

Regular Term, Tuesday Day, 21st Day of February 20 12

At a regular meeting of the Simpson County Fiscal Court held in the County Courtroom of the Simpson County Historic Courthouse on February 21, 2012 at 8:30 AM.

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
 Pam Rohrs, Fiscal Court Clerk

Absent: Nicole Law, Finance Officer

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

Pilot Knob Road resident Tom Goodhue addressed the court regarding the issue of the unsightly neighboring Amish property and the county's lack of residential building codes enforcement in the West District of the county. Judge Henderson said that when the first family with this particular Amish sect came to Simpson County several years ago and inquired about building within the established regulations but to fit their specifications, they were allowed to build what was termed a "farm dwelling" which would provide exemption from building and electrical inspections and was allowable under the code as the structure would be on more than ten acres. The established penalty for non-compliance to building code, particularly as it pertains to electrical and plumbing, was withholding of utility hook-ups and that would not be a deterrent nor offer any leverage since this Amish sect uses neither. At the time county officials had no reason to question the aesthetics of the sect because their only exposure to the Amish was to those who were in neighboring counties and their homesteads were an asset to their communities. Their extreme opposition to any of their property being in any way attractive or worldly was paramount to this sect and by the time this was obvious to the community, there were already numerous dwellings in existence and thus the problem. After lengthy discussion of this matter and acknowledgement of the problem, the consensus of the court and county attorney was to discuss with Joe Perry, the building inspector, regulations and policies in place and enforcement of them by the codes enforcement officer who should be in place within the next four to six weeks. County Attorney Sam Phillips suggested giving "peace a chance" and perhaps revisions to the codes that would provide compliance without compromising their religious beliefs. The recent spotlight around the state regarding the Amish and their disregard of the law requiring that their horse-drawn vehicles be marked with safety triangles or reflective tape is an example of the extreme measures they will take to uphold their beliefs as they have gone to jail rather than comply. Mr. Goodhue expressed appreciation for the opportunity to present this matter and urged action to address this detriment to the community.

Motion by Tarpley Second by Randolph Ayes-All
 Approve minutes of the February 7th regular fiscal court meeting.

Motion by Chandler Second by Banton Ayes-All
 Approve account transfers as submitted.

\$88.00	01-5001-212 (co. judge fringe training) from 01-9200-999 (transfer reserve)
\$396.00	02-6105-579 (training) from 02-6105-405 (asphalt)
\$1000.00	02-6105-592A (main/rep trucks) from 02-6105-405 (asphalt)
\$2000.00	01-5205-403 (animal shelter) from 01-9200-999 (transfer reserve)

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

AAA Systems	01-5081-177	360.00
Anthony Jackson	01-5040-567	20.88
Aqua Treat	01-5081-177	200.00
AT & T	01-5010-573	353.14
AT & T	01-5015-573	266.43
AT & T	01-5070-573	117.03
AT & T	01-5081-578	256.59
AT & T	01-5120-573	149.95
AT & T	01-5205-573	114.54
AT & T	01-9100-573	306.57
AT & T	02-6005-573	106.00
AT & T	03-5101-573	555.63
AT & T	75-5145-573	79.48
AT & T	75-5145-573	319.61
Atmos Energy	01-5081-578A	111.83
Atmos Energy	01-5120-578A	241.61
Atmos Energy	01-9100-578	1416.74
Atmos Energy	02-6005-578	386.56
Barren County Business	01-5010-445	197.99
Chris Cline	01-5015-577	280.35
Cintas	01-5080-411	183.60
City of Franklin	01-5081-578	119.73
City of Franklin	01-5120-578B	32.75
City of Franklin	01-9100-578	247.40
City of Franklin	03-5101-578	5823.88
CLM Port a Potty	01-5085-334	67.00
Consolidated Paper Group	03-5101-411	508.56
Digitech Services	01-5001-590	90.00
Embry's Garage	01-5120-336	792.18
Family Medical Clinic	01-5040-567	319.27
Fastenal	01-5015-445	365.37
FedEx	01-5001-563	58.14
Franklin Favorite	01-5001-302	116.88
Friends of the Shelter	01-5205-403	32.96
F-S Chamber of Commerce	01-9100-569	200.00
F-S High School	03-5101-445	50.00
F-S Renaissance	01-5435-348	7500.00
FSI	03-5101-437	316.98

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G & W Termite & Pest	01-5080-346	85.00
G & W Termite & Pest	01-5081-177	55.00
G & W Termite & Pest	01-5120-334A	75.00
G & W Termite & Pest	01-5120-334B	55.00
G & W Termite & Pest	01-5120-586	100.00
Gant's BP	01-5015-340	46.95
Gant's BP	01-5120-336	463.72
Global Specialty	01-5081-411	78.00
Hanson Aggregates	02-6105-409	2121.91
Hanson Aggregates	03-5101-334	190.64
J Edinger & Son	02-6105-592A	345.21
James Key	01-5120-446	10.42
Jim Henderson	01-9100-576	744.49
Jimmy's Auto	01-5015-340	168.57
Jody & Sons Mechanical	03-5101-334	4941.00
Kelly Banton	01-9100-576	296.68
Kentucky Retirement Systems	03-9400-202	56.88
Kentucky Transportation Center	02-6105-579	396.00
Kenway Distributors	03-5101-411	73.14
Larry Randolph	01-9100-576	405.10
Lee's Mower Service	01-5120-336	116.80
Lowe's	01-5070-348	9.48
Lowe's	01-5080-334	8.56
Lowe's	01-5120-446	27.39
Lowe's	02-6105-447	111.50
Lowe's	03-5101-334	978.94
Main Street Printing	01-5001-565	90.00
Marty Chandler	01-9100-576	352.54
Mefford & Phillips	01-5005-165	300.00
Mike's Auto Parts	02-6105-592A	116.19
Mike's Auto Parts	02-6105-447	74.30
Nashville Machine Elevator	01-5010-352	153.54
Nashville Machine Elevator	01-5080-352	143.78
Nashville Machine Elevator	01-5081-352	399.25
North Western Comm	03-5101-334	900.00
Office Ware	01-5015-564	180.43
Office Ware	03-5101-564	232.20
Office Ware	75-5145-564	112.98
Patrick Crafton	01-5020-103	250.00
Pilot Travel Center	03-5101-429	1748.53
Postmaster	01-5070-563	126.50
Postmaster	03-5101-563	5.30
Premier Integrity Solutions	02-6105-382	55.00
Quill	03-5101-445	681.52
Rapid Fueling	01-5015-429	3622.59
Robert Palmer	01-5135-576	27.00
Seth Whittaker	01-5015-576	349.20
Shell Fleet Plus	01-5015-429	38.54
Simpson Co Clerk Fee Acct	01-5010-201	1840.59
Simpson Co Payroll Account	01-5010-202	4412.67
Simpson Co PVA	01-5030-367	4431.75
Simpson Co Tire	01-5120-336	1316.76
Simpson Co Water District	01-5120-578C	64.62
Simpson Co Water District	01-9100-578	32.31
Southern Communications	01-5120-703	24.56
Southern Foods	03-5101-411	1097.87
Southern Health Partners	03-5101-386	19714.50
Southern States	01-9100-578	258.90
Standard Insurance Company	01-9400-205	629.90
Tabatha Whitfield	03-5101-576	27.22
The Bank of NY Mellon	03-7100-605	42212.50
Thurman Electric	03-5101-334	2570.21
Timmy Glenn	03-5101-576	12.55
Tractor Supply	01-5205-403	151.75
Vital Signs	02-6105-469	304.00
Walmart	01-5001-445	9.66
WRECC	01-5120-578C	78.24
X-Out Fire	01-5120-446	649.50

Unanticipated expenses this fiscal year such as several large truck repairs, grader repair and road repairs as well as higher fuel costs, have prompted Public Works Director Bobby Groves and Judge Henderson to be looking for ways to avoid a budget amendment to finish out this fiscal year. One means of addressing this budgeting issue would be to transfer from the current asphalt allocation of \$337,782 which includes the remainder of the FY11-12 flex money and county road aid. FY11-12 flex money was designated for Graves, part of Brown and part of the Sportsman Lake Road. Graves and Brown roads work has been completed. Ideally, Sportsman Lake Road could be done in its entirety since remaining flex funds designated for Sportsman Lake Road coupled with other unspent asphalt allocations such as county road aid funds would take care of that project. Allocations have been made for Steele, Chaney, Hughes and a portion of Will Payne Road. Bracken Prices Mill low water crossing is to be replaced using the \$80,000 bridge flex money from the state in the current fiscal year as soon as weather permits followed by asphalt work on the Bracken Prices Mill Road with FY12-13 asphalt funds. The state has suggested that the priority list for the FY12-13 flex allocation of \$182,628 be submitted soon so that work can begin early in the new fiscal year. If this plan is approved, there would still be \$50,000 available to start the FY2012-2013 which would basically set up a two-fiscal-year plan for asphalt. Work on Kenny Perry Drive will be funded with discretionary money obtained through the efforts of Representative Wilson Stone. The judge reported that there will be another \$80,000 flex money from the state for bridge work in the coming fiscal year. No action was taken as the court was just asked to consider the plan.

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As requested by Fiscal Court at the February 7th meeting, Sheriff Chris Cline and Chief Deputy Jacky Hunt presented their plan for upgrading the sheriff department's fleet. According to the sheriff's financial records, his department has realized a 2011 budget surplus of \$69,926. This surplus is mainly due to unspent funds because of several new hires and the lack of qualifying employees for health insurance benefits and hazardous duty retirement contributions. The surplus added to the \$4,000 netted from the sale of seven sheriff department's vehicles yields a total of \$73,926. The sheriff's proposal included a new Dodge 4x4 truck with police package, a new Ford SUV-Police Interceptor and a 2009 Ford Crown Vic Police Interceptor totaling \$62,168 with the remaining \$11,758 to be used to equip the vehicles. After the presentation of the sheriff's proposal, Magistrate Tarpley suggested that perhaps the Dodge truck currently assigned to Animal Control, could be reassigned to the Sheriff's Department to provide a truck immediately available to get the sheriff out of his personal vehicle which he has been using since taking office, first under a lease agreement and then more recently in a mileage reimbursement plan approved through the end of April. Tarpley's proposal suggested that perhaps a "plain" truck would better serve the needs of the animal control officer and the Animal Control truck could provide a truck that had already been chosen and equipped by the sheriff, albeit for the animal control officer/deputy at the time. When asked by Magistrate Randolph to prioritize, the sheriff listed first, the truck for his used and then secondly, the SUV to be used by Detective Eddie Lawson. Sheriff Cline reported that his fleet currently consists of the four 2011 Dodge Chargers, a 2011 Crown Vic, a 2010 Crown Vic, a 2009 Crown Vic, a 2006 Crown Vic, a 2004 Crown Vic, a 2002 Crown Vic, the Animal Control 2011 Dodge truck and his personal vehicle. Cline and Hunt would not discuss the proposal of the sheriff using the Animal Control truck since they had no prior knowledge of such a proposal. The consensus was to come back to this discussion at a later date.

Judge Henderson reported that Parks Board county appointee Sue Forshee had submitted her resignation and expressed appreciation for her long-standing service on the board.

Henderson also reported that a Board of Adjustments Conditional Use Hearing will be held at 6:30 PM, Tuesday, February 28th, regarding the matter of a rock quarry proposed by Charles Weldon Deweese on the Ditmore Ford Road.

Motion by Tarpley Second by Banton Ayes-All
Adjourn. (11:35AM)


JIM HENDERSON
COUNTY JUDGE EXECUTIVE