

APRIL 6, 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: Rick Rash, Bob Leslie, Steve Greenwell, Bob Deibel, Scott Davis and Iva Davis.

Magistrates Church and Voegelé were not present.

APPROVAL OF AGENDA:

Motion made by Magistrate Greenwell and seconded by Magistrate Leslie to approve the agenda as presented. Motion carried unanimously.

APPROVAL OF MINUTES:

Motion made by Magistrate Deibel and seconded by Magistrate Greenwell to approve the minutes of March 16, 2010 as submitted. Motion carried 6-0-1. Magistrate Iva Davis abstained.

KaCO PRESENTATION:

Larry Denny presented a \$35,581.33 dividend check to the court for FY 05/06.

PUBLIC COMMENT:

Tom Cox, LaGrange (thanked the court for work done to obtain quiet zone in LaGrange)
Kevin Jeffries, LaGrange (on behalf of the Planning Commission, clarified the process for adopting Major Thoroughfare Plan)

Motion made by Magistrate Rash and seconded by Magistrate Leslie to extend Mr. Jeffries time to speak by two minutes. Motion carried unanimously.

County Clerk Julie Barr, LaGrange (announced primary to be held May 18th and if there are questions regarding voting locations please call 222-0047)

Jim Zimmerman, LaGrange (concerned about the lack of decorum displayed at the last Fiscal Court meeting)
Ron Grossman, City of River Bluff (insurance premium tax allocation concerns)

Motion made by Magistrate Rash and seconded by Magistrate Iva Davis to extend Mr. Grossman's time to speak by two minutes. Motion carried unanimously.

Dewey Wotring, LaGrange (concerns regarding the monitoring of campaign literature distribution)
Gene Walter, LaGrange (read a statement from Magistrate Voegelé regarding the debate and Channel 25 and also stated he himself would like to see the debate on Channel 25)
Deana Karem, LaGrange (thanked the court for cleaning up roadways)

PUBLIC COMMENT RESPONSE:

Magistrate Rash stated a lot of work has been done on the insurance premium tax allocations and clarified how residents can distinguish if premiums are being distributed correctly.

Magistrate Scott Davis questioned the correction process in Frankfort and Judge-Executive Murner stated a lot has been done to correct the misallocated insurance premiums and it will continue to be a work in progress.

Magistrate Scott Davis questioned and Judge-Executive Murner explained the reason for the complaint being filed with KREF regarding the illegal distribution of campaign literature.

INSIGHT COMMUNICATIONS REPRESENTATIVE:

Keith Hall, Senior Vice-President and Deputy General Counsel for Insight Communications, presented information to the court regarding the issues on the use of Channel 25 and responded to questions from the court.

BID OPENING – WESTPORT - PAVING:

The following bids for paving in Westport were opened and given to the County Engineer and the Road Superintendent for review and recommendation: **Exhibit #1 4/6/2010**

Ohio Valley Asphalt	\$89,444.50
Flynn Brothers	99,857.00
Mac Construction	106,320.00

BID AWARD – WESTPORT – PAVING:

Motion made by Magistrate Leslie and seconded by Magistrate Greenwell to award the Westport paving bid to Ohio Valley Asphalt for \$89,444.50. Motion carried unanimously.

COUNTY ADMINISTRATION:**Payables**

Motion made by Magistrate Leslie and seconded by Magistrate Deibel to approve the payables as submitted. **Exhibit #2 4/6/2010.** Motion carried unanimously.

County Surplus Property

Motion made by Magistrate Greenwell and seconded by Magistrate Rash to declare the list of vehicles and equipment surplus property as submitted. **Exhibit #3 4/6/2010.** Motion carried unanimously.

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 carried unanimously.

OCD Resignation & New Hires

Motion made by Magistrate Rash and seconded by Magistrate Deibel to accept the resignation from Chris Fitzner, effective 3/27/10 due to him accepting a position with the Sheriff's office. Motion carried unanimously.

Motion made by Magistrate Deibel and seconded by Magistrate Leslie to hire the following people as limited part-time employees to work no more than 16 hours per week effective 4/6/2010:

Molly Calvert	\$15/hr
Mari Jo Veech	\$15/hr
Jenelle Hallahan	\$14/hr
Adam Justice	\$14/hr
Don Menard	\$14/hr
Matt York	\$14/hr

Motion carried unanimously.

COMMUNITY BUSINESS:

2nd Reading/Public Hearing – Amendment – Animal Control Ordinance

County Attorney John Fendley read proposed Ordinance #KOC 10-840-862 and the floor was opened for public comment.

There being none, the public hearing was closed.

Motion made by Magistrate Leslie and seconded by Magistrate Deibel to adopt Ordinance #KOC-10-840-862 relating to proper care and control of animals as submitted. **Exhibit #4 4/6/2010.** Motion carried unanimously.

CONTRACTS/RESOLUTIONS:

HWY 393 Land Sale

Motion made by Magistrate Iva Davis and seconded by Magistrate Leslie to accept the offer from the State of \$1.4 mil for the county-owned property and buildings along Hwy 393 that are being displaced by the realignment project. Motion carried unanimously.

CDBG Resolutions – Cedar Lake Lodge

Motion made by Magistrate Deibel and seconded by Magistrate Greenwell to authorize the Judge-Executive to sign the agreements and resolutions regarding the CDBG grant and Cedar Lake Lodge as submitted. **Exhibit #5 4/6/2010.** Motion carried unanimously.

Guardrail Installation Project and Crestwood Sidewalk Project Agreements – ARRA Funds

Motion made by Magistrate Rash and seconded by Magistrate Deibel to authorize the Judge Executive to sign the agreement and resolution with KYTC regarding the ARRA funded Guardrail Installation Project as submitted. **Exhibit #6 4/6/2010.** Motion carried unanimously.

Motion made by Magistrate Deibel and seconded by Magistrate Iva Davis to authorize the Judge Executive to sign the agreement and resolution with KYTC regarding the ARRA funded Crestwood Sidewalk Project as submitted. **Exhibit #7 4/6/2010.** Motion carried unanimously.

COMMITTEE REPORTS/RECOMMENDATIONS:

UTILITIES COMMITTEE

Household Hazardous Waste Grant Application Resolution

Motion made by Magistrate Deibel and seconded by Magistrate Greenwell to authorize the Judge-Executive to sign Resolution #03-04-06-10 authorizing the filing of an application with the State for a grant to hold

a household hazardous waste and mercury collection as submitted. **Exhibit #8 4/6/2010.** Motion carried unanimously.

Municipal Road Aid Contracts and Resolutions

Motion made by Magistrate Leslie and seconded by Magistrate Scott Davis to authorize the Judge-Executive to sign the Municipal Road Aid contract and resolution with KYTC for unincorporated urban place of Oldham County as submitted. **Exhibit #9 4/6/2010.** Motion carried unanimously on a roll call vote.

Motion made by Magistrate Iva Davis and seconded by Magistrate Greenwell to authorize the Judge-Executive to sign the Municipal Road Aid contract and resolution with KYTC for unincorporated urban place of Buckner as submitted. **Exhibit #10 4/6/2010.** Motion carried unanimously on a roll call vote.

Parochial School Transportation Resolution

Motion made by Magistrate Greenwell and seconded by Magistrate Rash to authorize the Judge-Executive to sign Resolution #04-04-16-10 facilitating payment of expenses by the Commonwealth of Kentucky for transportation of parochial school students as submitted. **Exhibit #11 4/6/2010.** Motion carried unanimously.

Bond Releases

The Gardens of Hunter's Ridge – Commercial Section

Motion made by Magistrate Rash and seconded by Magistrate Deibel upon recommendation of the County Engineer to release the \$3,000.00 erosion control bond for the commercial section of the Gardens of Hunter's Ridge. Motion carried unanimously.

Kemparajurs Office Building

Motion made by Magistrate Greenwell and seconded by Magistrate Iva Davis upon recommendation of the County Engineer to release the \$20,000.00 erosion control bond for Kemparajurs Office Building. Motion carried unanimously.

JUDGE-EXECUTIVE ANNOUNCEMENTS/UPDATES:

Judge Executive Murner made the following announcement:

- Everyone should have received a census by now if not then they can be picked up at the Library in LaGrange or the Arts Center in Crestwood.

OTHER BUSINESS:

Antique Tractor Display on Courthouse Lawn

Motion made by Magistrate Greenwell and seconded by Magistrate Rash to authorize the Antique Iron Club to display antique farm equipment on the courthouse lawn during the LaGrange Farmer's Market. Motion carried unanimously.

Scenic By Way – Hwy 524 – Intent to Apply

Motion made by Magistrate Leslie and seconded by Magistrate Scott Davis to authorize the Judge-Executive to sign the Intent to Apply with KYTC designating Hwy 524 a scenic byway. **Exhibit #12 4/6/2010.** Motion carried unanimously.

PUBLIC COMMENT:

Jim Zimmerman, LaGrange (updated the court on behalf of the debate committee on the Oldham Era and Chamber sponsored debate scheduled for 4/22/10)

MEETING ADJOURNED:

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

The meeting was adjourned at 4:43PM.

Respectfully Submitted,

Tina M. Schaaf
Fiscal Court Clerk
April 6, 2010