMMENDATIONS:

TECHNOLOGY COMMITTEE

JAVS Contract

Motion made by Magistrate Scott Davis and seconded by Magistrate Rash to authorize the Judge-Executive to sign the maintenance agreement with Jefferson Audio Visual as submitted. **Exhibit #4 3/16/2010**. Motion carried unanimously.

MATCO Server Maintenance Contract

Motion made by Magistrate Scott Davis and seconded by Magistrate Rash to authorize the Judge-Executive to sign the agreement with Network Enterprises for the backup and maintenance of the MATCO server for \$833.12/year as submitted. **Exhibit #5 3/16/2010**.

Motion made by Magistrate Scott Davis and seconded by Magistrate Voegele to authorize the Judge-Executive to sign the agreement with Network Enterprises for computers and upgrades as submitted. **Exhibit #6 3/16/2010**. Motion carried unanimously.

PARKS COMMITTEE

Oldham County High School Boys Basketball – Courthouse Lawn

Motion made by Magistrate Rash and seconded by Magistrate Greenwell to authorize Oldham County High School Boys Basketball team the use of the courthouse lawn for a yard sale on 4/24/2010. Motion carried unanimously.

ROAD COMMITTEE

County Road Aid Contract & Resolution

Motion made by Magistrate Greenwell and seconded by Magistrate Leslie to authorize the Judge-Executive to sign the County Road Aid agreement and resolution with Kentucky Transportation Cabinet as submitted. **Exhibit #7 3/16/2010**. Motion carried unanimously.

Bond Releases

Motion made by Magistrate Leslie and seconded Magistrate Rash upon recommendation of the County Engineer to release the \$2,700.00 erosion control bond for Crestwood Church of Latter Day Saints. Motion carried unanimously.

Motion made by Magistrate Deibel and seconded by Magistrate Rash upon recommendation of the County Engineer to release the \$214,000.00 erosion control bond for Red Penn Landfill. Motion carried unanimously.

Motion made by Magistrate Scott Davis and seconded by Magistrate Deibel upon recommendation of the County Engineer to release the \$101,850.00 erosion control bond for Walmart. Motion carried unanimously.

Motion made by Magistrate Deibel and seconded by Magistrate Leslie upon recommendation of the County Engineer to release the \$63,080.00 erosion control bond for Crestwood Baptist Church. Motion carried unanimously.

Motion made by Magistrate Deibel and seconded by Magistrate Rash upon recommendation of the County Engineer to release the \$1,856.00 erosion control bond for Kenwood Baptist Church. Motion carried unanimously.

Motion made by Magistrate Scott Davis and seconded by Magistrate Deibel upon recommendation of the County Engineer to release the \$8,200.00 erosion control bond for the Baptist Hospital Northeast addition. Motion carried unanimously.

JUDGE-EXECUTIVE ANNOUNCEMENTS/UPDATES:

Judge Executive Murner made the following announcements:

- The information requested by the Office of Special Counsel regarding the Hatch Act is being compiled and will be mailed this week.
- Everyone should be receiving their Census this week.
- The Storm Water Permit has been received by the Division of Water and the annual report is completed.
- The Oldham County Hockey team won the State Championship again this year and will be coming before the court at a future meeting.
- The Code Enforcement Board has granted an extension to Ms. Willis on moving the building in question.
- The Hocker deal is in the final approval stage.
- Gresham Smith along with Hinton McGraw received an award from the American Council of Engineering Companies for the Rivers Landing development.

OTHER BUSINESS:

Magistrate Voegelé updated the court on the interview process for the County Treasurer position.

Morgan Conservation Park – Resolution for Comfort Station

Motion made by Magistrate Rash and seconded by Magistrate Leslie to authorize the Judge Executive to sign Resolution #01-03-16-10 regarding filing an application with the Department of Local Development to fund the placement of water and electric utilities and construction of a composting pit comfort station at the Morgan Conservation Park. **Exhibit #8 3/16/2010.** Motion carried unanimously.

Magistrate Deibel updated the court regarding the commercial customers complying with the Industrial Disposal agreement.

Magistrate Scott Davis requested information on the use of Channel 25 and it being used for political debates.

Judge-Executive Murner explained that Channel 25 is a Government channel not a Public Access channel.

Magistrate Voegelé also discussed the use of Channel 25 and political debates.

PUBLIC COMMENT:

Clarrissa Williams, LaGrange (clarified the Oldham Era's position on airing the debates on Channel 25)
Deana Karem, LaGrange (also clarified the Chamber's and OCEDA's position on hosting the debate)
Dewey Wotring, LaGrange (concerns regarding debate)

PUBLIC COMMENT RESPONSE:

Magistrate Voegelé reiterated his view on having the debate on Channel 25.

Magistrate Scott Davis offered services from a studio company willing to capture the debate in cable ready format at no charge to the debate sponsors.

Judge-Executive Murner stated again that the sponsors have not requested to have the debate on Channel 25 and if they did it would set a precedent for all kinds of organizations.

CLOSED SESSION:

Motion made by Magistrate Rash and seconded by Magistrate Deibel to go into closed session pursuant to KRS 61.810(B) Land Acquisition. Motion carried unanimously.

Motion made by Magistrate Rash and seconded by Magistrate Deibel to come out of closed session. Motion carried unanimously.

Magistrate Leslie was not present for the remainder of the meeting.

Motion made by Magistrate Deibel and seconded by Magistrate Rash to authorize up to \$5,000 for an appraisal on a certain piece of property. Motion carried unanimously.

MEETING ADJOURNED:

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

The meeting was adjourned at 5:12PM.

Respectfully Submitted,

Tina M. Schaaf
Fiscal Court Clerk
March 16, 2010