

Regular Term, Tuesday Day, 3rd Day of May 20 11

At a regular meeting of the Simpson County Fiscal Court held in the County Courtroom of the Simpson County Historic Courthouse on May 3, 2011 at 8:30 a.m.

Present: Honorable Jim Henderson, Judge/Executive
Honorable Kelly Banton, Magistrate
Honorable Marty Chandler, Magistrate
Honorable Larry Randolph, Magistrate
Honorable Blake Tarpley, Magistrate
Honorable Sam Phillips, County Attorney
Julie Freeman, County Treasurer
Pam Rohrs, Fiscal Court Clerk

Judge Henderson called the meeting to order and Magistrate Banton led in prayer followed by the pledge to the American flag.

Franklin Police Chief Todd Holder spoke to the court regarding an investigation into underage drinking in establishments in Franklin. Holder reported that Alcohol Beverage Control has been conducting checks within the businesses as well as local police officers routinely performing four to five checks per week. Holder's report comes after concerns had been raised about the issue. There are relatively large fines associated with violations, and Chief Holder was happy to report none have been detected. All establishments have agreed to a new policy that proof of age is required, no matter what age, to be served alcoholic beverages with the legal age being twenty-one.

Jailer Eric Vaughn reported to Fiscal Court that as had been discussed at another fiscal court meeting, Franklin Police Department had donated a retired 2002 police cruiser to the jail. Upon evaluation of the condition of the vehicle, it was determined that more repairs and maintenance would be required than he was willing to put into it. Jailer Vaughn requested that Fiscal Court authorize returning the vehicle back to the City of Franklin for them to surplus. He also reported to Fiscal Court that the current state inmate count is 129.

Motion by Tarpley Second by Randolph Ayes-All
Authorize the donated Franklin City 2002 police cruiser be returned to the city as requested by Jailer Eric Vaughn.

Sheriff Chris Cline addressed Fiscal Court apologizing to them and the community for anything he might have done that may have contributed to misunderstandings and breakdowns in communication as he has attempted to fulfill his campaign promises to change the sheriff's department image, being visible and answering calls as well as modernizing within the office and maintaining open lines of communication based on trust between the sheriff's office and fiscal court and other governmental offices. Magistrate Marty Chandler, after meeting with Sheriff Cline and Magistrate Larry Randolph the day before, agreed that he too wants a good working relationship in order to be a good steward of the county's money. Judge Henderson concurred that working together is necessary, particularly, with the extremely tight budgets.

Public comment from Glen Vaughn commended the sheriff's department in handling a couple of thefts for him and then he turned his comments to address the issue of slow-moving vehicles such as used by the Mennonite or Amish communities, with regard to public safety issues on the highways. Judge Henderson responded that this matter is a recurring concern and the judge has in a recent fiscal court meeting proposed having a town-hall type meeting in the community to perhaps talk with some of the patriarchs of the sect(s) as well as other residents of the community and mutually agree on some safety measures. Because of a pending case in the state court system, nothing enforceable can be done until that court case has been resolved.

Motion by Chandler Second by Banton Ayes-All
Approve minutes of the April 19, 2011 regular fiscal court meeting.

As a matter of explanation and clarification regarding the term fee pooling, Judge Henderson reported that most counties in Kentucky do not fee pool with their sheriffs or county clerks. Both sheriff's offices and county clerk's offices are fee offices but do not necessarily fee pool. Henderson explained that it is merely a bookkeeping matter. Fee pooling usually originates if there seems to be persistent issues with managing the particular office within the fees that are being generated by that office. It essentially puts all of the expenses of the fee office into the county's general fund budget as well as all of the fees, thus the term "fee pooling". Fee pooling doesn't necessarily involve a fiscal impact on the "bottomline"; the fiscal responsibility shifts to the particular fee office, which for this discussion would be the sheriff's, if there is no fee pooling. There is certainly more accountability and responsibility required of the fee official when they do not fee pool. Simpson County began fee pooling with the sheriff's office in 2005. Magistrates Banton, Tarpley and Randolph agreed to leave the fee pooling in place with the sheriff's office, and Magistrate Chandler agreed but commented that it seemed to him it would be better to consider such a proposal at the beginning of the calendar year anyway, which is the beginning of the sheriff's budget year. It was also noted that the fact that the sheriff's office operates on a calendar year budget and the fiscal court operates on a fiscal year budget is a budgeting nightmare but can only be changed by legislation at the state level. County Treasurer Julie Freeman also took the opportunity to explain the Purchase Order System and the importance of each department using that tool to stay within their budget. Treasurer Freeman explained that the P.O. system is required by the Department for Local Government and the State Auditor's Office. Compliance is not optional. The Fiscal Court Office is the only point from which PO's can originate and the liability of that claim fall.

Motion by Randolph Second by Chandler Ayes-Banton, Chandler, Randolph, Tarpley & Henderson
Approve first reading of FY11-12 Budget Ordinance No. 220.146 and standing orders.

Motion by Chandler Second by Tarpley Ayes-All
Authorize setting May 17th fiscal court meeting to appoint three commissioners, with a compensation amount to be determined, to serve on the reapportionment commission for the magisterial districts as determined by the just over 5% population increase in the 2010 census and authorize a BRADD staff member to assist in this process.

Motion by Banton Second by Chandler Ayes-All
Approve addition of Cambridge Station Road (28 mile length) to the county road system.

Recess at 9:50 A.M.

Resume at 10:10 A.M.

Motion by Chandler Second by Banton Ayes-All
Set public proposed use hearings for County Road Aid (CRA) and Local Government Economic Assistance (LGEA) funds at 8:30 AM, Tuesday, May 17, 2011, in the County Courtroom of the Simpson County Historic Courthouse.

Motion by Randolph Second by Tarpley Ayes-All
Approve transfers and claims/bills as submitted.

All Seasons Rent All	02-6105-441	160.00
Anthem BCBS	01-9400-205	192.00
AT & T Mobility	03-5101-573	94.52

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Atmos Energy	01-5081-578A	74.48
Atmos Energy	01-5120-578A	99.43
Atmos Energy	01-5120-578B	88.41
Atmos Energy	01-9100-578	867.53
Atmos Energy	02-6005-578	259.84
Atmos Energy	03-5101-578	1031.30
Atmos Energy	75-5145-578	31.21
Atmos Energy	01-5001-445	30.98
Barren County Business Supply	01-5010-445	206.19
Barren County Business Supply	01-5115-573	55.07
Bluegrass Cellular	01-5116-573	45.06
Bluegrass Cellular	01-5135-573	84.27
Bluegrass Cellular	01-5205-573A	44.60
Bluegrass Cellular	01-9100-573	84.27
Bluegrass Cellular	02-6005-573	113.38
Bluegrass Cellular	75-5145-573	69.06
Bluegrass Cellular	02-6105-441	24452.00
Bluegrass International	02-8099-730	5363.50
Bluegrass Metals	03-5101-453	702.76
Bob Barker Company	03-5101-437	1507.00
Bob Barker Company	03-5101-465	42.66
Bob Barker Company	02-6105-455	100.04
Bobby Groves	03-5101-340	15.00
Bobby C. Phillips, Co Clerk	03-5101-334	306.51
Booth Fire & Safety	01-5205-592	308.71
Bowen Tire	03-5101-576	633.30
Brent Deweese	03-5101-576	42.30
Cathy Witt	03-5101-425	31031.65
CBM Food Service	01-5015-314	1000.00
City of Franklin	01-9100-578	250.08
City of Franklin	02-6005-578	24.79
City of Franklin	01-5085-334	134.00
CLM Port-A-Potty	01-5081-578	59.95
Comcast	03-5101-481	443.90
Country Lane Embroidery	03-5101-336	20.00
Digitech Services	02-6105-469	269.96
Econo Signs	01-5081-578A	80.67
Electric Plant Board	01-5120-578A	364.75
Electric Plant Board	01-5081-578	3929.14
Electric Plant Board	01-5120-578B	72.67
Electric Plant Board	01-9100-578	1735.27
Electric Plant Board	02-6005-578	190.04
Electric Plant Board	03-5101-578	4830.87
Electric Plant Board	75-5145-578	262.17
Electric Plant Board	02-6005-334	95.00
Empire Lock & Alarm	03-9100-569	74.70
Eric Vaughn	01-5001-563	38.03
FedEx	01-5120-336	305.59
Fire & Specialty Equipment	01-5120-739C	1952.59
Fire Dept Service & Supply	01-5120-336	1126.25
First Alarm Testing	01-5001-319	21345.00
Fiscalsoft Corporation	02-6105-481	119.40
Franklin Sporting Goods	01-5205-315	2600.00
Friends of the Shelter	01-5205-334	122.00
Friends of the Shelter	01-5120-336	259.58
Gant's Complete Auto	01-5081-411	78.00
Global Specialties	01-5301-357	4500.00
Good Samaritan	01-5015-481	564.00
Greene Military	01-5205-403	534.00
Greene Military	02-6105-457	280.80
Hagan & Stone	02-6105-588	184.79
Hartland Equipment Corporation	01-5205-403	55.00
Hasco Tag Company	01-5085-334	395.00
Herbert Williams	01-5085-334	405.75
IMI	01-5015-340	450.00
Independence Communications	01-9400-205	111.00
Jane Ownby	01-5120-336	36.84
Jimmy's Auto	03-5101-334	485.00
Jody & Sons Mechanical	01-5015-562	829.00
Kiesler's	01-9100-551	1091.00
KMCA	01-5015-481	856.50
Law Enforcement Supply	02-6105-588	25.00
Lee's Mower Service	01-5120-573	25.00
Leslie Goodrum	01-5001-445	197.95
Liberty Flag & Specialty		

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Main Street Printing	01-5001-565	132.00
Main Street Printing	01-5010-445	84.00
Mary Beth Farley	03-5101-429	21.05
Miller Plumbing & Backhoe	01-5080-334	101.85
Miller Plumbing & Backhoe	01-5205-334	413.50
Nashville Machine Elevator	01-5010-352	153.54
Nashville Machine Elevator	01-5080-352	143.78
Nashville Machine Elevator	01-5081-352	374.88
OfficeWare	01-5001-564	74.20
Owen Properties	01-5081-364	425.00
P & P Telecommunications	01-5015-590	156.00
Palco Enterprises	01-5205-403	155.00
Payne's Cleaning	01-5080-329	1083.33
Payne's Cleaning	01-5081-329	1650.00
Payne's Cleaning	01-5081-329A	200.00
Postmaster	03-5101-563	15.29
Quill	03-5101-445	9.89
Robert Y Link, Attn	01-5070-332	750.00
Robert Palmer	01-5135-576	130.66
Sam's Club	01-5001-445	35.00
Sensit Technologies	01-5120-588	344.45
Simpson Co Jail Commissary	03-5101-334	255.32
Simpson Co Water District	01-5120-578C	32.31
Staples	01-5015-445	144.26
Staples	02-6105-447	99.99
Staples	75-5145-445	228.99
Taser International	03-5101-599	650.00
The Bank of New York	03-7100-601	20000.00
The Bank of New York	03-7100-605	10235.00
Tourist & Convention Commission	01-5420-902	13129.30
Tractor Supply	01-5205-403	253.56
US Bank CT	01-7700-603A	1417.77
US Bank CT	01-7700-607A	409.50
US Bank CT	02-7700-607	1023.63
US Bank CT	01-7700-603B	1597.09
US Bank CT	01-7700-607B	550.35
VF Imagewear	02-6105-481	61.84
Walmart	01-5001-445	26.57
Walmart	03-5101-411	118.99
Walmart	03-5101-453	75.60
Waste Management	01-5205-403	35.94
White Cap Construction	02-6105-446	389.55
WRECC	01-5120-578C	41.67

Transfers:

\$500.00	01-5015-481 (uniforms) from 01-5015-551 (membership dues)
\$750.00	01-5015-562 (firing range) from 01-5015-569 (registration/training)
\$230.00	01-5020-569 (coroner training) from 01-5232-515 (dead animal removal)
\$700.00	01-5020-576 (coroner travel) from 01-5232-515 (dead animal removal)
\$1500.00	01-5205-403 (animal shelter supplies) from 01-9100-521 (P & C/liability ins)
\$200.00	01-5135-576 (OEM reimbursement) from 01-5232-515 (dead animal removal)
\$1000.00	01-5420-902 (tourist & convention) from 01-5330-515 (general charity)
\$2500.00	01-5420-902 (tourist & convention) from 01-9100-521 P & C/liability ins)
\$100.00	02-6005-334 (building maint/rep) from 02-6105-469 (signs)
\$3000.00	03-5101-437 (linens) from 03-5101-123 (jail personnel)
\$20000.00	03-7100-601 (principal jail bonds) from 03-7100-605 (interest jail bonds)
\$1000.00	03-9100-569 (staff training) from 03-5101-123 (jail personnel)
\$165.00	01-5001-564 (copier lease) from 01-5001-565 (printing, stationary, etc.)
\$1000.00	03-5101-340 (vehicle maintenance) from 03-5101-725 (office equipment)
\$800.00	01-5135-703 (OEM early warning sirens) from 01-9100-521 (P & C/liability ins)

Motion by Chandler Second by Banton Ayes-All
Approve March 31, 2011 financial statement subject to audit.

Motion by Tarpley Second by Randolph Ayes-All
Authorize going out for bid for asphalt and crushed stone for FY11-12.

Motion by Chandler Second by Tarpley Ayes-All
Approve Memorandum of Understanding between Simpson County and the Kentucky State Police allowing the KSP to place equipment on towers for communication purposes and authorize County Judge Executive Jim Henderson to sign and the \$38,000 grant to pass through the county budget.

Motion by Chandler Second by Banton Ayes-All
Authorize the coroner to have blue lights and siren as allowed by House Bill 34 and authorize the jailer to have blue lights only as allowed by House Bill 41.

Judge Henderson reported that at noon on May 18th at the main fire station on Macedonia Road there will be a dedication of a plaque naming the station the Turner Station in honor of long-time Fire Chief Bobby Turner on the 5th year anniversary of his passing.

Magistrate Marty Chandler reported that the Pleasant Hill Road work has been completed and Magistrate Randolph reported that the finish/top coat of the Johnson Minnicks Road has been applied. He explained that it had been several years since the base coat was put down on Johnson Minnicks.

ORDERS

SIMPSON COUNTY FISCAL

COURT

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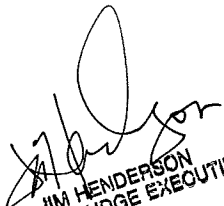
County Attorney Sam Phillips appealed to delinquent property taxpayers to take care of their taxes, which are now at the County Clerk's office, before mid July when they will be sold to third parties.

Eric Vaughn commended the work of Simpson County Public Works Department on the Kummer Road tile replacement project that has evidenced its improvement as it has handled the recent heavy rains and flooding conditions much better than big rain events before the replacement was done. Vaughn said he travels the road daily and appreciates the improvement. Magistrate Chandler commended the Public Works crew as well and the judge concurred.

Motion by Banton Second by Randolph Ayes-All
Go into executive session pursuant to KRS 61.810 Subsection 1, (b) deliberations on the future acquisition of real property by a public agency and (f) discussions which might lead to the appointment, discipline or dismissal of an employee. (9:15 AM)

Motion by Banton Second by Randolph Ayes-All
Come out of executive session. (12:00 PM).

Motion by Tarpley Second by Banton Ayes-All
Adjourn. (12:00 PM)


JIM HENDERSON
COUNTY JUDGE EXECUTIVE

*See Attachments File May 3, 2011.