

JUNE 1, 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, Bob Leslie, Rick Rash, Steve Church, Steve Greenwell, Bob Deibel and Iva Davis.

Magistrate Scott Davis was not present.

Judge Executive Murner congratulated Magistrate Voegele and Magistrate Greenwell on winning the elections of Judge-Executive and District 4 Magistrate respectively.

APPROVAL OF AGENDA:

Motion made by Magistrate Greenwell and seconded by Magistrate Deibel to approve the agenda as presented with the deletion of item "F – County Treasurer -Closed Session". Motion carried unanimously.

Magistrate Scott Davis arrived.

APPROVAL OF MINUTES:

Motion made by Magistrate Deibel and seconded by Magistrate Voegele to approve the minutes of May 18, 2010 as submitted. Motion carried 7-0-1. Magistrate Scott Davis abstained.

PUBLIC COMMENT:

Keith Sant on behalf of OLDA (updated the court on the Oldham Reserve and Hocker signing agreement)

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

PUBLIC COMMENT RESPONSE:

Judge-Executive Murner thanked Mr. Sant for his comments.

KYTC – RURAL SECONDARY PROGRAM PRESENTATION:

Matt Bullock and Tony Harrod, KYTC, presented the Rural Secondary Program for 2010/2011 and responded to questions from the court.

Motion made by Magistrate Leslie and seconded by Magistrate Greenwell to accept the Rural Secondary Program as presented. **Exhibit #1 6/1/2010**. Motion carried unanimously.

OCSD & STORM WATER MANAGEMENT DISTRICT:**Budgets**

Rob Nicholas, Veolia Water presented the Oldham County Sewer District budget to the court and responded to questions.

Motion made by Magistrate Deibel and seconded by Magistrate Greenwell to approve the Oldham County Sewer District budget including the 23.9% increase effective 9/1/10 as presented. **Exhibit #2 6/1/2010**. Motion carried 5-4 on a roll call vote. Magistrates Voegele, Greenwell, Iva Davis, Deibel and Judge-Executive Murner voted yes. Magistrates Church, Leslie, Scott Davis and Rash voted no.

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

Storm Water Management District

Chairman Kevin Eldridge presented the Storm Water Management District budget including information on a possible merger with OCSD and responded to questions.

Motion made by Magistrate Deibel and seconded by Magistrate Church to accept the Oldham County Storm Water Management District budget including the rate of \$33.84 per ERU as presented. **Exhibit #3 6/1/2010**. Motion carried 7-1 on a roll call vote. Magistrates Church, Voegele, Greenwell, Iva Davis, Rash, Deibel and Judge-Executive Murner voted yes. Magistrate Scott Davis voted no.

MOU – LaGrange Utilities Commission & OCSD - Resolution

Motion made by Magistrate Deibel and seconded by Magistrate Rash to authorize the Judge-Executive to sign Resolution #01-06-01-10 approving the Memorandum of Agreement between the Oldham County Sewer District and LaGrange Utilities concerning their service area plans as submitted. **Exhibit # 4 6/1/2010**. Motion carried unanimously.

COUNTY ADMINISTRATION:**Payables**

Motion made by Magistrate Church and seconded by Magistrate Rash to approve the payables as submitted. **Exhibit # 5 6/1/2010.** Motion carried unanimously.

Special District Budgets

Motion made by Magistrate Church and seconded by Magistrate Greenwell to accept the following Special District Budgets as submitted: Ballardsville Fire Department, LaGrange Fire, Oldham County Extension District, Oldham County Library, Oldham County Soil and Water Conservation District and South Oldham Fire Protection. **Exhibit #6 6/1/2010.** Motion carried unanimously.

APPOINTMENTS/PERSONNEL:

Deputy Judge Executive

Judge-Executive Murner announced Paula Gish will return to her position as Deputy Judge-Executive effective 5/24/2010.

LaGrange Fire Protection District

Motion made by Magistrate Greenwell and seconded by Magistrate Deibel to reappoint Craig Stodghill to the LaGrange Fire Protection District with a term to expire 6/30/2013. Motion carried unanimously.

Code Enforcement Board

Motion made by Judge-Executive Murner and seconded by Magistrate Deibel to appoint Stephen Davis to the Code Enforcement Board with a term to expire 6/1/2013. Motion carried unanimously.

Parks & Recreation – Summer Intern

Motion made by Magistrate Rash and seconded by Magistrate Iva Davis to approve Justin Caston as the seasonal intern at \$9.00/hr effective 5/10/10 – 7/31/10. Motion carried unanimously.

OCPD

Motion made by Magistrate Voegelé and seconded by Magistrate Scott Davis to accept Officer Randy Bianco's resignation due to retirement effective 5/31/2010. Motion carried unanimously.

COMMUNITY BUSINESS:

2nd Reading/Public Hearing – Text Amendment – Zoning Ordinance – R4A Residential

Planning and Development Director Louise Allen presented proposed Ordinance KOC-10-920-873 to repeal section 090-040-R-4A Residential District and replace with new text as submitted and the floor was opened for public comment.

There being no public comment, the public hearing portion was closed.

Motion made by Magistrate Rash and seconded by Magistrate Iva Davis to adopt Ordinance KOC-10-920-873 as submitted. **Exhibit #7 6/1/2010.** Discussion followed. Motion carried 6-2 on a roll call vote. Magistrates Church, Greenwell, Iva Davis, Rash, Deibel and Judge-Executive Murner voted yes. Magistrates Voegelé and Scott Davis voted no.

2nd Reading/Public Hearing – FMLA and USERRA Ordinance

County Attorney John Fendley read Ordinance KOC-10-230-865 relating to an amendment to the existing Administrative Code for the purpose of clarifying the Family and Medical Leave Act of 1993 and employees USERRA (Uniformed Services Employment and Reemployment Rights Act) rights and the floor was opened for public comment.

There being no public comment, the public hearing portion was closed.

Motion made by Magistrate Voegelé and seconded by Magistrate Church to adopt Ordinance KOC-10-230-865 as submitted. **Exhibit #8 6/1/2010.** Motion carried unanimously.

Dilapidated Structure Petition – 13309 Creekview Road

Code Enforcement Officer Tim Tyree presented a Petition for Dilapidated Structures for a structure located at 13309 Creekview Road in Prospect. **Exhibit #9 6/1/2010.**

Motion made by Magistrate Church and seconded by Magistrate Rash to authorize County Attorney John Fendley to notify the owner of 13309 Creekview Road that there will be a public hearing regarding the structure in question as submitted with the hearing being held 7/20 /10. Motion carried unanimously.

Lake Louisville Road Closings – Set public hearing date

Motion made by Magistrate Deibel and seconded by Magistrate Greenwell to set the date for the hearing on the proposed Lake Louisville Road Closings for 7/6/10 and to direct the County Engineer to place the legal advertisement and signs as required. Motion carried unanimously.

COMMITTEE REPORTS/RECOMMENDATIONS:**PARKS COMMITTEE****Courthouse Lawn – Gazebo Request – LaGrange Postmaster**

Motion made by Magistrate Rash and seconded by Iva Davis to authorize the use of the courthouse lawn on 6/26/10 at 2PM for the LaGrange Postmaster ceremony. Motion carried unanimously.

JUDGE-EXECUTIVE ANNOUNCEMENTS/UPDATES:

Judge Executive Murner made the following announcements:

- The 2nd reading of the OCFC budget will be held at the next meeting.
- The Oldham County Public Library has won the LEED Gold Certification.

OTHER BUSINESS:

Magistrate Deibel congratulated everyone who won and thanked the people who decided to run for office.

Magistrate Iva Davis continued to ask the public for patience during the Hawley Gibson Road improvements.

PUBLIC COMMENT:

Mary Ellen Kinser, LaGrange (voiced concerns on Special Taxing Districts having unencumbered cash)

PUBLIC COMMENT RESPONSE:

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 5:45PM.

Respectfully Submitted,

Tina M. Schaaf
Fiscal Court Clerk
June 1, 2010