

# SPENCER COUNTY FISCAL COURT

Monday, August 5<sup>th</sup>, 2013

9:00am

Fiscal Court Meeting Room, 28 East Main Street

## Meeting Agenda

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Call to Order by the County Judge Executive
- D. Roll Call by the County Clerk
- E. Approval of Minutes from Prior Court Meetings
- F. Communications from Citizens, \*\*\* 3 minute limit \*\*\*
- G. Communications from County Judge Executive
  - 1. Parks vehicle
  - 2. EMS ambulance remount for bid
- H. Communications/reports from Members, Other Offices, and Committees
  - 1. Sheriff Settlement, with Sandy Verbeck
  - 2. Clerk microfilm proposal
  - 3. Road dept:
    - 3a. paving projects for 2013/2014
    - 3b. Salary adjustments:
      - I. Wayne Hahn from \$10.70 to \$12.20
      - II. Steven Redmon from \$10.60 to \$12.10
      - III. Charles Ingram from \$12.45 to \$12.70
  - 4. K9 and disposal reports
  - 5. Solid Waste
- I. Old Business
  - 1. Fox Lair report update
- J. New Business
  - 1. Review and Approval of Bills and Transfers
  - 2. Zoning, Readings and recommendations
  - 3. Zoning appointment
  - 4. Anita Meadows, Youth Baseball
  - 5. Pat Palmer, East River Road

6. Kelien Lane waterline extension
7. Ordinance 1 (2014series) second reading & adoption regulating alcohol sales
8. Annex electric upgrades

K. Adjournment

## **ANNOUNCEMENTS, COMMUNITY EVENTS and TRAINING OPPORTUNITIES**

### **KACo Leadership Institute – August/September 2013**

- August 7 – County Finance 202, in Morehead (at 6pm)
- August 8 – Fish & Wildlife Updates for Counties, in Morehead
- August 27 – Ky Auditor: Prep for County Audits/Procurement & Surplus, in London
- August 29 – Ky Transportation 101, in Cave City
- September 4 – County Finance 202, in Frankfort (at 6pm)
- September 5 – Ky Auditor: Prep for County Audits/Procurement & Surplus, in Frankfort
- September 12 – Planning & Zoning, in London

### **Priority One classes – August/September 2013**

- August 21 – Communication Skills, in Radcliff
- August 23 – Harassment Training, in London
- August 30 – Analyzing, Evaluating, & Managing Employee Performance, in Marion
- September 5 – Analyzing, Evaluating, & Managing Employee Performance, in Burlington
- September 13 - “50 Words Every Elected Official Should Know”, in Dawson Springs
- September 20 - “50 Words Every Elected Official Should Know” in Lebanon

### **UK Transportation Scholar/Master classes – August 2013**

- August 7 – Asphalt Paving Best Practices, in Lexington
- August 7 – Environmental Awareness, in Hopkinsville
- August 8 – Traffic Management, in Lexington
- August 13 – Risk Management, in Frankfort
- August 14 – Communications II, in Frankfort
- August 15 – Erosion & Sediment, at Rough River SRP
- August 29 – Asphalt Paving Best Practices, in Lexington

### **Governor's Local Issues Conference**

August 14-16, 2013  
Galt House & Suites, Louisville

**PURSUANT TO SPENCER COUNTY ADMINISTRATIVE CODE  
SECTIONS 6.1 AND 3.43, THE SEPTEMBER 2 FISCAL COURT  
MEETING WILL BE HELD ON WEDNESDAY, SEPTEMBER 4 AT 9AM.**

SPENCER COUNTY  
**F18 PG676**

SPENCER COUNTY FISCAL COURT  
MONDAY, AUGUST 5, 2013  
9:00 AM  
FISCAL COURT MEETING ROOM, 28 EAST MAIN STREET

**A. Opening Prayer**

Esq. Judd led the Court in prayer before Court began.

**B. Pledge of Allegiance**

Pledge of allegiance to the American flag.

**C. Call to order by County Judge Executive, Bill Karrer**

**D. Roll call by County Clerk, Lynn Hesselbrock- Esq. Cheek absent**

**E. Approval of minutes from the July 15<sup>th</sup>, 2013 Fiscal Court meeting.**

- On the motion of Esq. Judd, seconded by Esq. Goodlett, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to accept the minutes from the July 15, 2013 Fiscal Court meeting with any corrections.

**F. Communications from citizens\*\*\*3 minute limit\*\*\***

There were no communications from citizens.

**G. Communications from the County Judge Executive**

1. Parks vehicle

The Judge stated that the Parks vehicle was in poor shape and would have to be replaced soon. He said that the Equipment Committee was aware of the condition of the vehicle. The Parks Department has requested a used vehicle. The Equipment Committee will look into the issue.

2. EMS ambulance remount for bid

Med 3, one of the ambulances, is in need of a remount. The Judge instructed the Equipment Committee to get in touch with the EMS Director, Mr. Jeff Coulter. The Judge suggested that the Equipment Committee might be able to use the bid for the remount recently completed on Med 4.

3. Floor drains

The floor drains in the Recycling Center, EMS bays, and maintenance building are plugging up, and they are not able to open them up with traditional methods. They are called "daylight drains" that drain into the gravel around the County's drain system. The affected buildings may have to run the drains into the sanitary sewer system. The County Judge will seek more information and bring back.

**H. Communications/reports from members, other offices, and committees**

1. Sheriff settlement- presented by Ms. Sandy Verbeck CPA  
Ms. Verbeck presented the Sheriff's Tax Settlement to the Court. She stated that there were some problems with the new computer tax program. She also said that there were unpaid franchise bills amounting to \$128,858.00. The full report is on file in the Sheriff's office, and the County Judge's office.

- On the motion of Esq. Judd, seconded by Judge Executive Karrer, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to accept the Sheriff's 2012 Tax Settlement.
- On the motion of Esq. Judd, seconded by Esq. Goodlett, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to pay Ms. Sandy Verbeck for her work on the Sheriff's audit in the amount of \$1800.00.

2. Clerk microfilm proposal

The Clerk explained that the security microfilming was the first step in the process of converting the mortgage books to film and having back up film onsite, on file at Software Management and in Frankfort. This is an effort to eliminate the books and make more space for deed books. The mortgages would be available online in an indexed format. The Clerk also informed the Court that the payment for the funds for the microfilming would come from the Clerk's technology grant.

- On the motion of Esq. Davis, seconded by Esq. Moody. With all the members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to accept the proposal from Software Management for \$672.00 for the microfilming of mortgages. The funds to be taken out of the Clerk's technology grant.

## EQUIPMENT UPGRADE & ADDITIONS

*Software Management/US Imaging, Inc. is pleased to present this proposal to scan and create 35mm microfilm on Digital Images for Spencer County. Our team will provide Spencer County with the highest possible quality and accuracy. We thoroughly understand the Counties media, system and requirements.*

Software Management/US Imaging has conducted an on-site visit at Spencer County on December 14, 2012.

### Spencer County Requirements:

- **Work Area** - County will provide a 6' x 12' space inside the County Building, near the vault with access 24 hours per day, 7 days a week, electricity, lighting and heat/air to allow on-site scanning. If on-site access is not available 24/7 within the County Building, County will provide a 8' x 16' space on County Property as close to the vault as possible with 24/7 access, electricity, to allow on-premise scanning in a mobile scan center. If on-site or on-premise time is less than 24/7, the time and investment to complete will change according to the hours and day's access is available.
- **Hardware** – County will allocate sufficient hard drive storage to import TIFF images into the system.
- **Import** – County will work with system vendor to import images into the imaging system.

### Software Management/US Imaging Requirements:

#### Scanning and Microfilming in 35mm

- **On-Site Scanning** – We will provide all necessary hardware, software, staff, project managers and mobile scan center to perform scanning on-site or on-premise 24 hours per day, 7 days a week. If access to books is less than 24/7, the time and investment to complete will change according to the days and hours available.
- **Inventory Report** – Software Management/US Imaging will provide an On-Line Inventory Report for the customer to input tracking information into. If the County does not have time to input the tracking information, Software Management/US Imaging can inventory the film and populate the Inventory Report for a travel and daily on-site fee.
- **JPEG to TIFF Conversion** – All JPEG images will be converted to 300dpi single page Black & White TIFF images with Group IV compression. TIFF images will be sequentially numbered by a zero filled 8

Use or disclosure of data contained herein is restricted in accordance with the provisions contained on the title page of this document. Pricing valid for acceptance through January 31, 2013 based upon component availability.

Software Management, LLC

Spencer County Clerk's Office – Proposal

- digit number and stored in folders named by the Plat #.
- **Manually Group & Index** – During scanning images are captured as single images and stored in folders by each Plat # range. Our staff will manually group individual pages together for each document and index each document by the Plat # of the first page of each new document.
  - **Microfilming** - Pages will be converted from digital images to 35mm microfilm according to State Archive specifications.
  - **Microfilm Processing** - All film is polyester base, archival quality Kodak film that will be processed in our Kodak Certified Lab. Our lab manager has 30 years of experience processing, testing and duplicating hundreds of thousands of rolls of microfilm.
  - **Microfilm Testing** – For the Photostat books, two sets of microfilm will be created with 2 different density settings per the State Archives density requirements. Processing and testing will be completed to meet or exceed all State and ANSI Standards for quality and archivability.
  - **Image Inspection** - After processing, all images will be visually inspected for legibility and refilmed if necessary. Refilmed images will be spliced onto the end of the roll with a single splice.
  - **Optional Duplicate Backup** - Optional Silver Duplicate Rolls can be created for \$25.00 to provide both an on-site and off-site copy of the film.
  - **Labeling** - Each roll of microfilm will be labeled and identified with the County name, type of documents, beginning and ending document number and roll number.
  - **Storage Boxes** – All film will be stored on plastic reels and plastic boxes as to improve archival life expectancy during storage.
  - **Return** – Rolls of microfilm will be returned via UPS Ground shipping. Tracking numbers can be e-mailed each time a package is shipped.
  - **USB Hard Drives** – All single page JPEG images will be copied to 2 sets of external 500GB USB Hard Drives. 1 set will be shipped to the County for review and on-site backup. 1 set will be stored at Software Management/US Imaging for conversion to TIFF and off-site backup.

Estimated Investment

Scanning and Microfilming on 35mm  
22,400 Mortgages @ \$0.03

= \$672.00

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3. Road Department

3a. Paving projects for 2013/2014

**Asphalt Funds For 2013/2014**

2013/2014 Flex Fund Projects	\$153,234.00
\$153,234.00 / 5dist. & county =	
\$25,529.00	
 2013/2014 Asphalt Distrubution	
\$37,000.00 X 5 districts+county =	\$222,000.00
<hr/>	
Total available asphalt funds per district & county is \$62,234.00	
 TOTAL	 \$375,234.00
 Estimated Asphalt Use for 2013/2014	 \$366,472.25
<hr/>	
County Balance	\$8,761.75

**2013/2014 RS FLEX FUND MONEY BY DISTRICT**

Available Funds for 2013/2014 \$153,234.00

Jerry =	\$11,450.00
David =	\$27,289.45
Mike =	\$26,507.25
Woody =	\$21,582.00
Hobert =	\$64,805.95
	<hr/>
Sub-total	\$151,634.65
Misc. Millings	\$1,599.35
	<hr/>
TOTAL	\$153,234.00

2013/2014 Flex Fund Projects

#1. Delta Road	\$28,176.50
#2. Dutchman Creek Rd.	\$36,629.45
#3. Keeling Lane	\$11,450.45
#4. Oak Haven Ct.	\$5,095.75
#5. Red Bud Way	\$5,225.00
#6. Windsong Ct.	\$10,791.00
#7. Deer Run Point	\$5,395.50
#8. Farmers Trace	\$4,496.25
#9. Old Possum Ridge Rd.	\$14,100.25
#10. Aurthur Road	\$8,692.75
#11. Burgin Noel Rd.	\$21,582.00
	<hr/>
Sub- Total	\$151,634.65
Misc. Millings	\$1,599.35
	<hr/>
TOTAL	\$153,234.00



SPENCER COUNTY  
F18 PG682

County Estimate For Re-Surface & Flex Funds Projects 2013/2014

Hobert =	Road Name	Length	Est. Tons	Mago Used	Price Per Ton	Approx. Cost	Flex Funds
#1.	Deita Road Gravel 3,500' out	3,500' X 12'	470 at 20 %	0	\$59.95	\$28,176.50	@@@@@
#2.	Dutchman Creek Rd. from Goose Ck. To Houghlin Road	4,738' X 12'	610 at 15%	0	\$59.95	\$36,629.45	@@@@@
						Total	\$64,805.95
Jerry =							
#3.	Keeling Lane	1,863' X 10.5'	191 at 10%	0	\$59.95	\$11,450.45	@@@@@
#4.	Ed Yates Rd.	537' X 9' Base X 3" 1,037' X 9' Surface X 1.5	97 at 5% 92 at 5%	0	\$54.95 \$59.95	\$5,330.15 \$5,515.40	
#5.	Jeffiers Lane	1,372' X 13' 927' X 12' Base X 3" 2,777' X 12.5' Surface X 1.5	341 at 5% 213 at 5% 340 at 5%	0 0 0	\$54.95 \$54.95 \$59.95	\$31,925.95 \$20,383.00	
						Total	\$74,604.95
Mike =							
#6.	River heights Blvd.	57' X 17.5' Base X 3" 57' X 17.5' Surface X 1.5	20 at 5% 10 at 5%	0	\$95.00 \$95.00	\$1,900.00 \$950.00	
#7.	Oak Haven Ct.	250' X 20'	85 at 10%	0	\$59.95	\$5,095.75	@@@@@
#8.	Little Woods Ct.	260' x 20'	87 at 10%	0	\$59.95	\$5,215.65	
#9.	Oak Ridge Drive	2300' X 20'	473 at 10%	0	\$59.95	\$28,356.35	
#10.	Red Bud Way	300' X 18'	55 at 10%	0	\$95.00	\$5,225.00	@@@@@
#11.	Windsong Ct.	794' X 21'	180 at 10%	0	\$59.95	\$10,791.00	@@@@@
#12.	Deer Run Point	438' X 20'	90 at 10%	0	\$59.95	\$5,395.50	@@@@@
#13.	Truax Lane	246' X 10.5'	27 at 10%	0	\$95.00	\$2,565.00	
						Total	\$65,494.25
David =							
#16.	Ten Mile Creek Rd.	1,800' X 9'	326 at 5%	0	\$54.95	\$17,913.70	
#17.	Farmers Trace	560' X 13'	75 at 10%	0	\$59.95	\$4,496.25	@@@@@
#18.	Old possum Ridge Rd.	1,200' X 17.5'	235 at 20%	0	\$59.95	\$14,100.25	@@@@@
#19.	Authur Road	1,180' X 12'	145 at 20%	0	\$59.95	\$8,692.75	@@@@@
#20.	Mitchell Lane end to center	A Binder 2,064'x9.5'x.2	295 at 20%	0	\$57.45	\$16,947.75	
						Total	\$62,170.00
Woody =							
#21.	Cecil Noel Rd.	2,300' X 15.5' 1,125' X 10'	400 at 20% 126 at 20%	0 0	\$59.95 \$59.95	\$23,980.00 \$7,553.70	
#22.	Burgin Noel Rd.	3,356' X 10'	360 at 15%	0	\$59.95	\$21,582.00	@@@@@
#23.	A.D. Noel Rd.	1,848' X 9'	155 at 15%	0	\$59.95	\$9,292.25	
						Total	\$62,407.95
Spencer county road dept.							
#24.	Little Crooked Creek	4240 X 13	617 at 20%	0	\$59.95	\$36,989.15	
						Total	\$36,989.15
						5-District & County Total	\$366,472.25

- On the motion of Esq. Moody, seconded by Esq. Davis, with all members of Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to approve the paving projects for 2013/2014.

3b. Salary adjustments

1. Wayne Hahn from \$10.70 to \$12.20
2. Steven Redman from \$10.60 to \$12.10
3. Charles Ingram from \$12.45 to \$12.70

- On the motion of Esq. Goodlett, seconded by Esq. Judd, with all members of Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to approve the aforementioned salary adjustments.

4. K9 and disposal reports

**July 2013**

**Animal Control Report  
K-9 Rescue and Enforcement**

Animal Control Officer: Nolan Bryant  
Volunteer: Amy Verder  
Volunteer: Leandra Verder

<b>Total Pick-ups</b>	42
<b>Runs to Shelby Co. Shelter</b>	1
<b>Runs to Humane Society</b>	0
<b>Animal Welfare Checks</b>	13
<b>Return to Owner (R.T.O.)</b>	12
<b>Owner / Surrender</b>	1
<b>Road Accident Reports</b>	2
<b>Dog Bites</b>	3

**Total No. Of Pick-Ups / Monthly 2013**

January / 13	February / 17	March / 10	April / 13
May / 16	June / 26	July / 42	August / 0
September / 0	October / 0	November / 0	December / 0

Rescue Take In: (24)

In Holding: (5)

Additional Note: Shelby Co. Shelter is beyond max capacity. Rescue groups are getting full as well.

SPENCER COUNTY  
F18 PG684

SPENCER COUNTY

Jul-13

30 M + 29 M -

DATE	NAME	ADDRESS	PHONE #	Cows	Cow	Calif	Horse	Goat	Sheep	Hog	Other
7/2/2013	Besty Webb Red Barn Arena	6720 Mt Washington Rd	502-477-0830				1				
	Lynn McIntosh	3566 Overlook Rd	502-777-5373			1					
7/3/2013	Don Thorsberry	4302 High Grove	502-643-9343				1				
	David Hume	635 Greer Rd	502-477-3003						1		
7/8/2003	Pasty Stevens	180 River Road (past Sewer plant at top of	502-477-8109		1						
7/12/2013	David Neil	1691 Hwy 1066	502-249-1326		1						
	David Neil	3229 Hwy 1066	502-249-1326	1							
7/15/2013	Pam Simpson	100 Murphy Lane	602-760-0718				1				
7/18/2013	Eugene Hemdon	5340 Bloomfield Rd- by tool shed in loader	502-773-5740	1							
7/19/2013	Ed Stokes	1041 Cotton Lane	502-477-2860	1							
7/25/2013	Michael Tobbe	6920 Little Mt Rd	CP 502-817-3004 Gate locked	1							
	Pasty Stevens	540 Grays Run	502-477-8109			1					
7/29/2013	Shannon Verastegui	196 Normandy Heights- back of p/u	CP 502-689-1836		1						
	David Hume	635 Greer Rd	502-477-3003		1						
	Nathan Lawson	645 Ochs Lane	502-836-3879		1						
7/30/2013	Burl Bond	480 Ochs Lane	502-245-8651	1							
	Larry Wider	3554 Greys Run	502-507-3798			1					
7/31/2013	Byron Cunningham	605 Little Mt. Church Rd	502-477-2657	1							

TOTAL PAGE      6      5      3      3      0      1      0      0

No action neither needed nor taken on the K9 and animal disposal reports.

Bluegrass Recycling Ser.

1-859-744-9011

p.3

5. Solid waste

Esq. Judd stated that the committee had met in July and reviewed the citing ordinance from Oldham County. The committee will meet again in August and they should have a draft ordinance ready. Esq. Judd passed out the regulations regarding open burning and asked the Magistrates to be aware of the regulations.

Esq. Moody stated that his homeowner's insurance premiums had gone up 168%. He stated that his insurance broker, Kentucky Farm Bureau, said this was due to a large number of claims made in the last year. He said that this tax affected all the people in the County. He stated that he thought that the insurance tax needed to be reduced. Discussion ensued. Esq. Moody and the County Treasurer will meet and discuss the issue and bring back to Court.

Esq. Davis stated that Fiscal Court had got "dinged" again on an open records request. The County Attorney replied that the Fiscal Court had not been named in any open records requests. She asked for specific opinions from the Attorney General's office, and Esq. Davis couldn't name any specific opinion. The last request pertained to records that did not exist. Libraries and Archives had been in the courthouse and performed a "clean out" of old records in accordance with the retention schedule.

**I. Old Business**

1. Fox Lair update

The Judge Executive said he had talked to the contractors of the subdivision and that there was some asphalt that needed to be replaced. The developers wanted a reduction in their bond. The bond has already been reduced once. No action needed.

SPENCER COUNTY  
F18 PG686

Fox Lair II roadway inspection 7-17-13

mailbox:///Z:/Mail/mail.win.net/Inbox?number=853365363&h...

Subject: Fox Lair II roadway inspection 7-17-13

From: "Martin, Rob" <rmartin@qk4.com>

Date: 7/18/2013 3:59 PM

To: <[redacted]>

CC: <toddburch@spencercountyky.gov>, <bkarrer@spencercountyky.gov>, "Karen Curtsinger" <karencurtsinger@spencercountyky.gov>

Everyone: Phase II of the Fox Lair subdivision was inspected this date. The Todd Burch and the magistrate were present for the inspection. The developer, Will Harris and his father (partner), arrived when the inspection was almost complete. The results of the inspection were conveyed to Will and he requested a copy be sent via email ASAP so that he could expedite corrective work detailed below.

- 1) Fox Lair Road-general-remove and cleanup all silt checks from the roadside ditches where grass is now established.
- 2) Scarlet Court Cul De Sac:
  - Fill shoulders and reseed street radius areas at intersection of Scarlet Court and Fox Lair Road
  - Regrade and Reseed cross drain inlet/outlet at Lot 44 to drain
  - Fill shoulders and regrade, reseed along Cul De Sac along the frontage of Lot 38 and 39
- 3) Fox Lair Road Cul De Sac: Fill shoulders, remove concrete material placed in ditch, regrade and reseed along Cul De Sac along Lot 53 and 54
- 4) Fox Lair Road Cross Drain #1:
  - Regrade and reseed ditch erosion outlet side of pipe (Picture attached)
  - Clean silt and debris from inlet/outlet headwalls and pipe to ensure drainage, replace channel lining as required
- 5) Fox Lair Cross Drain #2:
  - Patch Headwall lift holes and pipe socket outlet with nonshrink grout
  - Clean silt and debris from headwall, replace channel lining as required
  - Fill along shoulder (cover up lower asphalt layers and rock exposed) with soil opposite lot 74 and regrade/reseed from Cross drain to Strikehound Court.
- 6) Asphalt surface (Picture attached): There is a stretch of final surface pavement beginning within Phase I approximately north of Strikehound Court and extending .3 miles into the limits of the Phase II section. As detailed in the picture, the asphalt mix appears to be of a different composition than the rest of the roadways within the subdivision and appears to be showing more signs of distress than other sections of pavement. The asphalt surface in this section is "stripping" (loosing fines and showing signs of segregation within the mix), has a number of cracks, and the ride quality is noticeably rougher than the rest of the roadway (washboard effect). With these issues already present after the year proving period, there is a concern that long term durability is in question for this stretch of pavement. It is my recommendation that the Developer be asked to provide plan for corrective action for this section of pavement. This was discussed with Will Harris and he is aware of the concern advised that he would discuss options with his asphalt contractor.

Mr. Harris had a question about the status of the performance bonds for both Phase I and Phase II. We advised Mr. Harris that it was our understanding that Phase I work had been accepted by the County. We also advised Mr. Harris that we would contact Planning and Zoning to confirm this and to confirm that the bond for Phase I could be released. We contacted Julie with Planning and Zoning and she confirmed that Phase I had been accepted. However, she advised that per Spencer County Ordinance 14, regulations require that the Bond for Phase I remain in place if the roadways in Phase I are to be used as construction access for Phase II, which is the case for this development. Based upon this information, it is my understanding that Mr. Harris will need to keep the performance bond in place for Phase I until such a time that Phase II is accepted. Based on this, it is my suggestion that Mr. Harris contact Spencer County Planning and Zoning and arrange for the appropriate bonds to be renewed per Ordinance 14.

Please let me know if have any questions  
thanks

Robert Martin P.E.  
Senior Engineer-Transportation  
Qk4  
Architecture Engineering Planning  
1046 East Chestnut Street  
Louisville, KY 40204  
Ph:502.585.2222 Cell:502.435.2140  
[rmartin@qk4.com](mailto:rmartin@qk4.com)

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J. New Business

1. Review and approval of bills and transfers

Esq. Davis stated again that he thought the County was not adhering to the Administrative Code in regards to the purchase order system. The County Attorney stated that she thought Esq. Davis might be interchanging the terms "purchase order" and "claims". Esq. Davis passed out a letter from Mr. Robert Brown from DLG.



OFFICE OF THE GOVERNOR  
DEPARTMENT FOR LOCAL GOVERNMENT

Steven L. Beshear  
Governor

1024 Capital Center Drive, Suite 340  
Frankfort, Kentucky 40601  
Phone (502) 573-2382  
Fax (502) 573-2939  
Toll Free (800) 346-5606  
www.dlg.ky.gov

Tony Wilder  
Commissioner

August 2, 2013

The Honorable Jerry Davis  
Spencer County Magistrate  
254 Stephanie Ave.  
Taylorsville, KY 40071

Dear Mr. Davis,

The purpose of this letter is to clarify a misunderstanding of how an effective Purchase Order System should work, as it relates to the county's budget, as a whole. It appears that there is currently a disagreement among the Spencer County Fiscal Court as to how purchases and/or claims should be approved. KRS 68.275 states that claims against the county that are within the amount of line items of the county budget and arise pursuant to contracts duly authorized by the fiscal court, shall be paid by the county judge-executive by a warrant drawn on the county and co-signed by the county treasurer. It further states that the county judge-executive shall present all claims to the fiscal court for review prior to payment and the court, for good cause shown, may order that a claim not be paid.

A misconception that Spencer County is having is that the fiscal court has approved purchase orders when they approve the line items in the county budget and then approve the claims. This assertion is not correct and should not be an acceptable means of purchasing and handling public funds. Our office has always recommended that all counties have a purchase order system. The main purpose of this system is to ensure that purchases can be made if there is sufficient appropriations available within the amount of line items in the county's budget. Although a county's budget has been approved by the fiscal court, this is entirely separate from the approval of purchase orders. Claims against the approved budget must still have fiscal court approval before they can be paid.

I hope this letter provides guidance to Spencer County relative to the current way claims and purchases are made. If you have any questions or desire clarification, please do not hesitate to contact me.

Sincerely,

*Robert O. Brown*  
Robert O. Brown  
State Local Finance Office

SPENCER COUNTY  
F18 PG688

Discussion ensued. No action taken.

08/01/13  
04:32PM

Spencer County Fiscal Court  
Open Invoice Report  
As of August 01, 2013

Page 1 of 11

*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
<b>Vendor: AIRGAS</b>		<b>Airgas USA, LLC</b>					
9017619221	08/05/13	0151405500 ems oxygen	08/05/13	85.01	.00	.00	85.01
9017799605	08/05/13	0151405500 ems oxygen	08/05/13	27.65	.00	.00	27.65
9018026904	08/05/13	0151405500 ems oxygen	08/05/13	85.01	.00	.00	85.01
<b>Vendor Total: AIRGAS</b>				<b>197.67</b>	<b>.00</b>	<b>.00</b>	<b>197.67</b>
<b>Vendor: ASFORD</b>		<b>All-State Ford Truck Sales</b>					
5285378	08/05/13	0151404430 med3 brakelines	08/05/13	95.04	.00	.00	95.04
5285471	08/05/13	0150155920 sher veh parts	08/05/13	138.00	.00	.00	138.00
5285641	08/05/13	0150155920 sher veh parts	08/05/13	138.00	.00	.00	138.00
5286019	08/05/13	0150155920 sher veh parts	08/05/13	45.85	.00	.00	45.85
<b>Vendor Total: ASFORD</b>				<b>416.89</b>	<b>.00</b>	<b>.00</b>	<b>416.89</b>
<b>Vendor: AT&amp;T</b>		<b>A T &amp; T</b>					
8/5_k9	08/05/13	0152055780 k9 phones	08/05/13	38.02	.00	.00	38.02
8/5annex	08/05/13	0150865780 annex dsl	08/05/13	183.45	.00	.00	183.45
8/5annex	08/05/13	0150865780 annex phones	08/05/13	1,347.41	.00	.00	1,347.41
8/5atty	08/05/13	0150055780 co atty phones/net	08/05/13	174.97	.00	.00	174.97
8/5bidginsp	08/05/13	0151154450 bidginsp phone	08/05/13	22.98	.00	.00	22.98
8/5chidsup	08/05/13	0150055780 co atty chidsup pho	08/05/13	80.68	.00	.00	80.68
8/5clerk	08/05/13	0150104450 clark phones	08/05/13	349.43	.00	.00	349.43
8/5cthsa	08/05/13	0150805780 cthse phones/net	08/05/13	851.63	.00	.00	851.63
8/5e911	08/05/13	0151453150 e911 equipment	08/05/13	787.54	.00	.00	787.54
8/5elevator	08/05/13	0150803520 elevator phone	08/05/13	73.45	.00	.00	73.45
8/5ems	08/05/13	0151405780 ems u-verse	08/05/13	45.00	.00	.00	45.00
8/5ems	08/05/13	0151405780 ems phones	08/05/13	160.79	.00	.00	160.79
8/5maint_k9	08/05/13	0150855780 maint/k9 u-verse	08/05/13	30.00	.00	.00	30.00
8/5mainten	08/05/13	0150855780 maint phone	08/05/13	69.69	.00	.00	69.69
8/5occtax	08/05/13	0150475780 occtax phones/net	08/05/13	132.97	.00	.00	132.97
8/5sparks	08/05/13	0154015780 parks phones	08/05/13	58.89	.00	.00	58.89
8/5pva	08/05/13	0150305780 pva phones	08/05/13	107.33	.00	.00	107.33
8/5recycle	08/05/13	0152175780 recycling phone	08/05/13	20.46	.00	.00	20.46
8/5sheriff	08/05/13	0150155780 sheriff phones/net	08/05/13	248.95	.00	.00	248.95
8/5zoning	08/05/13	0150705780 zoning phones/net	08/05/13	121.42	.00	.00	121.42
<b>Vendor Total: AT&amp;T</b>				<b>4,905.06</b>	<b>.00</b>	<b>.00</b>	<b>4,905.06</b>
<b>Vendor: ATTWIRELES</b>		<b>A T &amp; T Wireless</b>					
8/5_k9	08/05/13	0152055780 k9 office cellphone	08/05/13	44.35	.00	.00	44.35
8/5abc	08/05/13	0150504450 abc cellphone	08/05/13	44.35	.00	.00	44.35
8/5bidg	08/05/13	0151154450 bidginsp cellphone	08/05/13	61.59	.00	.00	61.59
8/5co	08/05/13	0150805780 judg/dep/jail cellp	08/05/13	157.16	.00	.00	157.16
8/5coroner	08/05/13	0150204450 coroner cellphone	08/05/13	44.35	.00	.00	44.35
8/5ems	08/05/13	0151405780 ems cellphones	08/05/13	388.64	.00	.00	388.64
8/5sparks	08/05/13	0154015780 parks cellphones	08/05/13	88.70	.00	.00	88.70
8/5recycle	08/05/13	0152175780 recycling cellphone	08/05/13	44.35	.00	.00	44.35
8/5sher	08/05/13	0150155780 sheriff cellphones	08/05/13	917.91	.00	.00	917.91
8/5sher_air	08/05/13	015015573W sheriff aircards	08/05/13	448.46	.00	.00	448.46
<b>Vendor Total: ATTWIRELES</b>				<b>2,239.86</b>	<b>.00</b>	<b>.00</b>	<b>2,239.86</b>
<b>Vendor: AUTOZONE</b>		<b>Auto Zone</b>					
4547605600	08/05/13	0152174680 recyc trk radiator	08/05/13	111.59	.00	.00	111.59

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4547605693	08/05/13	0150155920 sher veh belt	08/05/13	22.49	.00	.00	22.49
4547606388	08/05/13	0152174680 recyc trk hoses	08/05/13	7.35	.00	.00	7.35
4547606392	08/05/13	0152174680 recyc trk cleaner	08/05/13	8.98	.00	.00	8.98
4547607983	08/05/13	0150807210 maint parts	08/05/13	20.69	.00	.00	20.69
4547614318	08/05/13	0151404430 med3 shocks	08/05/13	117.57	.00	.00	117.57
4547617907	08/05/13	0150155920 sher veh sparkplugs	08/05/13	3.99	.00	.00	3.99
4547619957	08/05/13	0151404430med3 gasket,threadlo	08/05/13	19.47	.00	.00	19.47
4547620103	08/05/13	0151404430 med3 gear oil	08/05/13	7.99	.00	.00	7.99
4547620254	08/05/13	0151404430 med3 coolant	08/05/13	43.96	.00	.00	43.96
4547624470	08/05/13	0151404430 med2 brakefluid	08/05/13	7.99	.00	.00	7.99
<b>Vendor Total: AUTOZONE</b>				372.07	.00	.00	372.07
<b>Vendor: BLGRASSREC</b>		Bluegrass Recycling Srvc Inc					
July2013	08/05/13	0152054030 carcass removal	08/05/13	2,055.71	.00	.00	2,055.71
<b>Vendor Total: BLGRASSREC</b>				2,055.71	.00	.00	2,055.71
<b>Vendor: BOUNDTREE</b>		Bound Tree Medical LLC					
81150747	08/05/13	0151405500 ems medic supplies	08/05/13	802.11	.00	.00	802.11
<b>Vendor Total: BOUNDTREE</b>				802.11	.00	.00	802.11
<b>Vendor: C &amp; H SEC</b>		C & H Security Inc.					
34480-atty	08/05/13	0150055780 Aug panic alarm	08/05/13	19.99	.00	.00	19.99
34481-occtax	08/05/13	0150475780 Aug panic alarm	08/05/13	19.99	.00	.00	19.99
34482-cthse	08/05/13	0150805780 Aug panic alarm	08/05/13	19.99	.00	.00	19.99
<b>Vendor Total: C &amp; H SEC</b>				59.97	.00	.00	59.97
<b>Vendor: CAAK</b>		Code Admin. Assoc. of KY					
Spencer-2013	08/05/13	0151154450 membership	08/05/13	25.00	.00	.00	25.00
<b>Vendor Total: CAAK</b>				25.00	.00	.00	25.00
<b>Vendor: CARDINAL</b>		Cardinal Office Products					
IN-1251016	08/05/13	0150804110 custodial bags	08/05/13	174.83	.00	.00	174.83
IN-1251016	08/05/13	0154014670 parks trashbags	08/05/13	53.80	.00	.00	53.80
IN-1251016	08/05/13	0152054020 k9 safety gloves	08/05/13	6.50	.00	.00	6.50
IN-1251016	08/05/13	0150104450 clerk copypaper	08/05/13	24.12	.00	.00	24.12
IN-1251016	08/05/13	0150014450 judge copypaper	08/05/13	16.44	.00	.00	16.44
IN-1251016	08/05/13	0150054450 co atty copypaper	08/05/13	8.22	.00	.00	8.22
IN-1251605	08/05/13	0150804110 custodial bags	08/05/13	177.04	.00	.00	177.04
IN-1252313	08/05/13	0150704450 zoning ink.envelop	08/05/13	26.83	.00	.00	26.83
IN-1252756	08/05/13	0150474450 occtax ink cartridg	08/05/13	49.44	.00	.00	49.44
IN-1254515	08/05/13	0150704450 zoning ink cartridg	08/05/13	20.16	.00	.00	20.16
IN-1254515	08/05/13	0150014450 judg pens,cards	08/05/13	15.54	.00	.00	15.54
IN-1255543	08/05/13	0150704450 pz dvds	08/05/13	22.08	.00	.00	22.08
IN-1255543	08/05/13	0151404450ems stapler,pen,tape	08/05/13	14.64	.00	.00	14.64
<b>Vendor Total: CARDINAL</b>				609.64	.00	.00	609.64
<b>Vendor: CHAMBER</b>		Chamber of Commerce					
July-Sept2013	08/05/13	0150805710 aoc-paid rent	08/05/13	750.00	.00	.00	750.00
<b>Vendor Total: CHAMBER</b>				750.00	.00	.00	750.00
<b>Vendor: CHLOCKSMTH</b>		A Cheaper Locksmith					
009944	08/05/13	0150157250 sher door repair	08/05/13	165.00	.00	.00	165.00



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<b>Vendor Total: CHLOCKSMTH</b>				165.00	.00	.00	165.00
<b>Vendor: CITGO</b>		Smith's Service Station & Tire					
June-parks	08/05/13	0154014670 parks tires repaired	08/05/13	20.00	.00	.00	20.00
June-sher	08/05/13	0150155920 sher tires repaired	08/05/13	37.00	.00	.00	37.00
<b>Vendor Total: CITGO</b>				57.00	.00	.00	57.00
<b>Vendor: CITY</b>		Taylorsville Waterworks					
8/5annex	08/05/13	0150865780 annex utilities	08/05/13	43.43	.00	.00	43.43
8/5cthse	08/05/13	0150805780 cthse utilities	08/05/13	56.16	.00	.00	56.16
8/5ems	08/05/13	0151405780 ems utilities	08/05/13	63.31	.00	.00	63.31
8/5occtax	08/05/13	0150475780 occtax utilities	08/05/13	22.24	.00	.00	22.24
8/5parks	08/05/13	0154015780 parks utilities	08/05/13	99.51	.00	.00	99.51
8/5recycle	08/05/13	0152175780 recycling utilities	08/05/13	52.46	.00	.00	52.46
8/5sheriff	08/05/13	0150155780 sher utilities	08/05/13	22.26	.00	.00	22.26
8/5zoning	08/05/13	0150705780 zoning utilities	08/05/13	22.27	.00	.00	22.27
<b>Vendor Total: CITY</b>				381.64	.00	.00	381.64
<b>Vendor: CITY2</b>		City Of Taylorsville					
301518-DLZ	08/05/13	0180997410 drainage project	08/05/13	730.79	.00	.00	730.79
pr overpymt	08/05/13	0150475670 payroll overpayment	08/05/13	122.20	.00	.00	122.20
<b>Vendor Total: CITY2</b>				852.99	.00	.00	852.99
<b>Vendor: CMS UNIF</b>		CMS Uniforms Inc.					
10085	08/05/13	0151404810 ems unif shirt	08/05/13	31.98	.00	.00	31.98
10214	08/05/13	0151404810 ems unif patches	08/05/13	33.96	.00	.00	33.96
10215	08/05/13	0151404810 S.Johnson boot allo	08/05/13	75.00	.00	.00	75.00
10591	08/05/13	0150154810 sher unif snaps	08/05/13	45.80	.00	.00	45.80
10596	08/05/13	0151404810 ems unif tshirts	08/05/13	99.60	.00	.00	99.60
8545	08/05/13	0151404810 A.Hornsby boot allo	08/05/13	75.00	.00	.00	75.00
<b>Vendor Total: CMS UNIF</b>				361.34	.00	.00	361.34
<b>Vendor: COACHSYST</b>		Coaching Systems LLC					
25928	08/05/13	0151405500 ems training dvds	08/05/13	412.86	.00	.00	412.86
<b>Vendor Total: COACHSYST</b>				412.86	.00	.00	412.86
<b>Vendor: CODSI</b>		Custom Overhead Door Svc, Inc					
203039	08/05/13	0152174680 recyc door repairs	08/05/13	466.00	.00	.00	466.00
<b>Vendor Total: CODSI</b>				466.00	.00	.00	466.00
<b>Vendor: CREESOR</b>		Carl Reesor					
8/5reimb	08/05/13	0150154450 sher ink cartridge	08/05/13	24.37	.00	.00	24.37
<b>Vendor Total: CREESOR</b>				24.37	.00	.00	24.37
<b>Vendor: CSI</b>		Custom Solutions Inc.					
1510	08/05/13	0150154450 sheriff software	08/05/13	299.00	.00	.00	299.00
<b>Vendor Total: CSI</b>				299.00	.00	.00	299.00
<b>Vendor: DJOHANNES</b>		Dale Johannes					
8/5refund	08/05/13	0153404680 mowing overpymt	08/05/13	25.00	.00	.00	25.00
<b>Vendor Total: DJOHANNES</b>				25.00	.00	.00	25.00
<b>Vendor: DOWN&amp;DIRTY</b>		Down & Dirty Lawn & Grading					

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100210093	08/05/13	0153404680 nuisance mowing	08/05/13	233.00	.00	.00	233.00
Vendor Total: DOWN&DIRTY				233.00	.00	.00	233.00
Vendor: DUPLICATOR		Duplicator Sales & Service Inc					
378280	08/05/13	0150803380 p/z server contract	08/05/13	57.29	.00	.00	57.29
Vendor Total: DUPLICATOR				57.29	.00	.00	57.29
Vendor: DWILLIAMS		Doug Williams					
8/5reimb	08/05/13	0150704450 reimb certif mail	08/05/13	3.56	.00	.00	3.56
Vendor Total: DWILLIAMS				3.56	.00	.00	3.56
Vendor: EMSCONSULT		EMS Consultants Ltd.					
June2013	08/05/13	0151403200 ems billing	08/05/13	2,118.90	.00	.00	2,118.90
Vendor Total: EMSCONSULT				2,118.90	.00	.00	2,118.90
Vendor: ENTERPRISE		Enterprise Rent-A-Car					
904792-5854	08/05/13	0150154550 sher veh	08/05/13	249.00	.00	.00	249.00
Vendor Total: ENTERPRISE				249.00	.00	.00	249.00
Vendor: ERATLIFF		Erin R. Ratliff					
W.Moriarty	08/05/13	0153105070 court-ordered fees	08/05/13	264.00	.00	.00	264.00
Vendor Total: ERATLIFF				264.00	.00	.00	264.00
Vendor: FEBCO		Febco Inc.					
20133067g	08/05/13	0194002030 benefits cards	08/05/13	3,460.68	.00	.00	3,460.68
Vendor Total: FEBCO				3,460.68	.00	.00	3,460.68
Vendor: FIRSTBANK		First Bankcard					
8/5_k9	08/05/13	0191005690 k9/naca conf hotel	08/05/13	525.35	.00	.00	525.35
8/5computer	08/05/13	0150803380 dotgov registration	08/05/13	250.00	.00	.00	250.00
8/5ems	08/05/13	0151404450 ems trip exp	08/05/13	172.48	.00	.00	172.48
8/5kmca	08/05/13	0191005690 kmca hotelrm	08/05/13	332.02	.00	.00	332.02
8/5maint	08/05/13	0150807210 maint chem cabinet	08/05/13	629.00	.00	.00	629.00
8/5sher	08/05/13	0150155920 sher veh paint,part	08/05/13	299.99	.00	.00	299.99
8/5suk	08/05/13	0191005690 uktrans conf rooms	08/05/13	371.63	.00	.00	371.63
Vendor Total: FIRSTBANK				2,580.47	.00	.00	2,580.47
Vendor: GALLS		Galls Inc.					
000777615	08/05/13	0150154450sher firstaid/pp kit	08/05/13	223.93	.00	.00	223.93
Vendor Total: GALLS				223.93	.00	.00	223.93
Vendor: HARDWARE		Bennett Hardware					
8/5cths	08/05/13	0150805710 cthse lights	08/05/13	7.39	.00	.00	7.39
8/5cust	08/05/13	0150804110 cust vacuum bags	08/05/13	12.07	.00	.00	12.07
8/5ems	08/05/13	0151404430 ems veh parts	08/05/13	69.30	.00	.00	69.30
8/5maint	08/05/13	0150807210 maint shopcloths	08/05/13	1.48	.00	.00	1.48
8/5parks	08/05/13	0154014670 parks supplies	08/05/13	23.35	.00	.00	23.35
8/5recycle	08/05/13	0152174680 recyc bugspray,hose	08/05/13	38.78	.00	.00	38.78
8/5sher	08/05/13	0150155920 sher veh parts	08/05/13	30.80	.00	.00	30.80
8/5sher	08/05/13	0150157250 sher bldg repairs	08/05/13	121.49	.00	.00	121.49
8/5tower	08/05/13	0151363480 tower locks	08/05/13	15.99	.00	.00	15.99
Vendor Total: HARDWARE				320.65	.00	.00	320.65

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Vendor: HOLLAN		Ruth Hollan					
Apr-June	08/05/13	0150053320 legal services	08/05/13	1,312.50	.00	.00	1,312.50
Vendor Total: HOLLAN				1,312.50	.00	.00	1,312.50
Vendor: HUBER		Huber Tire Inc.					
30-19658	08/05/13	0154014670 parks trk tire	08/05/13	137.52	.00	.00	137.52
30-19660	08/05/13	0150155920 sher trk tires	08/05/13	583.96	.00	.00	583.96
Vendor Total: HUBER				721.48	.00	.00	721.48
Vendor: JTRAVISBLD		Jim Travis Builders Inc.					
8/5refund	08/05/13	0150705670 p/z permit refunds	08/05/13	299.44	.00	.00	299.44
8/5refund	08/05/13	0151154450 inspectionfee refnd	08/05/13	160.00	.00	.00	160.00
Vendor Total: JTRAVISBLD				459.44	.00	.00	459.44
Vendor: KACO		Kentucky Assoc. of Counties					
1019	08/05/13	0191005510 membership 2013/14	08/05/13	800.00	.00	.00	800.00
Vendor Total: KACO				800.00	.00	.00	800.00
Vendor: KACOLI		KACo Leadership Institute					
B.Karrer	08/05/13	0191005690 class registr-8/7	08/05/13	35.00	.00	.00	35.00
B.Karrer	08/05/13	0191005690 class registr-9/5	08/05/13	65.00	.00	.00	65.00
Vendor Total: KACOLI				100.00	.00	.00	100.00
Vendor: KAPA2		Ky Ambulance Providers Assoc.					
B.Karrer	08/05/13	0191005690 conf registration	08/05/13	120.00	.00	.00	120.00
C.Limpp	08/05/13	0191005690 conf registration	08/05/13	120.00	.00	.00	120.00
J.Coulter	08/05/13	0191005690 conf registration	08/05/13	120.00	.00	.00	120.00
Vendor Total: KAPA2				360.00	.00	.00	360.00
Vendor: KBEMS		Kentucky Board of EMS					
00032641	08/05/13	015140443 med unit inspect'n	08/05/13	150.00	.00	.00	150.00
Vendor Total: KBEMS				150.00	.00	.00	150.00
Vendor: KSPENCER		Karen Spencer					
8/5reimb	08/05/13	0152174680 reimb mieage	08/05/13	50.38	.00	.00	50.38
Vendor Total: KSPENCER				50.38	.00	.00	50.38
Vendor: KTREAS		Kentucky State Treasurer					
Spencer2013	08/05/13	0151759030 public defender pmt	08/05/13	1,471.00	.00	.00	1,471.00
Vendor Total: KTREAS				1,471.00	.00	.00	1,471.00
Vendor: L&L EXAMS		L&L Exams Plus					
1130	08/05/13	0191003820 drug screenings	08/05/13	50.00	.00	.00	50.00
Vendor Total: L&L EXAMS				50.00	.00	.00	50.00
Vendor: L&W EE		L & W Emergency Equipment					
8163	08/05/13	0150157030 chargers,batteries	08/05/13	256.00	.00	.00	256.00
8197	08/05/13	0151404430 ems flashlite,plate	08/05/13	108.00	.00	.00	108.00
8238	08/05/13	0150157250 sher bldg repair	08/05/13	541.15	.00	.00	541.15
Vendor Total: L&W EE				905.15	.00	.00	905.15
Vendor: LF&S		Louisville Fire & Safety					

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Spencer County Fiscal Court  
Open Invoice Report  
As of August 01, 2013

*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
14663-12	08/05/13	0150855780 maint fire inspectn	08/05/13	211.40	.00	.00	211.40
14663-12	08/05/13	0151405780 ems fire inspectn	08/05/13	205.50	.00	.00	205.50
14663-12	08/05/13	0150865710 annex fire inspectn	08/05/13	37.40	.00	.00	37.40
14663-12	08/05/13	0150805710 cthse fire inspectn	08/05/13	127.10	.00	.00	127.10
14663-13	08/05/13	0150155780 sher fire inspect'n	08/05/13	357.80	.00	.00	357.80
Vendor Total: LF&S				939.20	.00	.00	939.20
Vendor: LHESSELBRK		Lynn Hesselbrock					
8/5reimb	08/05/13	0191005690 training class expe	08/05/13	193.89	.00	.00	193.89
Vendor Total: LHESSELBRK				193.89	.00	.00	193.89
Vendor: MARLIN		Marlin Business Bank					
11824794	08/05/13	0150104450 clerk copier maint	08/05/13	391.15	.00	.00	391.15
Vendor Total: MARLIN				391.15	.00	.00	391.15
Vendor: MCBEE		McBee Systems Inc.					
0040735292	08/05/13	0191005030 laser checks	08/05/13	497.72	.00	.00	497.72
Vendor Total: MCBEE				497.72	.00	.00	497.72
Vendor: MID-ST		Mid-State Exterminators					
8/5_pz/fc/sher	08/05/13	0150805710 pz/fc/sh pestcontrl	08/05/13	45.00	.00	.00	45.00
8/5annex	08/05/13	0150865780 annex pestcontrol	08/05/13	38.00	.00	.00	38.00
8/5cthse	08/05/13	0150805710 cthse pestcontrol	08/05/13	48.00	.00	.00	48.00
8/5ems	08/05/13	0151405780 ems pestcontrol	08/05/13	35.00	.00	.00	35.00
8/5occtax	08/05/13	0150475780 occtax pestcontrol	08/05/13	28.00	.00	.00	28.00
Vendor Total: MID-ST				194.00	.00	.00	194.00
Vendor: MMOODY		Mike Moody					
8/5reimb	08/05/13	0191005690 training mileage	08/05/13	55.90	.00	.00	55.90
Vendor Total: MMOODY				55.90	.00	.00	55.90
Vendor: MOBILETEK		MobileTEK Consulting LLC					
2897	08/05/13	0151363480 mdt grant equipmt	08/05/13	32,976.00	.00	.00	32,976.00
Vendor Total: MOBILETEK				32,976.00	.00	.00	32,976.00
Vendor: MOHAWK		Mohawk Medical					
286392	08/05/13	0151405500 ems pharmaceuticals	08/05/13	267.92	.00	.00	267.92
286506	08/05/13	0151405500 ems salinebags	08/05/13	106.00	.00	.00	106.00
Vendor Total: MOHAWK				373.92	.00	.00	373.92
Vendor: MSMEDLEY		Dr. Meg E. Smedley					
A.Abbadini	08/05/13	0153105070 court-ordered fee	08/05/13	300.00	.00	.00	300.00
Vendor Total: MSMEDLEY				300.00	.00	.00	300.00
Vendor: MTRI		Med-Tech Resources Inc.					
18178	08/05/13	0151405500 spineboard straps	08/05/13	222.44	.00	.00	222.44
Vendor Total: MTRI				222.44	.00	.00	222.44
Vendor: NS&I		Northern Safety & Industrial					
900523200	08/05/13	0152174680 recycle gloves	08/05/13	74.58	.00	.00	74.58
Vendor Total: NS&I				74.58	.00	.00	74.58
Vendor: OCHS		Curtis Ochs Jr.					

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Spencer County Fiscal Court  
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*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
8/5reimb	08/05/13	0191005690 reimb conf expen	08/05/13	31.07	.00	.00	31.07
Vendor Total: OCHS				31.07	.00	.00	31.07
Vendor: ORR SAFETY		Orr Safety Corp.					
INV2622147	08/05/13	0151603480 drug interventn	08/05/13	220.40	.00	.00	220.40
Vendor Total: ORR SAFETY				220.40	.00	.00	220.40
Vendor: PRGRAD		SCHS Project Graduation					
8/5roadlitter	08/05/13	0153404680 8mi cleanup@\$85/mi	08/05/13	680.00	.00	.00	680.00
Vendor Total: PRGRAD				680.00	.00	.00	680.00
Vendor: PVA		Spencer County PVA Fund					
1st qtr 2013/14	08/05/13	0150303670 statutory contribut	08/05/13	11,614.75	.00	.00	11,614.75
Vendor Total: PVA				11,614.75	.00	.00	11,614.75
Vendor: QK4		Qk4					
52899	08/05/13	0150803090 engineer svcs	08/05/13	440.00	.00	.00	440.00
Vendor Total: QK4				440.00	.00	.00	440.00
Vendor: QUADMED		Quad Med Inc.					
77408	08/05/13	0151405500 ems medic supplies	08/05/13	211.00	.00	.00	211.00
77479	08/05/13	0151405500 ems ecg sensors	08/05/13	295.00	.00	.00	295.00
77493	08/05/13	0151405500 ems ivcath,vacuaide	08/05/13	506.46	.00	.00	506.46
77631	08/05/13	0151405500 ems medic bag	08/05/13	77.00	.00	.00	77.00
77654	08/05/13	0151405500 ems medic supplies	08/05/13	189.58	.00	.00	189.58
77737	08/05/13	0151405500 ems meterkit	08/05/13	99.95	.00	.00	99.95
Vendor Total: QUADMED				1,378.99	.00	.00	1,378.99
Vendor: QUILL		Quill Corporation					
3986303	08/05/13	0151404450 ems chairmats	08/05/13	119.96	.00	.00	119.96
4052566	08/05/13	0150154450 sher ink cartridges	08/05/13	102.06	.00	.00	102.06
4052566	08/05/13	0150204450 coroner ink cartrid	08/05/13	59.69	.00	.00	59.69
4293198	08/05/13	0150154450 sher ink cartridge	08/05/13	134.75	.00	.00	134.75
4293198	08/05/13	0150704450 p/z ink cartridge	08/05/13	77.11	.00	.00	77.11
Vendor Total: QUILL				493.77	.00	.00	493.77
Vendor: RCHEEK		Ronald Cheek					
8/5reimb	08/05/13	0191005690 reimb training expe	08/05/13	358.43	.00	.00	358.43
Vendor Total: RCHEEK				358.43	.00	.00	358.43
Vendor: REP RENTS		Rep Rents Inc.					
56469	08/05/13	0154014670 parks tiller rent	08/05/13	45.00	.00	.00	45.00
Vendor Total: REP RENTS				45.00	.00	.00	45.00
Vendor: SELECTTECH		Select-Tech Inc.					
17614	08/05/13	0151404430 oxyg tank regulator	08/05/13	131.43	.00	.00	131.43
17626	08/05/13	0151404430 ems lights,gaskets	08/05/13	303.62	.00	.00	303.62
17647	08/05/13	0151404430 oxyg tank flowmeter	08/05/13	255.10	.00	.00	255.10
17657	08/05/13	0151404430 oxyg tank parts	08/05/13	35.59	.00	.00	35.59
Vendor Total: SELECTTECH				725.74	.00	.00	725.74
Vendor: SHERIFF		Spencer County Sheriff					
mechanic	08/05/13	0150801470 mechanic wk	08/05/13	1,365.76	.00	.00	1,365.76

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**Spencer County Fiscal Court  
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*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
mechanic	08/05/13	0150601470 mechanic wk, 35hrs	08/05/13	1,086.40	.00	.00	1,086.40
<b>Vendor Total: SHERIFF</b>				<b>2,452.16</b>	<b>.00</b>	<b>.00</b>	<b>2,452.16</b>
Vendor: SHREDIT		Shred-It					
9402255323	08/05/13	0151405780 ems file disposal	08/05/13	58.58	.00	.00	58.58
<b>Vendor Total: SHREDIT</b>				<b>58.58</b>	<b>.00</b>	<b>.00</b>	<b>58.58</b>
Vendor: SHTHOMAS		Sharon Thomas					
8/5reimb	08/05/13	0150154450 reimb certif mail	08/05/13	6.11	.00	.00	6.11
<b>Vendor Total: SHTHOMAS</b>				<b>6.11</b>	<b>.00</b>	<b>.00</b>	<b>6.11</b>
Vendor: STRYKER		Stryker Medical Sales Corp.					
1336464M	08/05/13	0151405500 ems cot	08/05/13	5,500.00	.00	.00	5,500.00
<b>Vendor Total: STRYKER</b>				<b>5,500.00</b>	<b>.00</b>	<b>.00</b>	<b>5,500.00</b>
Vendor: TRW		Thomson Reuters-West					
827530462	08/05/13	0150153460 sher CLEAR, Jun2013	08/05/13	124.20	.00	.00	124.20
<b>Vendor Total: TRW</b>				<b>124.20</b>	<b>.00</b>	<b>.00</b>	<b>124.20</b>
Vendor: USPOST		U.S. Postal Service					
8/5zoning	08/05/13	0150704450 zoning postage	08/05/13	92.00	.00	.00	92.00
<b>Vendor Total: USPOST</b>				<b>92.00</b>	<b>.00</b>	<b>.00</b>	<b>92.00</b>
Vendor: VMATTINGLY		Vincent Mattingly					
8/5mileage	08/05/13	0150475920 enforcmt mileage	08/05/13	168.26	.00	.00	168.26
<b>Vendor Total: VMATTINGLY</b>				<b>168.26</b>	<b>.00</b>	<b>.00</b>	<b>168.26</b>
Vendor: WM		Waste Management					
4078369-0481-0	08/05/13	0151405780 ems dumpster	08/05/13	317.61	.00	.00	317.61
<b>Vendor Total: WM</b>				<b>317.61</b>	<b>.00</b>	<b>.00</b>	<b>317.61</b>
Vendor: WRIGHTEXPR		Wex Bank					
8/5_k9	08/05/13	0152055920 anim ctrl fuel	08/05/13	159.90	.00	.00	159.90
8/5bldginsp	08/05/13	0151154550 bldginsp fuel	08/05/13	282.97	.00	.00	282.97
8/5coroner	08/05/13	0150204450 coroner fuel	08/05/13	56.89	.00	.00	56.89
8/5ems	08/05/13	0151404550 ems fuels	08/05/13	3,256.51	.00	.00	3,256.51
8/5mainten	08/05/13	0150807210 mainten fuel	08/05/13	93.75	.00	.00	93.75
8/5parks	08/05/13	0154014550 parks fuel	08/05/13	839.20	.00	.00	839.20
8/5recycle	08/05/13	0152174680 recycle fuel	08/05/13	312.72	.00	.00	312.72
8/5sheriff	08/05/13	0150154550 sheriff fuel	08/05/13	5,115.48	.00	.00	5,115.48
8/5zoning	08/05/13	0150704450 zoning fuel	08/05/13	195.39	.00	.00	195.39
<b>Vendor Total: WRIGHTEXPR</b>				<b>10,312.81</b>	<b>.00</b>	<b>.00</b>	<b>10,312.81</b>

\* These invoices are on hold.

<b>Report Total: Invoices</b>	102,609.29
Open Credits	.00
Less Discounts Available	.00
<b>Net Balance Due</b>	<b>102,609.29</b>

08/02/13  
10:53AM

**Spencer County Fiscal Court  
Open Invoice Report  
As of August 02, 2013**

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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
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Spencer County Fiscal Court  
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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
<b>Vendor Total: FIRSTBANK</b>				1,476.72	.00	.00	1,476.72
<b>Vendor: G &amp; C</b>	G & C Supply Co. Inc.						
6507034	08/06/13	0261054690 sign blanks	08/06/13	97.07	.00	.00	97.07
6508105	08/06/13	0261054690 sign blanks	08/06/13	257.71	.00	.00	257.71
<b>Vendor Total: G &amp; C</b>				354.78	.00	.00	354.78
<b>Vendor: HARDWARE</b>	Bennett Hardware						
8/6road	08/06/13	0261054470 grasseed, straw	08/06/13	56.55	.00	.00	56.55
8/6road	08/06/13	0261055920 glue, tape	08/06/13	13.18	.00	.00	13.18
8/6road	08/06/13	0261054460 spreaderhooks	08/06/13	113.24	.00	.00	113.24
<b>Vendor Total: HARDWARE</b>				182.97	.00	.00	182.97
<b>Vendor: HDSUPPLY</b>	HD Supply Waterworks						
B187114	08/06/13	0261054570 culvert	08/06/13	1,245.20	.00	.00	1,245.20
B223525	08/06/13	0261054470 marking paint	08/06/13	36.00	.00	.00	36.00
<b>Vendor Total: HDSUPPLY</b>				1,281.20	.00	.00	1,281.20
<b>Vendor: HOLBROOK</b>	Holbrook Implement Co.						
2238	08/06/13	0261054410 mowers	08/06/13	48,013.96	.00	.00	48,013.96
<b>Vendor Total: HOLBROOK</b>				48,013.96	.00	.00	48,013.96
<b>Vendor: HUBER</b>	Huber Tire Inc.						
30-19434	08/06/13	0261054790 truck tire	08/06/13	163.99	.00	.00	163.99
30-19829	08/06/13	0261054790 grader repair	08/06/13	177.00	.00	.00	177.00
<b>Vendor Total: HUBER</b>				340.99	.00	.00	340.99
<b>Vendor: IMI</b>	Irving Materials Inc.						
1389647	08/06/13	0261054070 concrete PilotWay	08/06/13	542.50	.00	.00	542.50
<b>Vendor Total: IMI</b>				542.50	.00	.00	542.50
<b>Vendor: LF&amp;S</b>	Louisville Fire & Safety						
14663-13	08/06/13	0261055780 fire inspection	08/06/13	287.60	.00	.00	287.60
<b>Vendor Total: LF&amp;S</b>				287.60	.00	.00	287.60
<b>Vendor: MAGO</b>	Mago Construction Company						
*057031	07/16/13	026105447P PerfectLanding pavi	07/16/13	4,940.00	.00	.00	4,940.00
*057032	07/16/13	026105447P PerfectLanding pavi	07/16/13	1,140.00	.00	.00	1,140.00
<b>Vendor Total: MAGO</b>				6,080.00	.00	.00	6,080.00
<b>Vendor: MCPC</b>	Midwest Construction Products						
0028791-IN	08/06/13	026105409F fabric pins	08/06/13	49.80	.00	.00	49.80
<b>Vendor Total: MCPC</b>				49.80	.00	.00	49.80
<b>Vendor: MICZEE</b>	Driscoll Enterprises						
04993	08/06/13	0261054470 bagged ice	08/06/13	25.20	.00	.00	25.20
<b>Vendor Total: MICZEE</b>				25.20	.00	.00	25.20
<b>Vendor: SAF-TI-CO</b>	Saf-Ti-Co						
0191098-IN	08/06/13	0261054690 signs, posts	08/06/13	82.80	.00	.00	82.80
0191099-IN	08/06/13	0261054690 sign posts	08/06/13	189.50	.00	.00	189.50
0191100-IN	08/06/13	0261054690 signs, posts	08/06/13	139.80	.00	.00	139.80
0191101-IN	08/06/13	0261054690 signs, posts	08/06/13	165.60	.00	.00	165.60



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 10:53AM

**Spencer County Fiscal Court  
 Open Invoice Report  
 As of August 02, 2013**

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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
0191102-IN	08/06/13	0261054690 sign blanks	08/06/13	19.75	.00	.00	19.75
<b>Vendor Total: SAF-TI-CO</b>				597.45	.00	.00	597.45
Vendor: SITECH		Sitech Midsouth LLC					
417415	08/06/13	0261054470 measure wheel	08/06/13	178.26	.00	.00	178.26
<b>Vendor Total: SITECH</b>				178.26	.00	.00	178.26
Vendor: TOTALTRUCK		Total Truck Parts					
304730	08/06/13	0261055920 truck relayswitch	08/06/13	89.77	.00	.00	89.77
305671	08/06/13	0261055920 truck lens,grease	08/06/13	148.30	.00	.00	148.30
<b>Vendor Total: TOTALTRUCK</b>				238.07	.00	.00	238.07
Vendor: TVILLEMACH		Taylorsville Machining LLC					
1175	08/06/13	0261054670 mower repair	08/06/13	45.00	.00	.00	45.00
1176	08/06/13	0261054670 mower parts	08/06/13	175.00	.00	.00	175.00
1181	08/06/13	0261055920 truck ujoint	08/06/13	90.00	.00	.00	90.00
<b>Vendor Total: TVILLEMACH</b>				310.00	.00	.00	310.00
Vendor: WRIGHTEXPR		Wex Bank					
8/6road	08/06/13	0261054550 road fuels	08/06/13	394.78	.00	.00	394.78
<b>Vendor Total: WRIGHTEXPR</b>				394.78	.00	.00	394.78

\* These invoices are on hold.

<b>Report Total: Invoices</b>	67,301.73
Open Credits	.00
Less Discounts Available	.00
<b>Net Balance Due</b>	<b>67,301.73</b>

\*\*\* Report Options \*\*\*

Vendors: ALL

Invoice Dates: ALL

Status: All

Accounts: 0250011010 to 02GROSS

As Of: Current Date (08/02/2013)

\*\*\* End of Report \*\*\*

SPENCER COUNTY  
F18 PG699

08/01/13  
04:33PM

Spencer County Fiscal Court  
Open Invoice Report  
As of August 01, 2013

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*Jail Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: CMS UNIF		CMS Uniforms Inc.					
9955	08/07/13	0351014810 jailer unif	08/07/13	38.95	.00	.00	38.95
				<b>Vendor Total: CMS UNIF</b>	<b>38.95</b>	<b>.00</b>	<b>38.95</b>
Vendor: FEBCO		Febco Inc.					
20133067j	08/07/13	0394002030 benefits card	08/07/13	68.50	.00	.00	68.50
				<b>Vendor Total: FEBCO</b>	<b>68.50</b>	<b>.00</b>	<b>68.50</b>
Vendor: RRC		REVENUE RECOVERY CORP.					
07192013	08/07/13	MEDICAL-OBRYANT	08/07/13	425.00	.00	.00	425.00
				<b>Vendor Total: RRC</b>	<b>425.00</b>	<b>.00</b>	<b>425.00</b>
Vendor: SEEMER		SE Emergency Physicians					
2012-311001673	08/07/13	MEDICAL-OBRYANT	08/07/13	621.43	.00	.00	621.43
				<b>Vendor Total: SEEMER</b>	<b>621.43</b>	<b>.00</b>	<b>621.43</b>
Vendor: WRIGHTEXPR		Wex Bank					
8/7jail	08/07/13	0351014550 jailer fuel	08/07/13	80.18	.00	.00	80.18
				<b>Vendor Total: WRIGHTEXPR</b>	<b>80.18</b>	<b>.00</b>	<b>80.18</b>

\* These invoices are on hold.

<b>Report Total: Invoices</b>	1,234.06
Open Credits	.00
Less Discounts Available	.00
<b>Net Balance Due</b>	<b>1,234.06</b>

\*\*\* Report Options \*\*\*  
 Vendors: ALL  
 Invoice Dates: ALL  
 Status: All  
 Accounts: 0350801770 to 03GROSS  
 As Of: Current Date (08/01/2013)

08/01/13  
04:33PM

Spencer County Fiscal Court  
Open Invoice Report  
As of August 01, 2013

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*Jail Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
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Account Number	Description	Account Total
0351014550		80.18
0351014810		38.95
0351015490		1,046.43
0394002030		68.50
<b>Report Total</b>		<b>1,234.06</b>

SPENCER COUNTY  
**F18 PG700**

ADDITIONAL INVOICES AND TRANSFERS

GENERAL FUND INVOICES/TRANSFERS

City Waterworks	0154015780 waterford park utilities	34.81
Spencer County Clerk	0153404680 nuisance mowings liens released	72.00
Paul Kosek	0152174680 reimb boot allowance	24.24
Jeff Coulter	0151404550 reimb trip fuel	100.69
Jeff Coulter	0151404450 reimb trip expenses	21.41
Buddy Stump	0150155920 reimb veh parts	71.50
Brandon Cantrell	0151404450 reimb trip expenses	18.23
Keystone Automotive	0151404430 ems unit headlamps	174.00
Nick Hicks	0151405860 reimb ems hoses	37.09
U.S.Postmaster	0150404450 treasurer po box rent	28.00
Ky State Treasurer	0150704450 J.Kehne notary fee	10.00
Salt River Electric	Misc buildings utilities	1640.60
Lowry Brown	0150701910 zoning meetings, 7/11 & 7/18	120.00
Dwight Clayton	0150701910 zoning meetings, 7/11 & 7/18 & 8/1	180.00
Gordon Deapen	0150701910 zoning meetings, 7/11 & 7/18 & 8/1	180.00
Paul Daugherty	0150701910 zoning meeting, 7/18 & 8/1	120.00
Jan Deigl	0150701910 zoning meetings, 7/11 & 7/18 & 8/1	180.00
Nathan Lawson	0150701910 zoning meeting, 7/18	60.00
Cara Lewis	0150701910 zoning meeting, 7/11 & 8/1	120.00
Anthony Travis	0150701910 zoning meeting, 7/11 & 7/18 & 8/1	180.00
Alfreda Currie	0150701910 zoning meeting, 7/18 & 8/1	120.00
Derek Bottoms	0154014670 parks referee	150.00

Transfer \$34,000 to 0151363480 (communication equipmt) from 0192009990 (reserves)  
Transfer \$200 to 0150351990 (tax board of assessors) from 0192009990 (reserves)

ROAD FUND INVOICES/TRANSFERS

Wayne Hahn	0261054450 reimb cdl physical	35.00
Dakota Whitehouse	0261054450 reimb unif boots	59.97

<u>Cash Balances:</u>	<u>General Fund</u>	<u>Road Fund</u>	<u>Jail Fund</u>
6/29/2012	\$978,436.14	\$158,021.81	\$51,774.08
8/1/2012	\$1,123,464.33	\$217,271.32	\$92,012.76
8/30/2012	\$961,213.34	\$839,977.60	\$50,134.19
9/30/2012	\$776,529.59	\$774,091.18	\$42,286.47
10/31/2012	\$873,865.54	\$727,441.16	\$27,713.53
11/21/2012	\$682,738.67	\$662,001.21	\$31,536.90
12/28/2012	\$1,213,948.14	\$207,309.99	\$21,169.35
1/31/2013	\$1,403,435.02	\$675,332.43	\$29,568.56
2/28/2013	\$1,345,792.38	\$620,978.00	\$40,797.24
3/31/2013	\$994,264.51	\$543,470.02	\$68,678.55
4/30/2013	\$1,262,115.24	\$419,360.09	\$53,765.77
5/30/2013	\$1,129,020.15	\$348,374.51	\$32,574.41
6/27/2013	\$786,192.54	\$201,267.02	\$48,869.14
7/31/2013	\$710,017.30	\$124,336.89	\$62,868.67

- On the motion of Esq. Judd, seconded by Esq. Goodlett, with Esq. Judd, Esq. Goodlett, Judge Executive Karrer voting “aye”, and Esq. Moody and Esq. Davis voting “nay”, and Esq. Cheek absent, it is hereby ordered to approve all transfers and pay all bills.
2. Zoning readings and recommendations.  
There were three (3) first readings.

### PUBLIC NOTICE

Notice is hereby given that the Fiscal Court of Spencer County on the 19<sup>th</sup> day of August 2013 at its meeting will consider the following ORDINANCE for second reading and adoption:

1. James and Linda Bennett – Requesting a zone change on a 3.846 acre tract of land from AG-1, agricultural to R-1, residential on property located at 1106 Love Lane.
2. Roy Douglas and Kathryn Goodlett – requesting a zone change on a 1.055 acre tract of land from AG-1, agricultural to R-3, residential on property located on Little Elk Road.
3. Griesser Properties, LLC – Requesting a zone change on a 1.5+/- acre tract of land located at 644 Dale Lane from R-1, single family residential to R-2, multi family residential.

Attest: Lynn Hesselbrock  
Clerk Spencer County Fiscal Court

Bill Karrer  
Spencer County Judge/Executive

3. Zoning appointment

The Judge stated that the term of Ms. Cara Lewis has expired and she has expressed a desire to serve another term. The Judge recommended her reappointment to a second term.

- On the motion of Esq. Davis, seconded by Esq. Judd, with all members of the Court voting “aye”, except Esq. Cheek, who was absent, it is hereby ordered to reappoint

Ms. Cara Lewis to a second four (4) year term on the Planning and Zoning Commission.

4. Ms. Anita Meadows

Ms. Meadows came before the Court to ask them to install the lights at Ray Jewell Park. She stated that it has been several years since the project was started and she would like to see it completed so her grandchild could play night ball games. Discussion ensued about the grant money and the reasons for the delay. Mr. Bobby Whitley addressed the Court to explain what work had been done in the past. No action taken.

5. Mr. Pat Palmer came before the Court to address his property on East River Road, He stated that in the past the Road Department had maintained the road, but the Road Foreman told him that a small portion of the road would not be maintained because it was not on the County's map of the streets. Mr. Palmer said that all he wanted was some gravel, but also said he was concerned with the maintenance of two (2) culverts on the road. The County Attorney explained that the County could not put gravel down on a private road, it would be illegal. No action taken.

6. Keeling Lane waterline extension.

There are two (2) houses without water on the Lane and the property owners were asking for an easement to put in waterlines to their property. The waterlines would be private lines.

- On the motion of Esq. Davis, seconded by Esq. Goodlett, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to grant the property owners on Keeling Lane an easement for a private waterline with stipulations.

7. Ordinance #1 (2014 series) second reading and adoption regulating alcohol sales.

Spencer County, Kentucky  
Ordinance No. 1  
Fiscal Year 2014 Series

**ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES AND  
OTHERWISE PROVIDING PROVISIONS FOR ALCOHOLIC BEVERAGE  
CONTROL WITHIN SPENCER COUNTY**

WHEREAS, a local option election was held on October 20, 2009, pursuant to Kentucky Revised Statutes Chapter 242 to address the issue as to whether the County of Spencer should permit the sale of alcoholic beverages within Spencer County; and

WHEREAS, a majority of the citizens of Spencer County voted in favor of the sale of alcoholic beverages in the County of Spencer; and

WHEREAS, under applicable state law, Spencer County, may impose certain restrictions and regulations and provide for the establishment and collection of certain fees and fines related to the sale of alcoholic beverages and general commerce related thereto.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE FISCAL COURT OF SPENCER COUNTY, COMMONWEALTH OF KENTUCKY THAT THE ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES AND OTHERWISE PROVIDING PROVISIONS FOR ALCOHOLIC BEVERAGE CONTROL WITHIN SPENCER COUNTY, SHALL READ AS FOLLOWS:

**ARTICLE ONE: GENERAL PROVISIONS**

**Section 1.01 TITLE**

This ordinance shall be known and may be cited as the Alcoholic Beverage Control Ordinance of Spencer County, Kentucky, or the "Spencer County Alcoholic Beverage Control Ordinance".

**Section 1.02 INCORPORATION OF STATE LAW; DEFINITIONS; AND COMPLIANCE  
REQUIRED**

- A. Definitions. As used in this Chapter, unless the context clearly indicates a different meaning and specifies the language of a particular definition which shall apply, the words and terms as defined in Kentucky Revised Statute 241.010 (KRS 241.010) shall apply.
- B. The provisions of the Kentucky Alcoholic Beverage Control laws contained in Kentucky Revised Statutes (KRS) Chapters 241, 242, 243, and 244, pertaining to licenses and regulations of the State Alcoholic Beverage Control Boards, including definitions contained therein, as well as amendments and supplements thereto, are hereby adopted as part of the Alcoholic Beverage Control law of Spencer County, except as otherwise lawfully provided herein. As used herein "State" means the Commonwealth of Kentucky and "County" means Spencer County, Kentucky.

- C. Any violation of State law relating to the sale, production, storing, or otherwise trafficking in alcoholic beverages shall also constitute a violation of this ordinance.
- D. No person shall sell, deal in, barter or exchange or possess for sale, or for the purpose of evading any law or ordinance, give away any alcoholic beverage in any quantity whatever, or cause the same to be done, without complying with all of the provisions of this ordinance and all State statutes and regulations applicable thereto.
- E. All prohibitions, restrictions and regulations pertaining to alcoholic beverages contained in Kentucky Revised Statutes Chapter 244 (KRS 244) shall apply to alcoholic beverage use in the County.

**Section 1.03 SCOPE OF COVERAGE**

- A. This ordinance shall be construed to apply to the trafficking in all forms of "alcoholic beverages" as that term is defined by Kentucky Revised Statute 241.010(2), (KRS 241.010(1)) including malt beverages, distilled spirits, and wine where the context permits such applications. Unless the context otherwise expressly states or requires, the term "alcoholic beverage" or "alcoholic beverages" shall have the same meaning as defined by Kentucky Revised Statute 241.010(2) (KRS241.010(2)) and shall include distilled spirits, wine, and malt beverages.
- B. Nothing contained in this ordinance shall excuse or relieve the owner, proprietor, employee or person in charge of any licensed premises in Spencer County where alcoholic beverages are sold from the restrictions, requirements, and penalties of any other ordinance of Spencer County or any State and/or Federal statutes or regulations.

**Section 1.04 DEPOSIT OF FEES, FINES TO GENERAL FUNDS**

All monies derived from license fees or from fines as provided in this ordinance shall be paid to the treasury of the County and become a part of the general funds of the County.

**Section 1.05 NOTICE TO STATE ABC BOARD OF FEES LEVIED**

This ordinance is and shall be subject to the provisions of Kentucky Revised Statute Chapter 243.600 (KRS 243.600). Spencer County shall give notice to the State Alcoholic Beverage Board of any fees or assessments fixed and/or levied under the provisions of this ordinance.

**ARTICLE TWO: ADMINISTRATION**

**Section 2.01 ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

Pursuant to Kentucky Revised Statute 241.110 (KRS 241.110), the duties of the Spencer County Beverage Control Administrator ("County ABC Administrator") as hereinafter established in this ordinance shall be assigned to the office of the County Judge Executive ("Judge"). The Judge shall have the power and authority to designate and appoint individuals as Deputy Alcoholic Beverage Control Administrators ("Deputy ABC Administrators"), to assist in the responsibilities of the

office of the County ABC Administrator. The County ABC Administrator shall have the power and authority to promulgate such regulations as may be necessary to implement this chapter, pursuant to Kentucky Revised Statutes 241.140 and 241.060 (KRS 241.140 and KRS 241.060).

**Section 2.02 FUNCTIONS, DUTIES AND POWERS**

- A. The functions of the County ABC Administrator shall be the same with respect to the County's alcohol licenses and regulations as the functions of the Kentucky Alcoholic Beverage Control Board (the "State Board") with respect to State alcohol licenses and regulations, as provided in Kentucky Revised Statute 241.140, except that no regulations of the County ABC Administrator shall be less stringent than the statutes relating to alcoholic beverage control or the regulations of the State Board. No regulation of the County ABC Administrator shall become effective until it has been appropriately approved by Spencer County Fiscal Court.
- B. The County ABC Administrator shall have the same powers and duties with respect to suspension and revocation for cause of alcohol licenses issued by the County as the State Board has with respect to alcohol licenses issued by the State under Kentucky Revised Statutes 241.110 and 241.140 (KRS 241.110 and KRS 241.140).

**Section 2.03 RIGHT OF INSPECTION**

The County ABC Administrator, his designees/appointees and/or Spencer County law enforcement officers shall have available at all reasonable times for their inspection, all books and records required to be maintained by licensees pursuant to Kentucky Revised Statute 244.150 (KRS 244.150) and all other applicable State laws and regulations. Further, the Spencer County ABC Administrator shall simultaneously receive copies of all reports submitted by licensees to the State Alcoholic Beverage Control Board.

**Section 2.04 APPEAL FROM COUNTY ABC ADMINISTRATOR**

Appeals from any order of the County ABC Administrator may be taken to the State Alcoholic Beverage Control Board by filing with the Board within thirty (30) days a certified copy of the order of the County ABC Administrator from which the appeal is taken. Matters at issue shall be heard by the Board as upon an original proceeding, and the appeal shall be governed in accordance with KRS 241.150, KRS 243.550 and all other applicable State law.

**Section 2.05 OATH AND BOND OF LOCAL ABC ADMINISTRATOR EMPLOYEES**

- A. Each County ABC Administrator, before entering upon his duties as such, shall take the oath prescribed in Section 228 of the Constitution of the Commonwealth of Kentucky, and shall execute a bond with a good corporate surety in the penal sum of not less than One Thousand Dollars (\$1,000.)
- B. Each County ABC Administrator may require any County employee under his supervision to execute a similar bond in such penal sum as he deems necessary.
- C. The cost of bonds given under this section shall be borne by the County, in accordance with Kentucky Revised Statute 241.110 (KRS 241.110).



ARTICLE THREE: LICENSING REGULATIONS

Section 3.01 NUMBER AND TYPE OF LICENSES

The number and type of license for the manufacturing and/or trafficking in alcoholic beverages issued in the County shall not exceed the number and type of license as provided for and established under Kentucky Revised Statutes and all Kentucky Administrative Regulations promulgated pursuant thereto, as may be amended from time to time.

Section 3.02 LICENSE REQUIRED FOR SALE

No person shall, within the County, sell or dispense at retail or have in his possession for sale, nor manufacture or transport within the County for sale, any alcoholic beverages unless he shall first procure and have issued to him the appropriate license issued under the provisions of this ordinance, all State statutes and all administrative regulations adopted pursuant thereto. Any revocation, suspension, non-renewal or other action which obviates any license for the sale of alcoholic beverages issued by the State shall also operate to invalidate and make null and void the corresponding license issued pursuant to this ordinance.

Section 3.03 TYPE OF LICENSES; FEES

A. With respect to restaurant wine licenses:

Bona fide restaurants open to the general public having dining facilities for not less than fifty (50) persons.

The term "restaurant" as used in this section shall have the same meaning as currently provided at Kentucky Revised Statutes Chapter 241 (KRS 241), to-wit: "a facility where the usual and customary business is the serving of meals to customers, that has a bona fide kitchen facility, and that receives at least fifty percent (50%) of its gross receipts from the sale of food".

B. Types of Retail Licenses.

The County shall have the power and authority to issue the following types of licenses for the sale and trafficking in distilled spirits, wine, malt beverages, or retail drinks, upon proper application and payment of the below prescribed annual fees. All license fees indicated are on a per annum basis, unless otherwise expressly indicated.

a. Types of Retail License Defined:

1. **Retail Package License (distilled spirits and wine):** This license shall authorize the retail sale of distilled spirits and wine for consumption other than on the licensed premises.
2. **Restaurant Wine License:** This license shall authorize the retail sale of wine for consumption on the licensed premises in accordance with the restrictions set forth in this section.

3. **Malt Beverage License On Site:** This license shall authorize the retail sale of malt beverages for consumption on the licensed premises in accordance with the restrictions set forth in this section.
  4. **Malt Beverage License Off Site:** This license shall authorize the retail sale of malt beverages for consumption off the licensed premises in accordance with the restrictions set forth in this section.
  5. **Retail Drink License, Motel Drink License, Restaurant Drink License, or Supplemental Bar License:** This license shall authorize the retail sale of alcoholic drinks for consumption on the licensed premises in accordance with the restrictions set forth in this section.
  6. **Other special licenses** as the state board finds to be necessary for the administration of Kentucky Revised Statutes Chapters 241, 242, 243, and 244 and for the proper regulation and control of the trafficking in malt beverages, as provided for by administrative regulations promulgated by the state board.
- b. License Fees: The license fees for any retail package licenses, restaurant wine licenses, malt beverage license, or retail drink licenses shall be set at the maximum allowable pursuant to the provisions of Kentucky Revised Statutes Chapter 243 (KRS 243).

C. Types of Special Temporary Licenses.

- a. The County shall have the power and authority to issue special temporary licenses, upon proper application and payment of the below prescribed fees. This license shall authorize the retail sale and consumption of distilled spirits, wine, and malt beverages on the premises of any approved and licensed special temporary occasion such as fairs, sporting events, entertainment events, or other approved public events.
- b. License Fees: The license fees for any special temporary license shall be set at the maximum allowable pursuant to the provisions of Kentucky Revised Statutes Chapter 243 (KRS 243).

D. Special Private Club License for Beer Only: Fee Required.

- a. The County shall have the power and authority to issue a special private club license to any nonprofit social, fraternal, military or political organization or club which maintains or operates designated premises from which the general public is excluded. All restrictions and prohibitions otherwise applying to a malt beverage licensee shall apply to a special private club licensee.
- b. In order to assure that the general public is excluded from the designated premises of a private club license holder, the following guidelines must be met:
  1. Each private club member shall be issued a membership card which can be readily produced while visiting said club;

2. Each private club member shall be limited to no more than two (2) non-member guests at any club function or event; and
  3. A written log shall be maintained of all non-member guests.
- c. The fees for this category of license shall be set at the maximum allowable pursuant to the provisions of Kentucky Revised Statutes Chapter 243 (KRS 243).

E. Caterer's License; Fees.

- a. As used in this section, unless the context requires and expressly states otherwise the term "caterer" means a corporation, partnership or individual that operates the business of a food service professional by preparing food in a licensed and inspected commissary, transporting the food and alcoholic beverages to the caterer's designated and inspected banquet hall or to a location selected by the customer, and serving the food and alcoholic beverages to the customer's guests.
- b. The County ABC Administrator shall have the power and authority to issue a caterer's license for the sale of alcoholic beverages upon proper application and payment of the prescribed fees. A caterer's license of the sale of alcoholic beverages may be issued as a supplementary license to a caterer that also holds a retail package license (distilled spirits and wine) or a hotel/motel/inn or restaurant retail drink license.
- c. The caterer's license shall authorize the caterer to:
  1. Purchase and store alcoholic beverages in the manner prescribed in Kentucky Revised Statutes Chapter 243 (KRS 243).
  2. Transport, sell, serve and deliver alcoholic beverages by the drink at locations in wet territory away from the licensed premises in conjunction with the catering of food and beverages for a customer and/or his guests. Wine may also be transported, sold, served, or delivered.
  3. Receive and fill telephone orders for alcoholic beverages in conjunction with the ordering of food for a function catered by the licensee; and
  4. Receive payment for alcoholic beverages served at a function on a by-the-drink or by-the-function basis. A caterer may bill the host for by-the-function sales of alcoholic beverages in the usual course of the caterer's business.
- d. The caterer licensee shall not cater alcoholic beverages at locations for which retail alcoholic beverages licenses or special temporary licenses have been issued.
- e. The caterer licensee shall post a copy of the caterer's license at the location of the function for which alcoholic beverages are catered.
- f. The name and license number of the caterer shall be painted, in a contrasting color, in a form prescribed by the Kentucky Administrative Regulations, upon all vehicles used by the caterer to transport alcoholic beverages.

- g. All restrictions and prohibitions applying to a distilled spirits and wine retail drink licensee not inconsistent with this section shall apply to the caterer licensee.
- h. The caterer licensee shall submit a list of functions catered or to be catered, including location, host, date, and time upon request of the local ABC Administrator.
- i. The fee for the caterer's license shall be set at the maximum allowable pursuant to the provisions of Kentucky Revised Statutes Chapter 243 (KRS 243).

**Section 3.04 LICENSES PERMITTED**

In accordance with Kentucky Revised Statute 242.125 (KRS 242.125), Spencer County shall have the power and authority to issue any license for the manufacturing, trafficking, and sale of alcoholic beverages permitted by Kentucky Revised Statute 243.060 (KRS 243.060), or the issuance of any other reasonable administrative regulations as may be necessary for the enforcement or administration of applicable State statutes and regulations and/or county ordinances.

**Section 3.05 REGULATIONS TO CONFORM TO STATE LAW**

All regulations which may be issued to administer Kentucky Revised Statute 242.125 (KRS 242.125), this section of the Spencer County Alcoholic Beverage Control Ordinance, and/or any other provisions of State law or county ordinance shall conform to the requirements of Kentucky Revised Statute 241.140 (KRS 241.140).

**Section 3.06 LICENSE TERM; RENEWALS; AND WHEN LICENSE FEE DUE**

- A. All required fees, as indicated above, for any form of alcoholic beverage license shall be due upon submission of any original application or application for renewal. The license applicant shall submit all required fees along with the application forms required for issuance of any alcoholic beverage license under this chapter. The required fee shall be paid by cash, certified check, or postal or express money order.
- B. All fees required to be paid upon submission of any original application or application for renewal of alcoholic beverage license under this ordinance shall be held on deposit by the County pending State license approval and issuance of the required State license. In the event that any requested State license is not issued for any reason, the applicant must submit a written request for a refund of all license fees paid in relation to the requested licenses not issued. The applicant's written request for refund must be submitted to the County ABC Administrator. Upon proper written request, the County will refund the license fees submitted by the applicant for any license(s) not issued, but the County will retain Fifty Dollars (\$50) per license fee paid for processing costs. In the event that any license fee submitted is Fifty Dollars (\$50) or less, there will be no refund from the County as the entire amount will be retained for processing costs.
- C. All alcoholic beverage licenses issued under this chapter shall expire on January 31 of each year, and all renewal applications and license renewal fees shall be due and payable on February 1 of each year.

**Section 3.07 PRO-RATED LICENSE FEE**

When any applicant makes application for a new license authorized to be issued under this chapter, he shall be charged the full fee for the respective license if six (6) months or more remain before the license is due to be renewed and one-half (½) the fee if less than six months remain before the license is due to be renewed. No abatement of license fee shall be permitted to any person who held a license of the same kind for the same premises in the preceding period and who was actually doing business under the license during the last month of the preceding license period.

**Section 3.08 REFUNDS PROHIBITED**

In the event any licensee shall cease doing business for any reason, no refund of any license fee required hereunder shall be granted.

**Section 3.09 ASSIGNMENT, TRANSFER OR LICENSE REPLACEMENT**

- A. The assignment, transfer or other form of acquisition of an interest in an alcoholic beverage license of whatsoever nature shall be governed by the provisions of Kentucky Revised Statutes 243.630, 243.640, 243.650, 243.660 and all other applicable State law. An approval by the State Alcoholic Beverage Control Board of any proposed assignment, transfer or other acquisition of interest in a duly issued alcoholic beverage license shall be deemed an approval by the County and non-approval by the State shall be deemed as non-approval by the County. No County alcoholic beverage license may be sold, assigned or otherwise transferred unless the proposed transfer has first been approved by the State Alcoholic Beverage Control Board pursuant to applicable state law. A transfer fee of \$25 shall be paid to the County upon any permitted assignment or transfer of an alcoholic beverage license.
- B. In the event that an alcoholic beverage license has been lost or destroyed, the local ABC Administrator may issue a duplicate or replacement license upon payment of a fee of \$25.

**Section 3.10 POSTING OF LICENSE**

Each license issued by the County pursuant to this chapter shall be posted at the licensed premises in the same manner as prescribed by Kentucky Revised Statute 243.620 (KRS 243.620) for State licenses. An exact duplicate or facsimile of each license issued by the County under this chapter shall remain in the local ABC Administrator's office as part of the public record.

**Section 3.11 WHOLESALE DISTRIBUTORS**

Every wholesale distributor of alcoholic beverages who sells or conducts business with Spencer County shall report to the County ABC Administrator on a form to be provided by the County, the following information:

1. The names of all retailers to whom alcoholic beverages were sold in the preceding quarter; and
2. The net revenues received by the wholesaler or distributor from each retailer.

**ARTICLE FOUR: APPLICATION PROCESS AND ISSUANCE OF LICENSES**

**Section 4.01 APPLICATION FOR STATE LICENSE**

All applicants for alcoholic beverage licenses available pursuant to this ordinance must submit the appropriate application for issuance of a State license as stipulated in Kentucky Revised Statute 243.380 (KRS 243.380) and all other application State law.

**Section 4.02 LOCAL ADMINISTRATOR TO APPROVE APPLICATION**

Pursuant to applicable State law, an applicant for an alcoholic beverage license must first have his State license approved by the County Alcoholic Beverage Control Administrator before the applicant is eligible to apply for a State license. An applicant for a license under this chapter shall file with the County Alcoholic Beverage Control Administrator a copy of the State license application as required by the State, along with any County license application that may be required. The County license application shall be in a form prescribed by the County ABC Administrator and the application form shall be made available to interested applicants through the County Judge Executive's Office. The county license application shall be properly subscribed and sworn to before a notary public or other officer authorized to administer an oath and shall include an identification of the premises where alcoholic beverages are to be sold, either by way of the street number or otherwise, along with the name of the owner of the premises, and shall be accompanied by a certified copy of the deed or lease agreement through which the applicant holds possessory interest in the premises, in addition to any other information required on the application form as may be prescribed by the County ABC Administrator. In the event that the applicant is a corporation or a limited liability company, the applicant shall provide personal information as may be required on the application form (by way of example, name, age, date of birth, Social Security number, address, etc.) for each shareholder, officer and/or director of the corporation and/or member of the limited liability company, whichever applies.

**Section 4.03 APPLICANT'S CONSENT TO INSPECTION, SEARCH AND REGULATORY ACTION**

The County license application shall include the acknowledged consent of each and every applicant to permit the County ABC Administrator and his designees to inspect and search the licensed premises at any reasonable time.

**Section 4.04 CAUSES FOR REFUSAL TO ISSUE OR RENEW LICENSE, OR SUSPENSION OR REVOCATION OF LICENSE**

- A. **STATE LAW REFERENCES:** Causes for refusal to issue or renew a County license or for suspension or revocation of a County license shall be the same as provided for State license pursuant to Kentucky Revised Statutes 243.450, 243.490, and 243.500.
- B. **VIOLATION OF COUNTY ORDINANCE:** In addition to the above State law references, violation of any County ordinance concerning alcoholic beverage licensing, sales or the administration thereof shall be grounds for refusal to issue or renew a license or suspension or revocation of a license.

- C. DELINQUENT TAXES OR FEES: No license for the sale or trafficking of alcoholic beverages shall be granted or renewed to any person or entity that is delinquent in the payment of any taxes or fees due the County at the time of application for the license; nor shall any license be granted or renewed to sell alcoholic beverages upon any premises or property, owned and/or occupied by the licensee, for which there are any delinquent taxes or fees due the County. If the licensee becomes delinquent in the payment of any taxes due to the County at anytime during a license period, the license to sell alcoholic beverages shall be subject to revocation or suspension. The County ABC Administrator may, in his discretion, approve a license to sell alcoholic beverages after receiving from the Spencer County Attorney a written statement to the effect that the applicant for a license has paid or has made satisfactory arrangements with the Spencer County Attorney to pay any indebtedness represented by the unpaid and delinquent taxes or fees.
- D. APPEALS: Appeals may be taken from any decision of the County ABC Administrator to the State Alcoholic Beverage Control Board, pursuant to the provisions of Kentucky Revised Statutes 241.150 and 243.550, and all other applicable State law.

**Section 4.05 APPROVAL OR DENIAL OF APPLICATION OR RENEWAL**

- A. If upon review of the license application, the County ABC Administrator determines that the applicant has complied with all requirements and regulatory provisions of this ordinance and applicable state law, that the premises sought to be licensed meets all requirements of this ordinance and applicable State law and that there are no causes for denial of a license, the County ABC Administrator shall approve that application.
- B. If the County ABC Administrator has reasonable grounds to believe that an applicant has violated any law, rule or regulation relating to alcoholic beverages, he may issue to the applicant a written order setting forth such violations and requiring the applicant to show cause why the requested license should be issued. The County ABC Administrator shall have the right to order, and the applicant shall have the right to request, an evidentiary hearing to examine any violation set forth in the show cause order issued by the County ABC Administrator. Any decision by the ABC County Administrator on the application shall be subject to appeal as provided under this chapter and applicable State law.

**Section 4.06 ISSUANCE OF COUNTY LICENSE**

Upon issuance of a State license, the requested County license shall be issued, subject to the provisions of this ordinance and State law concerning renewal, revocation and/or suspension. No license shall be issued by the clerk without the approval of the County ABC Administrator, which approval shall be granted only after the County receives an exact duplicate or facsimile copy of the State license issued to the applicant. The County license shall be in a form as prescribed by the County ABC Administrator and shall conform with the requirements of Kentucky Revised Statutes Chapter 243 (KRS 243).

**Section 4.07 POSTING OF LICENSES**

Each County license issued under this ordinance shall be a licensed premises in the same manner as prescribed by Kentucky Revised Statute 243.620 (KRS 243.620) for State licenses. An exact duplicate or facsimile of each County license issued under this chapter shall remain in the County

Clerk's Office the public record.

Section 4.08. PERSONS WHO MAY NOT RECEIVE A LICENSE

A. PERSON AS APPLICANT:

1. No License shall be issued under this chapter until after the applicant has been issued the appropriate State license by the Commonwealth of Kentucky.
2. No license shall be issued to any person under 21 years of age.
3. No license shall be issued to any person who is not a citizen of the United States and has not had an actual, bona fide residence in the State for at least one (1) year before the date on which his or her application for a license is made.
4. No License shall be issued to any natural person if he or she:
  - a. Has been convicted of any felony in the five (5) years immediately preceding the date of application. The five years shall be from the date of conviction, released from custody or incarceration, parole or termination of probation, whichever is later;
  - b. Has been convicted of any misdemeanor involving the controlled substances described under Kentucky Revised Statutes Chapter 218A (KRS 218A) in the two (2) years immediately preceding the application;
  - c. Has been convicted of any misdemeanor directly or indirectly attributable to the use of alcoholic beverages in the two (2) years immediately preceding the application;
  - d. Has had any license issued under this ordinance relating to the regulation or the manufacture, sale and transportation of alcoholic beverages revoked for cause or has been convicted of a violation of any such state statute, until the expiration of two (2) years from the date of the revocation or conviction.

B. CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR LIMITED LIABILITY COMPANY AS APPLICANT

1. No license shall be issued to a partnership, limited partnership, limited liability company or corporation if:
  - a. Any member of the partnership or limited liability company, or any of the directors, principal officers, shareholders and managers of the corporate entity do not qualify under subsection A of this section;
  - b. If the applicant has had any license issued under this ordinance relating to the regulation of the manufacture, sale or the transportation of alcoholic beverages revoked for cause or has been convicted of a violation of any criminal offense referenced as set forth above in subsection A(4) of this section, until the expiration of two (2) years from the date of the revocation or



conviction; or

- c. If any member of the partnership, limited partnership, limited liability company, or any director, officer, shareholder or manager of the corporate entity has had any license issued under any statutes relating to the regulation of the manufacture, sale or transportation of alcoholic beverages revoked for cause or has been convicted of any criminal offense referenced as set forth above in subsection A(4) of this section, until expiration of the latter of two (2) years from the date of revocation or two (2) years from the date of conviction.

#### **ARTICLE FIVE: PROHIBITIONS, RESTRICTIONS, AND GENERAL REGULATIONS**

##### **Section 5.01 HOURS OF SALE**

- A. Premises for which there has been granted a license for the retail sales of alcoholic beverages shall be permitted to sell or offer for sale alcoholic beverages only between the hours of 6:00am and 12:00am each day, except Sunday. It shall be unlawful to sell or offer for sale any alcoholic beverage during the twenty-four (24) hours of each Sunday.
- B. It shall be unlawful to keep open for business or permit the public to remain within, or to permit consumption of alcoholic beverages in or upon any premises in which alcoholic beverages are sold at retail during the hours within which the sale of alcoholic beverages is prohibited; provided, however, that in the case of bona fide restaurants, hotels/motels/inns, convenient stores and grocery stores, such establishments may be kept open for business during such hours when alcoholic beverage sales are prohibited, but no alcoholic beverages may be sold to the public during such hour.

##### **Section 5.02 GENERAL REGULATIONS AND RESTRICTIONS**

- A. No gambling or game of chance, unless otherwise authorized by the Commonwealth of Kentucky, shall be permitted in any form on the licensed premises. Dice, slot machines, or any device of chance is prohibited and shall not be kept on the premises.
- B. It shall be unlawful for any licensee licensed under this chapter to have or maintain any radio receiving apparatus on the premises which is intentionally adjusted so as to receive police messages broadcast from any law enforcement agency in Spencer County, as it is now or may hereafter be operated. In addition to other penalties provided for the violation of this section, the Sheriff or the County ABC Administrator shall have the authority to confiscate any and all radio receiving apparatus.
- C. The licensee shall be responsible for maintaining security on his or her premises, including providing adequate outside lighting to permit customers to utilize the parking area, and to promote the safety, health and welfare of the general public utilizing the licensed premises. Security standards are further necessary to discourage unlawful activity in and around the licensed premises.

- D. Any off premises signage advertising the sale of alcoholic beverages is prohibited.
- E. No wholesaler or distributor shall sell any alcoholic beverages to any person in the County for any consideration except under the usual credit or cash terms of the wholesaler or distributor at or before the time of delivery. Nor shall any retail licensee sell to a purchaser for any consideration except for cash at time of purchase.
- F. All restaurants and dining shall distribute alcoholic beverages only during times in which their kitchen is open and their food staff is on duty.
- G. It shall be unlawful for any licensee licensed under this chapter to allow the consumption of any alcoholic beverages on their premises; provided however in the case of bona fide restaurants and motels/motels/inns, such establishments may allow the consumption of alcoholic beverages during the hours allowable by law.

**Section 5.03 ADVERTISING RESTRICTIONS**

- A. Signage. Signage which refers directly or indirectly to alcoholic beverages will be limited to one (1) sign not over two (2) feet by two (2) feet that must be displayed from the inside window or interior of the business. No additional signs, banners, posters or other type of display advertising which refers either directly or indirectly to alcoholic beverages shall be displayed on or be visible from the exterior of any premises licensed for the sale of alcoholic beverages, except that reference to such may be included in the name of the business. This restriction shall not prevent any licensee from placing in the window of the licensed premises menus or other price cards not larger than 11"x14" in size, setting forth the price at which the licensee offers items for sale, including alcoholic beverages.
- B. No flashing lights shall be used to illuminate the exterior of any premises licensed under this chapter.
- C. It shall be unlawful for a licensee under this chapter to distribute or cause to be distributed any handbills, circulars or cards as a medium for advertising alcoholic beverages.
- D. Any advertising by any licensee under this chapter shall be in compliance with Kentucky Revised Statute 244.130 (KRS 244.130).

**Section 5.04 LICENSE TO BECOME VOID IF BUSINESS DORMANT**

Any license for the sale of alcoholic beverages issued under this chapter shall become null and void in the event that no business is transacted under the license for a period of ninety (90) days. If no business is transacted under any license issued under this chapter during any consecutive 90-day period, the license shall be surrendered to the County ABC Administrator, except that any licensee who is unable to continue in business at the licensed premises may apply to the Commonwealth of Kentucky Alcoholic Beverage Control Department, pursuant to 804 KAR 4:110, as amended from time to time, to continue such license in dormancy. In the event that a period of dormancy is applied for and granted by the State ABC Administrator, the licensee shall immediately notify the County ABC Administrator. Upon resumption of business or transfer or assignment of the license, the licensee shall notify the County ABC Administrator and a fee shall be due and payable for the

period the license was on dormancy in the same amount due had the license remained active for the same period.

**Section 5.05 LICENSEE TO DISPLAY WARNING TO MINORS**

It shall be the duty of every retail licensee to display at all times in a prominent place a printed card not smaller than 12"x16" which shall read substantially as follows:

WARNING TO MINORS: ANY PERSON UNDER THE AGE OF TWENTY-ONE (21) IS SUBJECT TO A FINE OF UP TO ONE HUNDRED DOLLARS (\$100) IF THEY:

1. Enter licensed premises to buy, or have served to them, alcoholic beverages;
2. Purchase or attempt to buy, or have served to them, alcoholic beverages;
3. Misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages.

**Section 5.06 ACCOUNTING REQUIREMENT**

Every licensee under this chapter shall keep and maintain adequate books and records of all transactions involving the sale of alcoholic beverages and food in the same manner required by the reasonable rules and regulations of the State Alcoholic Beverage Control Board, or such rules and regulations as may be from time to time promulgated by the County ABC Administrator. Such books and records shall be made available at all reasonable times for inspection by the County ABC Administrator or his appointed designee.

**Section 5.07 LICENSEE TO OBTAIN COPY OF ORDINANCE**

- A. Upon timely request by the licensee, the County ABC Administrator shall furnish to each and every licensee a copy of this ordinance at the time the license is issued with signed receipt from the licensee. Any changes or amendments to this ordinance shall be forwarded to each licensee at the address on the license. Failure to receive or review such changes or amendments or review the ordinance shall not be an excuse or justification for any violation, nor shall failure to receive or review any changes or amendments prevent, remit or decrease any penalty for any violation of this ordinance.
- B. It shall be the duty of the licensee under this ordinance to obtain a copy of this ordinance from the County ABC Administrator. Further the cost of obtaining a copy of this ordinance shall be borne by the licensee.

**Section 5.08 MANDATORY RESPONSIBLE BEVERAGE SERVICE TRAINING; STANDARDS FOR CERTIFICIATION**

- A. All persons, corporation, associations, restaurants, businesses, clubs or other entities licensed or employed in the sales and service of alcoholic beverages, including the retail sale of alcoholic beverages by the package or drink, shall participate in and complete a mandatory responsible beverage service training program approved by the County ABC Administrator. Before

approval is granted, the County ABC Administrator shall first be satisfied that the training program is genuine and effectively trains all participants in the recognition of false identification and age documents as well as the human characteristics of alcohol and/or drug intoxication. The County shall not require enrollment in any particular class or classes, but only require that the training be obtained from a recognized person, program or agency with a bona fide curriculum that meets the goals expressed herein.

- B. All persons, corporations, associations, restaurants, businesses, clubs or other entities licensed by Spencer County for the sale of alcoholic beverages shall require all their employees who are engaged in the selling or serving of alcoholic beverages or the managing of premises on which such sales are offered to complete a responsible beverage service training class approved by the County ABC Administrator.
- C. Subsections (A) and (B) above shall not apply to any Manufacturer of alcoholic beverages as this term is defined in Kentucky Revised Statute 241.010(34) (KRS 241.010(34)) or any other person, corporation, association, business or other entity licensed for the wholesale of alcoholic beverages.
- D. Standards for Certification: The training person or agency must reasonably instruct upon and certify the participant's competence in at least the following:
  - 1. Pertinent federal, state and local laws related to the sale of alcohol;
  - 2. Verification of age, forms of identification and usual methods of false or misleading age identification;
  - 3. The effect of alcohol on humans and the physiology of alcohol intoxication, including the effect of alcohol on pregnant women, their fetuses and other situations involving the use of alcohol by persons vulnerable to its effects;
  - 4. Recognition of the signs of intoxication;
  - 5. Strategies for intervention and prevention of underage and intoxicated persons from consuming alcohol;
  - 6. The licensee's policies and guidelines, including the employee's role in observing those policies; and
  - 7. Potential liability of persons serving alcohol.

The person providing the responsible beverage service training shall be certified by the government agency, industry or organization that sponsors or develops the training curriculum.

- E. All persons required to undergo the training set forth in paragraph (A) above shall complete same within one hundred twenty (120) days of the effective date of this ordinance. New licensees, employees, officers and agents shall complete the mandatory responsible beverage service training within sixty (60) days from the date of employment. Licensees, employees, officers or agents who fail to complete the mandatory responsible beverage service training within the prescribed time shall not sell or serve alcoholic beverages on the licensed premises

until they have successfully completed the required training. All persons completing the training requirements in this section shall be recertified in responsible beverage service training from a program approved by the County ABC Administrator under the foregoing criteria not less than once every three (3) years.

F. Personnel Certification Records: Each licensee shall maintain written proof of completion of service training on its business premises for each person connected with its business for whom training is required under this ordinance. Training records shall be retained by the licensee for a minimum of three (3) years. Upon request of the Alcoholic Beverage Control Administrator, all licensees and other persons engaged in the sales or service of alcoholic beverages by the package or drink shall present proof of completion of the responsible beverage service training required herein.

G. Penalties:

1. No person, corporation, association, restaurant, business, club or other entity holding a license for the sale of distilled spirits, wine and/or malt beverages by the package or drink shall intentionally, willfully, knowingly, or wantonly authorize, direct, permit, allow or cause any employee, officer or agent of the licensee who has not completed the mandatory service training required in this section, to sell or serve any alcoholic beverages to any one on the licensed premises.

2. Any person, corporation, licensee, association, restaurant, business, club or other entity or any employee thereof, found to be in violation of any subsection of this ordinance, shall upon conviction thereof, be fined in an amount not to exceed One Hundred Dollars (\$100.00); for subsequent violations within a two (2) year period and upon conviction thereof, a fine not to exceed Five Hundred Dollars (\$500.00). Each day a violation occurs shall constitute a separate offense.

## ARTICLE SIX: CONDUCT, LOCATION PREMISES AND STRUCTURE REQUIREMENTS

### Section 6.01 CONDUCT REQUIREMENT

Each licensed premises shall at all times be conducted in an orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time on any licensed premises.

### Section 6.02 ZONING RESTRICTIONS: LOCATION, PREMISES, AND STRUCTURE REQUIREMENTS

A. No license shall be issued under this ordinance for the sale or trafficking in any alcoholic beverages at any premises or location where such business is prohibited under the County's zoning ordinances or any other ordinances of the County as may be amended or supplemented from time to time, and any license issued in violation of this section shall be null and void.

B. No license shall be issued under this ordinance unless the premises to be licensed conforms to the sanitary, safety and building code requirements of the County and rules and regulations of the State and Local Board of Health applicable thereto. Further, the County ABC Administrator shall not grant any alcoholic beverage license until the license applicant and the intended

licensed premises have been approved by the State Health Department and County Code Enforcement Officer with respect to all applicable building codes.

- C. Any licensee holding a license which permits the sale and consumption of alcoholic beverages on the premises where sold shall maintain an easily discernible physical barrier between the general dining area and any bar area. The separate bar areas shall be posted "Persons under Twenty One (21) years of age may not enter or remain in this area".
- D. Any licensee holding a license which will be conducting sales through a drive-thru window shall not locate that window in the rear of the premises. The drive-thru window must be located in plain sight on either side of the premises or the front of the premises.

#### ARTICLE SEVEN: PENALTY FOR VIOLATIONS

##### Section 7.01 PENALTY FOR VIOLATIONS

- A. Any person who violates any provision of this ordinance for which no specific penalty is otherwise provided shall be guilty of a misdemeanor and shall, in addition to other penalties provided by law, be subject to the following penalties:
  - 1. For the first offense, a fine not to exceed Five Hundred Dollars (\$500.00); and
  - 2. For any subsequent offense, a fine not to exceed Five Hundred Dollars (\$500.00) or confinement in jail not more than six (6) months, or both.
- B. In addition to any other penalty provided for herein or as provided under any other applicable federal, state, or local law or regulation, any licensee violating any provision of this ordinance shall be subject to suspension or revocation of any and all licenses issued under this chapter.

#### ARTICLE EIGHT: OTHER PROVISIONS

##### Section 8.01 PRIOR ORDINANCES REPEALED

Any and all previous ordinances regulating the sale of or providing provisions regarding alcoholic beverages in Spencer County are hereby repealed.

##### Section 8.02 SEVERABILITY


Any section or subsection of this ordinance determined by a Court of law to be unlawful shall not affect the validity of the remaining sections or subsections of this ordinance.

##### Section 8.03 EFFECTIVE DATE

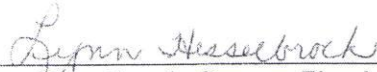
This ordinance shall be in full effect immediately upon approval and passage by the Fiscal Court of Spencer County, Commonwealth of Kentucky.

Given first reading and approved on this 1<sup>st</sup> day of July, 2013.

Given second reading and adopted on this 5<sup>th</sup> day of August, 2013.

  
Bill Karrer, Spencer County Judge Executive

Attest:

  
Lynn Hesselbrock, Spencer Fiscal Court Clerk

- On the motion of Esq. Davis, seconded by Esq. Goodlett, with all members of the Court present voting "aye", except for Esq. Cheek, who was absent, it is hereby ordered to approve Ordinance #1 (2014 series) regulating the sale of alcohol.

8. Annex electric upgrades.

Per OSHA recommendations there were two (2) bids for electrical upgrades at the Annex building. One bid was from Buddy Barmore for \$1100.00 and the second bid was by F&S Electrical Company for \$1065.00.

- On the motion of Esq. Davis, seconded by Esq. Judd, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to approve the bid by F&S Electrical Company for \$1065.00

F & S Electrical Company Inc.

13708 Highway 44 E  
Taylorsville, KY 40071

Phone: 502-538-7757  
Cell: 502-744-8040  
Fax: 502-904-9097

PROPOSAL

July 31, 2013

Darrell Herndon  
Taylorsville, KY 40071

Re: Spencer County Courthouse Annex

Dear Darrell:

We propose to furnish the necessary labor, materials and supervision to do the following for \$1065.00 payable upon completion. Inspection included.

Circuit Clerk's Office & Work Area  
Main work area under glass – extend in wire mold and install 4 duplex receptacles below desk.

Opposite wall – drop 2 new duplex down wall and install under desk (to be done in MC cable) If blocks in wall we will use wire mold. Add 1 receptacle strip out of duplex for rear desk.

Becky's office – cut out for existing outlet. Drop 2 new lines in front corner for 2 duplex receptacles. Use wire mold if blocks in wall.

Booking office – install 2 new lines to 2 duplex receptacles. Wire mold if blocks in wall.

Work to be done in MC or wire mold where needed. Use existing electric to work from.


Work to be done on Saturday at no extra charge to avoid disrupting regular work.  
Supervision during this time provided by Darrell Herndon.

All wiring is by National Electric Code.

Thank you for allowing me to quote this job.

Yours truly,

F & S Electrical Company Inc.

  
Terry A. Thomas  
Electrician

- On the motion of Esq. Judd, seconded by Esq. Goodlett, with all members of the Court present voting "aye", except Esq. Cheek, who was absent, it is hereby ordered to adjourn this Fiscal Court at 11:30 am.

  
Bill Karrer, County Judge Executive

19 Aug. 2013  
Date