

SPENCER COUNTY FISCAL COURT

Fiscal Court Meeting Room
28 East Main Street

7:00pm

Monday, June 20, 2016

Meeting Agenda

- A. Opening Prayer
- B. Pledge of Allegiance to the U.S. Flag and the Kentucky state flag
- 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 ***
 - 1.
- G. Communications from County Judge Executive
 - 1. Bridge inspections report
- H. Communications/reports from Members, Other Offices, and Committees
 - 1. Zoning, readings and recommendations
 - 2. Solid Waste committee
 - 3. Veterans committee
 - 4. Equipment committee
 - 5. Building & Grounds committee
 - 6. recycling grant update
 - 7. County Clerk, bridge tolling
 - 8. Sheriff, radar quotes
 - 9. Administrative Code
 - 10. Road dept:
 - a) equipment DOT Z1 Pro
 - b) Fema projects to be bid and/or completed
 - 11. EMS request: flashlights & water reservoir
- I. Old Business
 - 1. clerk internet quotes
 - 2. election canvass bill
 - 3. Interlocal agreement with Kentucky State Police
 - 4. Materials bids

J. New Business

1. County road aid agreement and resolution
2. fire dept affiliation agreement
3. floodwall agreement addendum
4. 911 ordinance proposal
5. KIPDA resolution
6. KOHS resolution
7. Ordinance 5, 2016/17 budget, second reading
8. Ordinance 6, alcohol regs, second reading
9. Nuisance ordinance proposal
10. Review and Approval of Expenditures, Purchases, Invoices, and Transfers

K. Adjournment

**ANNOUNCEMENTS, COMMUNITY EVENTS
and TRAINING OPPORTUNITIES**

******Pursuant to Section 6.1 of the Spencer Co Admin Code,
the regular fiscal court meeting of July 4, 2016 will be
on WEDNESDAY, July 6, 2016 at 9:00am.******

Priority One classes

“Conflict and Problem Solving” June 24 at Lake Barkley SP
“Duties of elected Officials” June 29 at Natural Bridge SP

KACo Leadership Institute – May

Economic Development, June 7 in London
Communications Tools, June 14 in Frankfort
Emergency Management 101, June 23 in Moorehead

KCJEA/KMCA Joint Summer Conference

June 28-30, 2016
Galt House, Louisville

Governor's Local Issues Conference

August 24-26, 2016
Galt House, Louisville

More DLG-approved training opportunities available at <http://kydlgweb.ky.gov/>

**SPENCER COUNTY FISCAL COURT
MONDAY, JUNE 20, 2016 7:00 PM
FISCAL COURT MEETING ROOM, 28 EAST MAIN STREET
MINUTES**

A. OPENING PRAYER

Esq. Judd led the Court in prayer prior to the call to order.

B. PLEDGE OF ALLEGIANCE TO THE U.S. AND KENTUCKY FLAGS

C. CALL TO ORDER BY COUNTY JUDGE EXECUTIVE- JOHN RILEY

D. ROLL CALL BY COUNTY CLERK- LYNN HESSELBROCK- ALL PRESENT

E. REVIEW AND APPROVAL OF THE MINUTES FROM THE JUNE 6, 2016 FISCAL COURT MEETING

- On the motion of Esq. Goodlett, seconded by Esq. Bayers, with all members of the Court present voting 'aye', except Esq. Judd, who abstained, it is hereby ordered to approve the minutes from the June 6, 2016 Fiscal Court meeting with any corrections being made.

F. COMMUNICATIONS FROM CITIZENS*3 MINUTE LIMIT*****

1. Ms. Jill Barnett came before to state that she was a co- owner of Legacy Casual Dining and was in Court to support of Sunday alcohol sales.

G. COMMUNICATIONS FROM COUNTY JUDGE EXECUTIVE

1. The Judge said that the magistrates had the cover letter to the annual bridge inspection report. He said the report in its' entirety was available in his office. He said that the Road Foreman also had a copy of the report.



TRANSPORTATION CABINET

Department of Highways District 5 Office
8310 Westport Road
Louisville, KY 40242-3042
(502) 210-5400

Matthew G. Bevin
Governor

Greg Thomas
Secretary

June 14, 2016

Judge John Riley
Spencer County Judge Executive
12 West Main Street
P.O. Box 397
Taylorsville, KY 40071



Dear Judge Riley:

The Federal Highway Administration (FHWA) mandates that all state, county and municipal bridges be inspected on a regular basis. Substandard bridges (i.e., those that require posting of weight limits below the legal limit of the roadway classification) are to be inspected annually, and standard bridges on a biennial basis. Engineers from the Kentucky Transportation Cabinet District 5 in Louisville perform these inspections and maintain historical records of each structure. We also propose weight limits and repairs of deficiencies that are found during the inspections.

Inspections were recently conducted on all county-maintained structures in Spencer County. Attached are inspection reports for those bridges and culverts, which include work recommendations. Please review the reports for the specific needs noted for each structure. Additionally, the following is a summary of Posting Needs and Critical Maintenance Needs for this cycle.

Posting Needs

There are no structures requiring additional posting needs on your county roads at this time.

Critical Maintenance Needs

There are no structures requiring critical maintenance needs on your county roads.



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2. The Judge said that we are all shaken and grieving over what has happened in Orlando. He went on to say that Spencer County had also had some tragedies, he mentioned the drowning at Taylorsville Lake as well as a plane crash on June 12th. He said it was appropriate to give thanks and praise to all the first responders and dispatchers in Spencer County as well as across the nation for their work in difficult situations.

3. The Judge said that the USA Junior National Championship cycling time trials would be held in Taylorsville on June 30th. It has been awhile since the trials have been held here. They will be starting at the High School proceed on 44 and go across Overlook Road as part of the trials.

4. The Judge mentioned that the animal report was included in this meeting’s packet. He said that the Court would start receiving these reports on a monthly basis, and they had not been included in the packets for some time.

June 2016

Spencer County Animal Control

Animal Control Officer / Director : Melvin Gore

Strays and Owner Surrenders	28
Euthanized	2
Return to Owner (R.T.O.)	3
Sent to Rescue	6
Adoptions	4
Fostering	2
Outside Bordering	0
Holding (current)	11

Total No. / Monthly 2016

January / 15	February / 23	March / 27	April / 25
May / 28	June / 28	July /	August /
September /	October /	November /	December /

Calls

Road Accident	0
Aggressive Dog	3
Dog Bites	6
Bark Complaints	4
Cattle / Horse Calls (Traffic)	8
Animal Welfare Checks	7
Stray or Roaming (Dog)	30
Stray or Roaming (Cattle)	6
Stray or Roaming (Cats)	5
Missing Dog	7
Missing Cat	3

5. The Judge mentioned that Karen Clerk, the Deputy County Judge Executive, would be on Vacation from June 27th through July 1, returning after the July 4th holiday. Stephanie Smith, the part time Occupational Tax Administrator, would also be on vacation from June 27th through July 1, returning after the July 4th holiday. The Judge also said that he would be attending the KCJEA/KMCA on June 28, 29 and 30 at the Galt House.

6. Executive Session- personnel [KRS 61.810(1)(f) & 61.815]
 The Judge explained that there was no need to go into Executive Session.

H. COMMUNICATIONS/REPORTS FROM MEMBERS, OTHER OFFICES AND COMMITTEES.

1. Zoning readings and recommendations.
 There were three second readings for adoption.

PUBLIC NOTICE

Please take notice that the Fiscal Court of Spencer County on the 20th day of June 2016 passed the following ORDINANCES:

1. On motion of Esq. Rogers, second by Esq. Williams with all members of the court present voting "Aye", it is hereby ordered by the court to approve the zone change request of Chris & Holly Cook on a 1.184 acre tract of land from AG-1, agricultural to R-3, residential for property located at 207 Hardesty Ridge Road, Hwy 1251 based on the recommendation and findings of fact presented by the Planning & Zoning Commission.
2. On motion of Esq. Williams, second by Esq. Rogers with all members of the court present voting "Aye", it is hereby ordered by the court to approve the zone change request of Murrell Lawson on 1.386 acres from AG-1, agricultural to R-1, residential for property located on Lincoln Trace in Heritage Hills Subdivision based on the recommendation and findings of fact presented by the Planning & Zoning Commission.
3. On motion of Esq. Goodlett, second by Esq. Williams with all members of the court present voting "Aye", it is hereby ordered by the court to approve the zone change request of Bernard and Betty Cheek on a 4.809 acre tract of land from AG-1, agricultural to R-1, residential for property located at 1511 Little Mount Road based on the recommendation and findings of fact presented by the Planning & Zoning Commission.

Attest: Lynn Hesselbrock

John Riley

- On the motion of Esq. Rogers, seconded by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered to approve the zoning request of Holly and Chris Cook for property located on Hardesty Ridge Road based on the findings of fact and the recommendation of the Planning and Zoning Commission.
- On the motion of Esq. Williams, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve the zoning request of Murrell Lawson for property located on Lincoln Trace based on the findings of fact and the recommendation of the Planning and Zoning Commission.
- On the motion of Esq. Goodlett, seconded by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered to approve the zoning request of Bernard and Betty Cheek for property located on Little Mount Road based on the findings of fact and the recommendation of the Planning and Zoning Commission.

2. Solid Waste Committee

Esq. Judd stated that there was nothing to report.

3. Veteran's Committee

Esq. Judd stated that there was a very good service on Memorial Day.

4. Equipment Committee
Esq. Goodlett said that there was nothing to report.
5. Buildings and Grounds Committee
Esq. Williams said that there was nothing to report.
6. Recycling Committee
Grant update. The project must be finished by the end of this month (June). Ms. Karen Spencer came before the Court to say that she had called Frankfort and they were agreeable to using the remaining \$1500.00 in the grant to purchase expanded metal baskets for some of the storefronts. The total cost would be \$1575.00. Fiscal Court would have to approve spending \$75.00 to cover the entire expense.

ColorChoice™

QUILL.COM

National Recycling Trailers
LAWLESS WELDING, INC
430 W. STEVE WARNER DR
RUSSELL SPRINGS, KY 42642
270-886-6418
270-866-6566 fax
info@lawlesswelding.com

INVOICE 26012

DATE: 6/15/16
CUSTOMER ORDER NO.:
SALESPERSON: Karen Spencer
VIA:

TERMS: NET 30 1.5% PER MONTH ALL OVER 60 DAYS

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	Expanded Metal Baskets 48" Tall w/1 Fold down side	@225 ⁰⁰ each	1575.00
	Delivered to Spencer County Recycling		
			Exempt 1575.00

26012

Thank You

- On the motion of Esq. Rogers, seconded by Esq. Bayers, with all members of the Court present voting 'aye', it is hereby ordered to approve the expenditure of \$75.00 to purchase the expanded metal baskets requested by the Recycling Department.

7. County Clerk, bridge tolling.

The Clerk explained that she and several other County Clerks had met with Mr. Paul Mauer from the Transportation Cabinet for the purpose of discussing the implication of the planned bridge tolling which is expected to begin in late summer or early fall. The Clerk handed out information sheets to each Magistrate and the Judge and explained the ramifications to the Clerk's office should a driver neglect to pay for a toll charge in a timely manner. After 120 days, the violator would not be able to register his/her vehicle until the toll along with any fines were paid. The Clerk will bring forth more information as it becomes available.

8. Sheriff, radar quotes.

The Sheriff came before the Court to report that he needed an upgrade to his radar devices. One was a hand held model and the other was a mounted model. The hand held model cost \$695.00 and the mounted version cost \$1395.00 for a total of \$2090.00. He was asking the Court's approval to purchase the new radar devices.

- On the motion of Esq. Bayers, seconded by Esq. Judd, with all members of the Court present voting 'aye', it is hereby ordered to approve the purchase of two new radar devices for the Sheriff's Department for a total cost of \$2090.00.

9. Administrative Code.

The Judge stated that after a conversation with the County Clerk and that there were questions about the Code. The Judge said that everyone was aware of the Code and it was something that been talked about since "this group came into office" He went on to say that they knew that there were problems with the Code, and it was very, very difficult. He said that he had asked for help but had not got a whole lot of volunteers to help with the Code. At this point, Esq. Williams said that he was the Chairman of the committee to review the Code and he would like to call a meeting on Wednesday night at 7:00 pm to discuss the Code. Esq. Williams also said that he would like to call for a special meeting on Monday, June 27, to bring forth any recommendations the Committee had come up with. The Judge stated that he was awfully short in his office next week. He said he didn't mind calling a special meeting if that's what the Committee wanted to do. He asked if anyone on the committee had looked over the code and Esq. Williams answered in the affirmative. The Judge then stated who was on the committee. The Judge then said that thing about the Administrative Code was that it was an Ordinance, and that there were many things that some would think needed to be changed, but the problem was that every time something is seen that needs to be changed in the Code, the Court would have to pass an Ordinance to amend the Ordinance. That would mean having a first reading, then advertising the amendment and then having a second reading. He said it was not like it could be changed with a simple motion, second and vote. He said he wanted to avoid a lot of little changes and ordinances. Esq. Williams said that if the Committee could meet on Wednesday, the committee could bring forth changes on Monday at the special meeting. Bayers said that Wednesday would work for him since there was an Ethics committee meeting at 5:00 pm on Wednesday. Bayers went on to say that there would have to be changes to

the Administrative Code to accommodate the Ethics Code. The Judge stated that when you look at the Ethics Code, the entire Administrative Code was much more daunting. The Judge said the way the law reads, that Fiscal Court was charged with reviewing the Administrative Code in June. He said that they did not have to amend the Code. He said the Judge could propose changes at any time. He went on to say that he did not want the Magistrates felt that they had to “beat the clock” and do something in the month of June. Esq. Williams stated that the Magistrates might have some things that they want to do that the Judge would not want to recommend. Discussion continued until a meeting time of 6:00 pm on Wednesday, June 22, 2016 was decided on.

10. Road Department:

- a) equipment DOT ZI Pro

The Judge stated that this piece of equipment was useful for measuring roads.

- On the motion of Esq. Goodlett, seconded by Esq. Judd, with all members of the Court present voting ‘aye’, it is hereby ordered to approve the purchase of a DMI up to the price of \$650.00 for the Road Department.

- b) Fema projects to be bid and/or completed.

These are the Remaining projects to be completed. Foxlair , Wilder Rd. , Ten Mile are not included .

Spencer County FEMA Projects to be Completed

Disaster : FEMA – 4217 Love Ln.

Damaged Facility: Love Ln. CMP	48" X 30' CMP or ADS pipe	\$6,686.87
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Disaster : FEMA – 4217 Little Elk

Damaged Facility: Little Elk. CMP	36" X 20' RCP or ADS pipe	\$5,208.80
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Disaster : FEMA – 4217 Brashears Creek

Damaged Facility: Brashears Creek Rd.	2,490' of ditch line rock replacement	\$10,383.30
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Disaster : FEMA – 4239 Goose Creek Rd.

Damaged Facility: Goose Creek Embankment Failure		\$30,173.87
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Disaster : FEMA – 4239 Little Elk

Damaged Facility: Little Elk Embankment Failure		\$22,243.71
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Total	\$74,696.55
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EMERGENCY MANAGEMENT

100 Airport Road - Third Floor
Frankfort, KY 40601

Matthew G. Bevin
Governor

Michael E. Dossett
Director

*Wade Keel
29409.49*

(879) 34282

April 11, 2016

John Riley
SPENCER (COUNTY)
12 West Main Street
Taylorsville, KY 40071

RE: Award Notification
Disaster: FEMA-4217-DR-KY
Applicant ID #: 215-99215-00
Package #: 235
Project Worksheet (PW) #: 278



Dear John Riley:

Enclosed is a copy of the above referenced project worksheet (s) which the Federal Emergency Management Agency (FEMA) has approved and for which funds have been obligated. Additional funding information will be sent to you as other projects are approved.

Payment cannot occur until the following requirements are met.

- Work must be completed within the deadlines below or receive an extension approval.
- Applicants must adhere to all permit requirements as may be stipulated in the PW.
- Alternate and Improved projects must be approved by this office prior to the start of work.
- Once approved, Alternate and Improved PWs must be submitted to the Department for Local Government Clearinghouse
- Copies of all Clearinghouse replies must be submitted to this office at the above address.
- You must comply with all applicable historical and environmental preservation laws.

The funding shares for this declaration will be 75% Federal, 12% State and 13% Applicant. Payments for small projects under \$121,600.00 will be provided as soon as practicable. Large project disbursements will be determined on costs for which this office has received supporting documentation.

Please be advised that you are required by FEMA to complete work according to this schedule:
Emergency Work (Categories A and B) Completion Date: November 1, 2015
Permanent Work (Categories C thru G) Completion Date: November 1, 2016

If you foresee an inability to meet these deadlines, you may submit an extension request to this office. Your request must contain an explanation as to why the deadline is not obtainable and when you predict completion.

A written request for final inspection, which includes a summary of documentation, must also be submitted to this office for all completed large projects. After FEMA has completed all final inspections, you will receive a Project Completion and Certification Report (P4). You must sign and return the form, certifying the project was completed according to the FEMA scope of work requirements.

If you have any questions or require additional information, please contact me at 1-877-634-8175.

Sincerely,
Holly Keel
Holly Keel
Grant Specialist

Enclosure(s)

(bid)



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SPENCER COUNTY
F21 PG587

PA-04-KY-4217-PW-00276(0) P	
Applicant Name:	Application Title:
SPENCER (COUNTY)	SPCRG09 - Wilder Road Low Water Crossing
Period of Performance Start:	Period of Performance End:
05-01-2015	11-01-2016

Bundle Reference # (Amendment #)	Date Awarded
PA-04-KY-4217-PW-00276(235)	02-26-2016

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY
PROJECT WORKSHEET

DISASTER	PROJECT NO.	PA ID	DATE	CATEGORY
FEMA 4217 - DR - KY	SPCRG09	NO. 215-99215-00	11-02-2016	C
APPLICANT: SPENCER (COUNTY)		WORK COMPLETE AS OF: 10-01-2015 : 0 %		
Site 1 of 1				
DAMAGED FACILITY:		COUNTY: Spencer		
Wilder Road Low Water Crossing				
LOCATION:	LATITUDE:	LONGITUDE:		
PA-04-KY-4217-PW-00276(0); Wilder Road Low Water Crossing is located 35FT west of the intersection of Kentucky Highway 1392 at GPS Point: 37.95194, -85.36723.	37.95194	-85.36723		
Current Version:				
DAMAGE DESCRIPTION AND DIMENSIONS				
PA-04-KY-4217-PW-00276(0); During the incident period April 2nd thru April 17th, 2015, overland flooding and heavy flows eroded bedding materials and caused the partial collapse of the Wilder Road Low Water Crossing located 35FT west of the intersection of Kentucky Highway 1392 at GPS point 37.95194, -85.36723. Specifically, the overland flooding and heavy flows caused the following damages to the 18FT x 30FT x 5FT low water crossing.				
<ul style="list-style-type: none"> Caused the erosion of the low water crossing subgrade and final settling (crossing has sunk to base of waterway approximately eight inches) leaving an average area of loss measuring 18FT x 25FT x 0.5FT = 225/27 = 8.33CY Eroded the subbase under the reinforced concrete road surface in an area measuring 30FT x 18FT x 0.5FT = 270/27 = 10 x 1.44 = 14.4T Eroded the base under the reinforced concrete road surface in an area measuring 30FT x 18FT x 0.5FT = 270/27 = 10 x 1.44 = 14.4T Caused the collapse of the jointed reinforced concrete road surface measuring 30FT x 18FT x 0.5FT = 270/27 = 10CY Eroded rip rap on northwest abutment in an area measuring 8FT x 10FT x 3FT = 240/27 = 8.9CY Eroded rip rap on northeast abutment in an area measuring 8FT x 5FT x 3FT = 144/27 = 5.33CY 				
Current Version:				
SCOPE OF WORK:				
PA-04-KY-4217-PW-00276(0); WORK TO BE COMPLETED:				

The Applicant intends to utilize force account and/or contract services to complete the following:

- Set diversionary road measuring approximately 50FT x 10FT x 10FT = 5,000/27 = 185.19 x 1.44 = 266.67T
- Install and Remove 80LF of steel piling in conjunction with bypass pumping
- Anticipate bypass pumping for 4 days at 24 hours/day totaling 96 hours
- Install form liner at outlet side of facility measuring 30FT x 2FT = 60SF
- Bore total of 10 holes at 4FT deep for pumping of flowable fill for 40FT
- Pump flowable fill bores to fill an average area measuring 18FT x 25FT x 0.5FT = 225/27 = 8.33CY
- Excavate 30FT x 18FT x 0.5FT = 270/27 = 10CY of jointed reinforced concrete road surface and return to County Yard for recycle
- Replace eroded subbase in an area measuring 30FT x 18FT x 0.5FT = 270/27 = 10 x 1.44 = 14.4T
- Replace eroded base in an area measuring 30FT x 18FT x 0.5FT = 270/27 = 10 x 1.44 = 14.4T
- Install form liner for jointed reinforced concrete road surface measuring 30FT x 18FT = 540SF
- Replace jointed reinforced concrete road surface measuring 30FT x 18FT x 0.5FT = 270/27 = 10CY
- Remove diversionary road measuring approximately 50FT x 10FT x 10FT = 5,000/27 = 185.19CY and return to County Yard for recycle
- Replace rip rap on northwest abutment in an area measuring 8FT x 10FT x 3FT = 240/27 = 8.9CY
- Replace rip rap on northeast abutment in an area measuring 8FT x 8FT x 3FT = 144/27 = 5.33CY

Current Version:

Does the Scope of Work change the pre-disaster conditions at the site? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Special Considerations included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Hazard Mitigation proposal included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Is there insurance coverage on this facility? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
*** Version 0 ***					
Work To Be Completed					
1	9999	Crushed Stone/Earthen Fill	266.67/TON	\$ 21.64	\$ 5,770.74
2	9999	Piles - Steel HP12IN x 53IN	80/LF	\$ 47.74	\$ 3,819.20
3	9999	Bypass Pumping	96/HR	\$ 95.00	\$ 9,120.00
4	9999	Concrete Formliner	60/SF	\$ 7.50	\$ 450.00
5	9999	Bore Hard Paved	40/LF	\$ 60.00	\$ 2,400.00
6	9999	Flowable Fill	8.33/CY	\$ 130.08	\$ 1,083.57
7	9999	Remove Concrete Masonry	10/CY	\$ 388.56	\$ 3,885.60
8	9999	Crushed Stone Subbase	14.4/TON	\$ 24.15	\$ 347.76
9	9999	Crushed Stone Base	14.4/TON	\$ 22.48	\$ 323.71
10	9999	Concrete Formliner	540/SF	\$ 7.50	\$ 4,050.00
11	9999	Concrete Class AA	10/CY	\$ 574.44	\$ 5,744.40
12	9999	Excavation	185.19/CY	\$ 7.25	\$ 1,342.63
13	9999	Cyclopean Stone Rip Rap	8.9/TON	\$ 36.41	\$ 324.05
14	9999	Cyclopean Stone Rip Rap	5.33/TON	\$ 36.41	\$ 194.07
		Direct Subgrantee Admin Cost			

15	9901	Direct Administrative Costs (Subgrantee)	1/LS	\$ 553.76	\$ 553.76
				TOTAL COST	\$ 39,409.49
PREPARED BY Richard Goble Sr			TITLE Project Specialist	SIGNATURE	
APPLICANT REP John Riley			TITLE Judge Executive	SIGNATURE	



EMERGENCY MANAGEMENT

100 Airport Road - Third Floor
Frankfort, KY 40601

Matthew G. Bevin
Governor

Michael E. Dossett
Director

May 2, 2016

JOHN RILEY
SPENCER (COUNTY)
12 W. Main Street
Taylorsville, KY 40071

RE: Award Notification
Disaster: FEMA-4239-DR-KY
Applicant ID #: 215-99215-00
Package #: 146, 141, 139
Project Worksheet (PW) #: 170, 143, 217



Dear JOHN RILEY:

Enclosed is a copy of the above referenced project worksheet (s) which the Federal Emergency Management Agency (FEMA) has approved and for which funds have been obligated. Additional funding information will be sent to you as other projects are approved.

Payment cannot occur until the following requirements are met

- Work must be completed within the deadlines below or receive an extension approval.
- Applicants must adhere to all permit requirements as may be stipulated in the PW.
- Alternate and Improved projects must be approved by this office prior to the start of work.
- Once approved, Alternate and Improved PWs must be submitted to the Department for Local Government Clearinghouse.
- Copies of all Clearinghouse replies must be submitted to this office at the above address.
- You must comply with all applicable historical and environmental preservation laws.

The funding shares for this declaration will be 75% Federal, 12% State and 13% Applicant. Payments for small projects under \$121,600.00 will be provided as soon as practicable. Large project disbursements will be determined on costs for which this office has received supporting documentation.

Please be advised that you are required by FEMA to complete work according to this schedule:
Emergency Work (Categories A and B) Completion Date: February 12, 2016
Permanent Work (Categories C thru G) Completion Date: February 12, 2017

If you foresee an inability to meet these deadlines, you may submit an extension request to this office. Your request must contain an explanation as to why the deadline is not obtainable and when you predict completion.

A written request for final inspection, which includes a summary of documentation, must also be submitted to this office for all completed large projects. After FEMA has completed all final inspections, you will receive a Project Completion and Certification Report (P4). You must sign and return the form, certifying the project was completed according to the FEMA scope of work requirements.

If you have any questions or require additional information, please contact me at 1-877-834-8175.

Sincerely,


Karmen Hill
Grant Specialist

Enclosure(s)



KentuckyUnbridledSpirit.com

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Federal Emergency Management Agency E-Grants

Page 1 of 2

PA-04-KY-4239-PW-00217(0)	
Applicant Name	Application Title:
SPENCER (COUNTY)	SPCRG06 - Ten Mile Road
Period of Performance Start:	Period of Performance End:
08-12-2015	02-12-2017

6-27-15
K...-H

Bundle Reference # (Amendment #)	Date Awarded
PA-04-KY-4239-PW-00217(139)	04-21-2016

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 75%

FEDERAL EMERGENCY MANAGEMENT AGENCY
PROJECT WORKSHEET

DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY	
FEMA	4239	- DR -KY	SPCRG06	215-99215-00	01-14-2015	C
APPLICANT: SPENCER (COUNTY)				WORK COMPLETE AS OF:		
				12-01-2015 0%		
Site 1 of 1						
DAMAGED FACILITY:			COUNTY: Spencer			
Ten Mile Road						
LOCATION:		LATITUDE:	LONGITUDE:			
PA-04-KY-4239-PW-00217(0) Located 0.24 miles north of Kentucky Highway on Ten Mile Road beginning at GPS Point 38.02432, -85.20826 and traveling 130LF to GPS Point 38.02468, -85.20829		38.02432 38.02468	-85.20826 -85.20829			
Current Version:						
DAMAGE DESCRIPTION AND DIMENSIONS						
PA-04-KY-4239-PW-00217(0): During the incident period July 11th thru July 20th, 2015, overland flooding, heavy flows and an elevated water table eroded the subgrade/subbase undermining the asphalt road surface 0.24 miles north of Kentucky Highway on Ten Mile Road beginning at GPS Point 38.02432, -85.20826 and traveling 130LF to GPS Point 38.02468, -85.20829. The overland road surface, subgrade and subbase which encapsulate a French drain system installed in 2013 (French drain system was undamaged). Additionally, the armored embankment consisting of rip rap and gabion baskets within the Applicants 30FT right of way adjacent to the west side of the roadway suffered erosion in an area measuring an additional 130FT x 15FT x 5FT = 9,750/27 = 361.11CY. The armored embankment measuring an average of 130FT x 12FT x 2FT buckled to expose the existence of a cover-subsidence sinkhole as the event did not scour, but rather caused the settling of the embankment with the loss of earthen fill/clay subbase into the limestone bedrock.						
Current Version:						
SCOPE OF WORK						
PA-04-KY-4239-PW-00217(0): WORK TO BE COMPLETED:						
The Applicant intends to utilize force account resources and/or contract services, follow standard operating procedures by repairing the asphalt road surface with rail and cribbing by completing the following:						
<ul style="list-style-type: none"> Excavate an area measuring 130FT x 7FT x 10FT = 9,100/27 = 337.04CY Install 44 rail pilings at a length of 15FT each totaling 665LF Install 130FT x 10FT = 1,300SF of Cribbing - Top of Road to Bottom of Cribbing Install GeoTech Fabric in an area measuring 1,300SF/9 = 144.44SY Backfill an area measuring 130FT x 7FT x 3FT = 2,730/27 = 101.11CY Install Local Borrow/Subbase measuring 337.04CY less 101.11CY Granular Backfill = 235.93CY 						

<https://connect1.ilhs.gov/femmic/DanaInfo=sso.fema.net.SSL+internalIntegration?applicatio...> 5/7/2016

• Sawcut pavement 7FT + 130FT + 130FT = 267LF
 • Excavate asphalt roadway measuring 130FT x 7FT x 0.25 = 227.5/27 = 8.43CY
 • Install Road Subbase measuring 130FT x 7FT x 0.5FT = 455/27 = 16.85CY x 1.41 = 23.76T
 • Replace asphalt surface measuring 130FT x 7FT x 0.167FT = 151.97/27 = 5.63CY x 1.98 = 11.15T
 • Maintain and Traffic Control during permanent repairs

Additionally, the Applicant will repair the armored embankment by following good construction practices for addressing sinkholes within the Commonwealth of Kentucky by completing the following:

• Excavate retaining wall and subbase in an area measuring 130FT x 15FT x 5FT = 9,750/27 = 361.11CY
 • Backfill an area measuring 130FT x 15FT x 3FT = 5,850/27 = 216.67CY
 • Install 2FT wide retaining wall measuring 130FT x 2FT = 260SF

Current Version

Does the Scope of Work change the pre-disaster conditions at the site? Yes <input checked="" type="checkbox"/> No	Special Considerations included? Yes <input checked="" type="checkbox"/> No
Hazard Mitigation proposal included? Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? Yes <input checked="" type="checkbox"/> No

PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
*** Version 0 ***					
Work To Be Completed					
1	9888	Site 1 Ten Mile Road Work To Be Completed	1/LS	\$ 78,649.70	\$ 78,649.70
Direct Subgrantee Admin Cost					
2	9901	Direct Administrative Costs (Subgrantee)	1/LS	\$ 360.24	\$ 360.24
				TOTAL COST	\$ 79,009.94

PREPARED BY Richard Goble Sr	TITLE Project Specialist	SIGNATURE
APPLICANT REP John Riley	TITLE Judge Executive	SIGNATURE

- On the motion of Esq. Goodlett, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve up to \$75,000.00 to purchase materials to finish the FEMA projects listed above.
- On the motion of Esq. Rogers, seconded by Esq. Bayers, with all members of the Court present voting 'aye', it is hereby ordered to approve to advertise for bids for the Wilder Road project.
- On the motion of Esq. Goodlett, seconded by Esq. Judd, with all members of the Court present voting 'aye', it is hereby ordered to advertise for bids for the Ten Mile Road project.

GALLS. COMMODS, EQUIPMENT AND CREAT FOR POLICE

https://m.galls.com/CGMCCSRK/PAMODE=CHRG&PARTPG=

Item Details	Price	Qty	Total
 Streamlight Poly Tac C4 LED Flashlight SKU No: FL877 BLK COLOR: BLACK View/Edit Item In stock - usually ships same day	\$70.94 \$41.89	9 Remove	\$281.34
 Carmelback Omega Water Boat Reservoir SKU No: ZT153 100 OZ MISC: 100 MISC: OZ View/Edit Item In stock - usually ships same day	\$38.89	3 Remove	\$116.77

Savings: \$170.70 (92350001)
Subtotal: \$367.11 9 items

Promotional Code

Apply +

Shipping:

\$8.95 - Standard Ground

Subtotal
Before Tax: \$376.06
Estimate Tax (enter zip code)






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Full Site

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- On the motion of Esq. Judd, seconded by Esq. Bayers, with all members of the Court present voting 'aye', it is hereby ordered to expend up to \$400.00 for the purchase of flashlights and a water reservoir for the EMS Department.

I. OLD BUSINESS

- Clerk internet quotes.

The Clerk explained the proposal from Time Warner for a dedicated internet line in her office for remote camera viewing. Cost would be initial set up cost of \$150.00 plus monthly cost of \$129.00. The Clerk explained that the cost of this could come either out of the Technology Grant line item, or from office supplies. The Judge said there was also a proposal from AT&T. The Clerk said that both the Recycling Center and the Parks had remote viewing capability. The Judge said this was because of a better connection. The Judge said that "I don't know if I would advocate for a dedicated line to your facility so you could remotely view your camera." He also went on to say that there were people in the audience who were familiar with this type of system. A gentleman (possibly Mr. Barnett) came before the Court to suggest that the Clerk may want to try a system called "Ubiquiti Networks" He said that "you put it on the head end and it will transmit up to five miles, it's like \$85.00 per unit." The Judge questioned "would that be better than \$85.00 a month or \$129.99 a month/": The gentleman replied "are you kidding?" The Judge went on to say it was up to the Court, but he thought that" there needed to be a little more study on this, on what may be options. As you recall the fellow I had that was basically going to audit our IT systems, phone systems and all that and make recommendations. I know it was an \$1800.00 contract to do that, but I know that there was a way to do that to get you access remotely without a dedicated line. The guests who were speaking explained how Ubiquitis system worked. Discussion continued with the Judge again saying he thought more time was needed to study the issue.

- On the motion of Esq. Bayers, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve expending up to \$250.00 to obtain remote viewing access from the cameras in the Clerk's office.

2. election reconvas bill

The Clerk explained that while she was on vacation, a reconvas was called for in the Democratic Presidential primary election. As there was not a quorum present to conduct the reconvas, Mr. Hobert Judd agreed to step in and replace Mr. Hesselbrock on the County Board of Elections to assist with the reconvas. There was a question regarding Mr. Judd's ability to be compensated over and above his salary as a Magistrate. Opinions were sought both from DLG and the Ethic's Commission, and there did not seem to be a problem with Mr. Judd being compensated for his work for the County Board of Elections. The Clerk was requesting that Mr. Judd be compensated at the rate the other Board and Commissions members were being compensated at, which was \$60.00.

INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2016 pursuant to the Kentucky Interlocal Cooperation Act, KRS 65.210, et seq., by and between the Kentucky State Police and the Spencer County Fiscal Court and the City of Taylorsville; and the Taylorsville-Spencer County Fire Department; and the Mount Eden Fire Department, for the continued maintenance and operation of a Public Safety Answering Point (hereinafter "PSAP") to answer all Enhanced 911 calls originating from Spencer County, and all other governmental jurisdictions who are parties hereto, through the Enhanced 911 Emergency Service System (hereinafter "E-911") which has previously been established and shall continue to be used under this Agreement.

WITNESSETH:

WHEREAS, continued maintenance and operation of the E-911 system will greatly contribute to the public safety and will benefit the citizens of Spencer County and the other governmental jurisdictions who are parties to this agreement; and

WHEREAS, the successful maintenance and efficient operation of the E-911 system requires a PSAP equipped with modern equipment, operated continuously by trained personnel and housed in a secure facility; and

WHEREAS, it is cost prohibitive and duplicative of effort and impractical for any of the governmental entities who are parties to this agreement to maintain separate PSAPs; and

WHEREAS, the Kentucky State Police and the Spencer County Fiscal Court and the City of Taylorsville; and the Taylorsville-Spencer County Fire Department; and the Mount Eden Fire Department have previously determined that it is mutually advantageous and beneficial to combine resources and to enter into a cooperative agreement for the establishment of a PSAP-E-911 Answering System at Kentucky State Police Post 12-Frankfort and now all the same entities desire to renew their previous Interlocal cooperation agreement.

NOW THEREFORE, the parties hereto, acting through their respective chief executive officers, and pursuant to authority granted to said chief executive officers of the governmental entities by enacting ordinances, agree as follows:

The 911 Advisory Committee

The previously established 911 Advisory Committee shall henceforth consist of the Commander of Kentucky State Police Post 12-Frankfort or his/her designee; the Spencer County Judge/Executive or his/her designee; the Mayor of Taylorsville or his/her designee; the Chief of the Mount Eden Fire Department or his/her designee; the Chief of the Taylorsville-Spencer County Fire Department or his/her designee; the Chief of the Spencer County EMS/EMA or his/her designee; the Spencer County Sheriff or his/her designee; the Chief of the Taylorsville Police Department or his/her designee; and one Representative from the Kentucky Department of Fish and Wildlife . The 911 Advisory Committee shall elect a Chairman and Vice Chairman annually, and such other officers as the Committee shall determine are appropriate to the functions of the Committee.

The 911 Advisory Committee shall meet at least quarterly or upon the call of the Chairman or upon the call of a majority of the members, by at least 24 hour notification to each member of the Committee. The 911 Advisory Committee shall be advised at each meeting by the Communications Supervisor of all significant plans and events.

The 911 Advisory Committee may inspect the PSAP facility to observe PSAP operations. The 911 Advisory Committee, acting through its Chairman, may inquire of the Commander of Kentucky State Police Post 12-Frankfort as to any aspect of the PSAP operations and shall be entitled to a response, in writing if so requested, within a reasonable time. The 911 Advisory Committee shall establish its own rules for procedures and conduct of its meetings or other business not set forth in this Agreement.

The 911 Advisory Committee shall have access to all PSAP telephone records and shall maintain confidentiality as to any records or portions thereof that would reveal any unlisted telephone numbers or records that have been classified by the Communications Supervisor as confidential. The parties hereto and the Kentucky State Police agree to mutually share information collected through and processing 911 emergency calls for Spencer County

Four members of the 911 Advisory Committee shall constitute a quorum for resolution of disputes or any other business. Bylaws may be adopted by the 911 Advisory Committee to provide for the governance and orderly administration of the 911 Advisory Committee.

ESTABLISHMENT AND OPERATION OF THE PSAP

The Kentucky State Police Post 12-Frankfort has already established and shall continue to maintain and operate a PSAP that will answer all E-911 calls originating from Spencer County and the City of Taylorsville. The Kentucky State Police Post 12-Frankfort, through the PSAP, shall be responsible for routing calls immediately to the appropriate police, fire, ambulance or other emergency service providers for immediate response. The PSAP shall be under the administration and operational control of the Kentucky State Police. The Kentucky State Police shall select the Communications Supervisor.

The Kentucky State Police shall have the authority for the operation of the PSAP. The Kentucky State Police shall manage and direct the operations and administration of the PSAP in the same manner and to the same extent that other organizational components of the Kentucky State Police are managed and directed. Operation of the PSAP shall be conducted by established Kentucky State Police Policy and Procedures and Standard Operation Procedures to be developed in conjunction with local public safety agencies. The same technology and procedures that are used by the PSAP to dispatch to their own Kentucky State Police Troopers and other personnel shall also be utilized to dispatch to all other emergency service providers serving the governmental entities that are parties to this Agreement.

EQUIPMENT, SUPPLIES AND FACILITIES

The Kentucky State Police is hereby granted the authority to review and approve all telephone services and equipment necessary for establishment and operation of the PSAP from funds received from the subscriber fees, as set forth in this Agreement.

All additional purchases from said funds shall be for the purposes solely dedicated to the establishment and operation of the E-911 Emergency Services System established by this Agreement. The Kentucky State Police shall hold title to all equipment purchased from said funds. The Kentucky State Police will provide all equipment, supplies and facilities for the said PSAP. Henceforth, Spencer County and the City of Taylorsville, will only provide in county radio systems, including, but not limited to, repeater systems, mobile radios, pagers, weather warning systems and handheld radios.

PERSONNEL

The Kentucky State Police shall be solely responsible to hire, pay, train, supervise and discipline all personnel necessary for the operation of the PSAP located at Kentucky State Police Post 12-Frankfort, pursuant to the provisions of Chapter 18A of the Kentucky Revised Statutes and administrative regulations promulgated pursuant to said Chapter. All personnel so employed shall be state employees and members of the classified service and the Kentucky State Employees Retirement System. Spencer County and the City of Taylorsville shall have no authority or input into the hiring, training, supervision or discipline of any personnel hired by the Kentucky State Police to work at the PSAP at Kentucky State Police Post 12-Frankfort. The costs associated with the employment of said personnel shall be reimbursed to Kentucky State Police from the trust fund established hereunder for maintenance and operation of the PSAP and E-911 system.

AUTHORIZING ORDINANCE

As an essential condition precedent to the validity of this Agreement, Spencer County has already enacted an ordinance to authorize, approve and establish an E-911 system. To the extent that that said ordinance has a termination date, Spencer County shall re-enact the said ordinance or enact a new ordinance to provide for the continued maintenance and operation of the said PSAP. The previous ordinance authorized collection of a surcharge from each subscriber by the local telephone company and the payment of the funds from said surcharge into a special trust account for payment of expenses for the E-911 system authorized by the said ordinance and any re-enactment or new authorizing ordinance may provide for the same type of surcharge. The previous ordinance and any re-enactment of an ordinance for the maintenance and operation of the PSAP shall comply with applicable Kentucky Revised Statutes and shall be in a form acceptable to the local telephone company.

As an essential condition precedent to the validity of this Agreement, each of the City of Taylorsville shall likewise enact a city ordinance to authorize, approve and maintain the operation of an E-911 system. To the extent that any of the said city ordinances has a termination date, each said city shall re-enact their city ordinance or enact a new ordinance to provide for the continued maintenance and operation of the said PSAP. To the extent that any of the said city ordinances authorized collection of a surcharge to each subscriber by the local telephone company and payment of the funds into a special trust account for payment of

expenses for the E-911 system authorized by said city ordinances, the same shall continue if re-enacted or made a part of a new city ordinance. Any city ordinance for the maintenance and operation of the PSAP shall comply with the applicable Kentucky Revised Statutes and shall be in a form acceptable to the local telephone company.

GEOGRAPHICAL INFORMATION

Spencer County and the City of Taylorsville shall furnish to the local telephone companies and to the Kentucky State Police unique street addresses, Emergency Service Numbers (ESNs), and community names for all subscribers and all specific premises, cell towers and real estate parcels within the jurisdiction of each governmental entity. All parties shall also provide the Kentucky State Police with available geographic information such as net structure locations; new road locations; centerline data; community boundaries; fire, law enforcement and ambulance district or jurisdictional boundaries. Furnished information shall be in a form acceptable to the local telephone company and the Kentucky State Police.

FUNDING AND FISCAL ADMINISTRATION

The Kentucky State Police shall provide E-911 dispatching services for SPENCER County and the City of TAYLORSVILLE; and the TAYLORSVILLE-SPENCER COUNTY FIRE Department; and the MOUNT EDEN FIRE Department for the sum of **NINETY EIGHT THOUSAND, FOUR HUNDRED AND FIFTY DOLLARS (\$98,450.00)** per fiscal year beginning July 1, 2016 to be paid on a quarterly basis by the Spencer County Fiscal Court. This amount shall be reviewed annually thereafter by the parties.

INDEMNIFICATION

It is expressly understood and agreed by all parties hereto that the execution of this Agreement does not alter or constitute a waiver in whole or in part of any of the privileges and immunities otherwise enjoyed by any of the governmental entities that are parties hereto. Each party hereto agrees to hold harmless and indemnify any officer, agent or employee of Spencer County or the City of Taylorsville from any claims resulting from negligence or other wrongful acts.

ACCEPTANCE OF OTHER LOCAL GOVERNMENTS

WHO ENTER INTO THIS AGREEMENT

The parties hereto mutually agree that other governmental entities who are not now parties to this Agreement may enter into a cooperative agreement at any time with the Kentucky State Police for the establishment, maintenance and operation of a PSAP at any Kentucky State Police Post without any effect on the parties to this Agreement.

DURATION

The duration of this Agreement shall be two (2) years. The Kentucky State Police or any governmental entity that is a party hereto may withdraw from this Agreement upon giving thirty (30) days written notice to all other parties hereto. This Agreement may also be dissolved in its entirety by mutual agreement of all parties with an effective date thirty (30) days after the agreement has been reached to dissolve the Agreement.

**CONTINUATION OF PRIOR AGREEMENT UNTIL
THIS AGREEMENT HAS BEEN FULLY EXECUTED**

Whereas, the parties hereto have been operating under a prior agreement entered into in 2012, until such time as this Agreement has been fully executed and is operational as set out herein, the parties shall continue to operate under the Agreement entered into in 2012. In this situation, the Kentucky State Police shall continue to maintain and operate the PSAP already established and provide E-911 to the governmental entities that were parties to the 2012 agreement and each governmental entity shall continue to fulfill all of its obligations, including payment to the Kentucky State Police as required by the 2012 agreement.

EXECUTION AND DELIVERY

This agreement shall be valid and binding on all parties ONLY when all of the following acts have occurred.

- 1.) Execution by the Commissioner of the Kentucky State Police;
- 2.) Execution by the County Judge/Executive that is party to this Agreement as authorized by their Fiscal Court pursuant to a duly enacted authorizing ordinance;
- 3.) Execution by the Mayor of the Municipality that is party to this Agreement as authorized by their City Council pursuant to a duly enacted authorizing ordinance;
- 4.) Execution by the Chairman of the Board of Taylorsville-Spencer County Fire Department;
- 5.) Executive by the Chairman of the Board of the Mount Eden Fire Department;
- 6.) Approval by the Attorney General of the Commonwealth of Kentucky as required by KRS 65.210;
- 7.) Filing of attested copies with the Secretary of State, Commonwealth of Kentucky and the COUNTY Clerk of Spencer County as required by KRS 65.290.

IN WITNESS WHEREOF, the undersigned have set their hands to this Agreement pursuant to the laws of the Commonwealth of Kentucky and the county ordinances enacted authorizing this Agreement.

Commissioner, Kentucky State Police

Spencer County Judge/Executive

Mayor, City of Taylorsville

Chairman, Taylorsville-Spencer County Fire

Chairman, Mount Eden Fire

Approved as to content and applicability pursuant to KRS 65.260, this _____ day of _____, 2016.

Attorney General, Commonwealth of Kentucky

There was discussion on the agreement with the State Police. Esq. Williams said that he would be voting "no" on the agreement because he had concerns that KSP was not dispatching all calls to the Sheriff. Esq. Bayers and Judd agreed. Esq. Judd said that he would like to have a representative from KSP come before the Court to answer their questions.

- Motion made by Esq. Goodlett, seconded by Esq. Rogers to allow the Judge to execute the agreement with the KSP. 'Nays' were Esq. Bayers, Judd and Williams. 'Ayes' were Judge Riley, Esq. Goodlett and Rogers. Motion fails.

4. Materials bids

2016/2017 BID PRICE SHEET BREAKDOWN

Liquid Emulsions, priced per gallon

	Marathon Petroleum		Hudson Materials		Asphalt Materials		delivered	Plant Pickup
	delivered	FOB (Louisville)	delivered		delivered	Plant Pickup		
RS-2	1.69	1.63	2.20		1.82	1.75		
AE-90	1.69	1.63			1.82	1.75		
HFMS-2	1.69	1.63						
AE-200	1.84	1.78	2.35		2.20			
Enviro			3.40					
Pugmill			0.30					
SS-1h					1.82	1.75		
HFRS-2					1.84	1.77		

*subject to KAPI *subject to KAPI *subject to KAPI *subject to KAPI

Asphalt, priced per ton

	Mago			Shelbyville Asphalt		Louisville Paving
	Bardstown	Shepherdsville	Tyrone	Shelbyville	Louisville	
base, laid countywide	54.25					92.00
surface, laid countywide	58.00					92.00
base, FOB Plant	45.50	41.50	46.50	47.00		60.00
surface, FOB Plant	49.50	44.00	49.50	50.00		60.00
per mobilization						

*subject to KAP *subject to KAP *subject to KAP *subject to KAP *subject to KAP *subject to KAPI

Propane, priced per gallon

	Bennett's	Greenwell
	1.439	1.699
+35tankset		
+3/ft line		
+17tankrent		

FUEL, priced per gallon

A&M Oil Company
delivered
Hwy Diesel
Off-Road Diesel

Stone, priced per ton

	Haydon Material		haul fee*	haul fee*
	Bardstown	haul fee*		
#8s	11.20	5.05		
#8 Stone Washed				
#2s	9.50	5.05		
#3s				
Surge 6" Minus	8.60	5.05		
#57s	10.90	5.05		
DGA	8.75	5.05		
Pugged DGA				
Commercial DGA	6.95	5.05		
Commercial #610s				
Channel Lining II	11.95			
Channel Lining III	14.95			
Class II Rip Rap				
Crusher Run				
610 1 1/2-3/8				

*delivery to 843 Fairgrounds Rd

- On the motion of Esq. Bayers, seconded by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered to award the asphalt bid to Mago.
- On the motion of Esq. Bayers, seconded by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered to award the stone bid to Haydon Material.
- On the motion of Esq. Bayers, second by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered to award the liquid emulsions to Marathon Oil.

J. NEW BUSINESS

1. County road aid agreement and resolution.

COUNTY ROAD AID COOPERATIVE
PROGRAM AGREEMENT

THIS AGREEMENT, entered into as of the date of the signature below of the Secretary of the Transportation Cabinet, is made by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid ("the Department"), and the Fiscal Court of SPENCER County, Kentucky (the "County").

WHEREAS, Kentucky Revised Statutes (KRS) § 177.320(2) provides that 18.3% of revenue resulting from the imposition of motor fuel taxes on taxpayers pursuant to KRS § 138.220(1)(2), KRS § 138.660(1)(2), and KRS § 234.320 shall be set aside for the construction, reconstruction, and maintenance of county roads and bridges provided by KRS 179.410 and 179.415, ("County Road Aid Funds"), and

WHEREAS, the County has accepted an invitation from the Department to allow it to participate in a cooperative program to aid the County in the construction, reconstruction, and maintenance of certain roads and bridges using its share of the County Road Aid Funds apportioned to it by the Department as provided below (the "Cooperative Program"), and

NOW THEREFORE, in consideration of the terms and conditions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Department and the County agree as follows:

1. Apportionment of County Road Aid Funds. The County's apportionment of County Road Aid Funds shall be based on revenue estimates supplied by the Office of State Budget Director. For the Fiscal Year beginning July 1, 2016, this amount is **\$838,931.19** (the "Apportionment"). The Apportionment shall be distributed by the Department to the County in accordance with the terms of this Agreement.

2. Assignment of the Apportionment. The County hereby assigns all of its right, title and interest in and to the Apportionment to the Transportation Cabinet's Division of Accounts for Fiscal Year 2017.

3. Distribution of County Road Aid Funds. The County and the Department agree that the Apportionment shall be distributed by the Department to the County as follows:

a. First Distribution. The Department shall initially distribute to the County sixty percent (60%) of the Apportionment, less three percent (3%) of the Apportionment set aside for the emergency fund below. This initial amount is **\$488,258.00**

b. Second Distribution. The Department shall distribute up to and including an additional thirty-five percent (35%) of the Apportionment to the County, less three percent (3%) of the Apportionment set aside for the emergency fund below. The amount of the second distribution will depend on how actual revenues compare to revenue estimates.

c. Final Distribution. The Department shall allocate and distribute the remaining balance of the Apportionment, less three percent (3%) set aside for the emergency fund below. The Final Distribution shall be based on actual revenues tabulated after the end of the fiscal year (June 30).

4. Emergency Fund. The County agrees that three percent (3%) of the Apportionment shall be withheld by the Department in an emergency fund (the "Emergency Fund"). The Emergency Fund shall include three percent (3%) of the total apportionments of all participants in the Cooperative Program, plus any remaining balances from previous fiscal years. The Department, upon written application from a duly authorized representative of the County, may disburse these funds to the County for the purpose of it using said funds for emergency roadway and bridge projects designated by the County. If the actual cost of an emergency project

is less than the amount of Emergency Funds disbursed by the Department, then the County shall reimburse the difference to the Department.

5. Disbursement of Funds. Upon execution of this Agreement, the Department will disburse the foregoing allocated funds directly to the County to pay for materials, labor and equipment necessary for the County to accomplish construction, reconstruction, and maintenance on county roads designated by the County. This assistance is extended insofar as funds are available from the Apportionment. The County shall be responsible for all costs associated with the construction, reconstruction and maintenance of roadways and bridges in excess of the amount of the Apportionment allocated and disbursed by the Department to the County. The Department may assist the County in fulfilling its needs by disbursing funds to the County for materials and work performed by contract, for materials obtained by contract and for the rental or purchase of road maintenance and construction equipment. Any rental rates shall be based on current edition of the "Blue Book for Rental of Equipment" or the Department's official rental rates. The Department may also disburse funds to the County for the hourly rate for personnel who perform the work. This rate may include employee fringe benefits such as leave overlay, retirement, social security, insurance, etc.

6. Use of County Road Aid Funds. The County agrees and certifies that the Apportionment will be expended by the County solely for the purpose of construction, reconstruction, and maintenance of county roads as defined in KRS § 178.010(1)(b).

7. Rights of Way. The County, if required under applicable law, will acquire any rights-of-way contemplated under this Agreement and assumes responsibility for any claims for damages arising from such acquisitions.

8. Indemnification. The County shall fully indemnify, hold harmless and defend the Department from and against all claims, actions, suits, demands, damages, liabilities, obligations, losses, settlements, judgments, costs and expenses (including without limitation reasonable attorney's fees and costs), whether or not involving a third party claim, which arise out of, relate to or result from (a) any breach of any representation or warranty of the County contained in this Agreement, (b) any breach of any covenant or other obligation or duty of the County under this Agreement or under applicable law, in each case whether or not caused by the negligence of the Department and whether or not the relevant claim has merit.

9. Reimbursement of Losses. The County will reimburse the Department for losses it may sustain arising out of performance of this Agreement. Such loss as sustained by the Department may be charged to the Apportionment in this or future fiscal years.

10. Termination of Agreement. The Department reserves the right to cancel this Agreement at any time deemed to be in the best interest of the Department by giving thirty (30) days written notice of such cancellation to the County. If this Agreement is canceled under this provision, then the County will receive any unpaid portion of the Apportionment from the Department for Local Government.

11. Access to Records. The County acknowledges and agrees that pursuant to KRS § 179.415(3) it shall retain all records of the expenditures of the Apportionment for a period of five (5) years and said records, including any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement [records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent and shall be exempt from disclosure as provided in KRS 61.878(1)(c)], shall be subject to audit by the Department for Local Government or its duly authorized agent and made accessible by the County


to the Department for Local Government or its duly authorized agent for said period of time in order to determine the proper expenditure of said money for the purposes required by KRS § 177.320(2). The County also recognizes that any books, documents, papers, records, or other evidence received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS § 61.870 to KRS § 61.884.

12. Authorization. The Fiscal Court of the County shall pass a resolution adopting and approving the terms of this Agreement in the form of the resolution attached to this Agreement and made a part hereof. The County Judge/Executive of the County, and the Commissioner of the Department, or their authorized representatives, insofar as their actions are in accord with the laws of the Commonwealth of Kentucky, shall act for their respective parties on all matters arising under this Agreement.

13. Choice of Law and Venue. All questions as to the execution, validity, interpretation, construction and performance of this Agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this Agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the
dates listed below.

SPENCER COUNTY FISCAL COURT

BY:  Scott Richey
County Judge/Executive

Date: 6-24-16

DEPARTMENT OF RURAL AND MUNICIPAL AID
OFFICE OF RURAL & SECONDARY ROADS

BY: _____
Commissioner

Date: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
Office of Legal Services

Date: _____

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

BY: _____

Date: _____

Secretary

R E S O L U T I O N

Fiscal Court of SPENCER County

Resolution adopting and approving the execution of a County Road Aid Coop Program Contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, for the fiscal year beginning July 1, 2016, as provided in the Kentucky Revised Statutes and accepting all roads and streets referred to therein as being a part of the County Road System.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby accept all roads and streets referred to in said contract as being a part of the County Road System; and

The Fiscal Court does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Contract and does hereby accept said Contract and by such acceptance agrees to all the terms and conditions therein stated; and

The County Judge/Executive of the county is hereby authorized and directed to sign said Contract as set forth on behalf of the Fiscal Court of SPENCER County, and the County

Clerk of SPENCER County is hereby authorized and directed to
certify thereto.

The vote taken on said Resolution, the result being as follows:

<u>AYES</u>	<u>NAYS</u>
<u>Esg. Judd</u>	<u>None</u>
<u>Esg. Williams</u>	
<u>Esg. Goodlett</u>	
<u>Judge Riley</u>	
<u>Esg. Bayers</u>	
<u>Esg. Roger</u>	

COMMONWEALTH OF KENTUCKY) SS SPENCER)

I, Lynn Hessebrook, County Clerk of
SPENCER County certify that the foregoing is a true copy of the
Order
above. Given under my hand and seal of office this the 28th day
of June, 2016.

SIGNED Lynn Hessebrook
CLERK OF SPENCER COUNTY

- On the motion of Esq. Bayers, seconded by Esq. Judd, with all members of the Court present voting 'aye', it is hereby ordered to approve the County Road Aid Cooperative Program Agreement.
2. fire department affiliation agreement.

11

**ORDER OF AFFILIATION
SPENCER COUNTY
EXECUTIVE ORDER # _____**

The purpose of this order is to outline the responsibilities of the Spencer County Fiscal Court and Spencer County Fire & Rescue

The Spencer County Fire & Rescue is the only officially recognized search & rescue squad in Spencer County. By virtue of this order, they are officially affiliated with the Spencer County Fiscal Court and Spencer County Emergency Management Agency.

The Spencer County Fire & Rescue shall serve the citizens of Spencer County providing fully trained and equipped personnel who will take the lead role in the following types of missions:

- (1) Ground search rescue and,
- (2) Rough terrain rescue and,
- (3) Evacuate residents in emergency situations and,
- (4) Swift water rescue and,
- (5) Recovery of drowning victims and,
- (6) Elevator rescue and,
- (7) Aircraft rescue and,
- (8) Farm rescue and,
- (9) Hazardous materials and,
- (10) Removal of victims trapped in vehicles or structures and,
- (11) In bad weather place spotters when personnel is available.
- (12) Search for lost or missing persons or impaired persons

The Spencer County Fire & Rescue will respond and assist, but not take the lead role in, to other agencies and departments upon request with the following types of missions:

- (1) Cave rescue and
- (2) Assist emergency medical services with first aid and,
- (3) Assist all law enforcement in providing traffic control and,
- (4) Assist the coroner or his deputy in the recovery of corpse if not accessible by ambulance or hearse at their request and,
- (5) If personnel and equipment is available, will assist in heavy snow emergency, transport of doctors, nurse, etc. to work or to deliver critically needed medications.

The Spencer County Fire & Rescue will not respond to the following types of missions:

- (1) Search for criminals and,
- (2) Rescue in hostage situations and,
- (3) Any rescue attempt request deemed "too dangerous" by Spencer County Fire & Rescue officer in charge if properly trained personnel are unavailable for the rescue attempt.

The Spencer County Fire & Rescue may be called to respond by any of the following services or agencies:

- (1) Spencer County Judge Executive
- (2) Spencer County Emergency Management Agency Director
- (3) Spencer County SAR Coordinator
- (4) Kentucky Emergency Management Area Manger
- (5) State SAR Coordinator
- (6) Division of Emergency Management

The Kentucky State Police Post 12 dispatch center will page out the Spencer County Fire & Rescue on any incident when any assistance is requested. If there is a question on the validity of the request, the dispatch center shall verify the request with the Chief or Assistant Chief of the Spencer County Fire & Rescue.

In all counties declared states of emergencies, the Spencer County Fire & Rescue will fall under the direction and control of the Spencer County Emergency Management Agency and/or the Spencer County Judge Executive. The Spencer County Fire & Rescue shall operate under their own chain of command during the state of emergency.

This affiliation agreement does not influence the organizational by-laws, standard operating procedures, or other powers of the Spencer County Fire & Rescue's incident command system except during a declared emergency.

The Spencer County Fire & Rescue shall maintain their equipment and property and shall be accountable for all equipment through an annual inventory, which will be submitted to the Director of the Spencer County Emergency Management Agency upon request.

The Spencer County Fire Protection District Board of Trustees shall be responsible for the fiscal accountability for all funds if money is donated by the county or other outside sources. The Spencer County Fire & Rescue shall not charge for any of their services.

The Spencer County Fiscal Court may appropriate a yearly allocation in the county budget to cover cost of operational expenses by the Spencer County Fire & Rescue.

The responsibilities of all parties to this order of affiliation shall conform to those responsibilities as provided in KRS Chapter 39F. This agreement does not affect any duties or operations of KRS Chapter 75 fire protection district.

This order of affiliation can be updated, modified, amended, or cancelled upon consent of the parties concerned. If a vacancy should occur in any of the positions on this order, the order will remain in effect for 30 days while the order is renegotiated.

The effective date of this order of affiliation shall be for one year. It shall remain in effect for one year from the signing date at which time the order of affiliation may be renegotiated, updated, modified or cancelled.

This affiliation agreement was approved and adopted by the Spencer County Fiscal Court on 6/22/16.

All other written agreements of affiliation are null and void upon effective date of this order.

[Signature]
Spencer County Judge Executive

Date: 6-22-16

[Signature]
Director, Spencer County Emergency Management

Date: 6/24/16

[Signature]
Chairman, Spencer County Fire District

Date: 6-16-16

[Signature]
Chief, Spencer County Fire & Rescue

Date: 6-15-2016

- On the motion of Esq. Judd, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve the Order of Affiliation Spencer County Executive Order #___.
3. floodwall agreement addendum.

**ANNUAL RENEWAL ADDENDUM
TO THE JUNE 24, 2015 INTERLOCAL COOPERATION AGREEMENT
between the City of Taylorsville, the County of Spencer and the
Spencer County Levee, Flood Control and Drainage District No. 1**

Pursuant to Addendum signed by the parties in September of 2015, and in compliance with the Kentucky Constitution section 157B, KRS 91A.030(8)(b)(City) and KRS 68.110(1) and KRS 68.320(County) this agreement is conditioned upon being renewed each fiscal year upon the funds being available by each entity herein.

THEREFORE, the below parties acknowledge funds are available and have been budgeted to carry out the terms and provisions of the Interlocal Cooperation Agreement and the parties herein agree to continue said the Interlocal Cooperation Agreement dated June 24, 2015, for the next fiscal year.

CITY OF TAYLORSVILLE

By: _____
Don Pay, Mayor

Dated: _____

Attested By: _____
Steve Biven, City Clerk

COUNTY OF SPENCER, KENTUCKY

By: _____
John Wiley, Judge Executive

Dated: 6-24-16

Attested By: _____
Lynn Hesselbrock, County Clerk

By: _____
Mike Driscoll, President

Dated: _____

Attested By: _____
Secretary

COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

By: _____

Dated: _____

PREPARED BY:

John D. Dale, Jr.
Attorney at Law
P. O. Box 494
Taylorsville, KY 40071
(502) 477-2296

- On the motion of Esq. Williams, seconded by Eq. Bayers, with all members of the Court present voting 'aye', it is hereby ordered to approve the Annual Renewal Addendum with the Floodwall District.

4. 911 Ordinance proposal

SPENCER COUNTY FISCAL COURT
SPENCER COUNTY, KENTUCKY

ORDINANCE _____

AN ORDINANCE OF THE SPENCER COUNTY FISCAL COURT ESTABLISHING A SERVICE FEE FOR
ENHANCED 911 EMERGENCY DISPATCH SERVICES TO OWNERS OF REAL PROPERTY IN SPENCER
COUNTY, KENTUCKY

WHEREAS, Spencer County Fiscal Court as a function of state government and pursuant to KRS 67.083 enjoys the authority and necessary latitude and flexibility to provide and finance various governmental services within broad functional area specified in the same statute; and

WHEREAS, the establishment, maintenance, and operation of the Spencer County 911 Service is an essential public safety service used by residents of Spencer County as well as workers and travelers while situated in the County; and

WHEREAS, Spencer County Fiscal Court has determined that the current 911 service fee (E 911 service fee) of \$1.84 per telephone landline per month as imposed by the county is inadequate to continue to provide reliable, quality emergency communications services due to the replacement of telephone lines by wireless telephones and other technologies; and

WHEREAS, Spencer County Fiscal Court has determined that KRS 65.760 provides for alternative methods of funding the operation of enhanced 911 emergency services; and

WHEREAS, Spencer County Fiscal Court has determined that a 911 service fee imposed on each individual residential unit and each individual commercial unit will result in a more fair distribution of the burden of funding this service and create a more stable funding source; and

WHEREAS, the 911 service fee imposed on residential and commercial units is intended to replace the current 911 service fee on telephone landlines and the current 911 service fee is to be repealed concurrently with imposition of the new 911 service fee; and

WHEREAS, the 911 service fee imposed on residential and commercial units will generate approximately the same revenue that was projected to be received from the telephone line fees, thus being revenue neutral; and

WHEREAS, Spencer County Fiscal Court has the authority to set penalties for the failure to abide by the terms of its Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of Spencer County the following:

COLLECTION OF 911 SERVICE FEE

- (A) For the purposes of this ordinance, a 911 service fee shall be defined as an annual fee of \$18.00 imposed upon each occupied individual residential unit and each occupied individual commercial unit located upon each parcel of real property located within the County of Spencer, as determined from the records of the Spencer County Property Valuation Administrator's Office. A residential unit shall be defined as a principal residential space occupied or designed for occupancy for residential purposes. A commercial unit shall be defined as a principal non-residential building space of any size occupied or designed for occupancy by an individual non-residential business or public or private enterprise. A unit occupied as of November 1 shall be deemed not occupied. A unit not occupied as of November 1 shall be deemed not occupied and shall not be subject to the 911 service fee.
- (B) The 911 service fees collected shall be used for the delivery of Enhanced 911 emergency telephone service. As provided for by KRS 65.760.
- (C) The 911 service fee shall be placed upon the Spencer County ad valorem property tax bills prepared by the Spencer County Clerk, pursuant to KRS 133.220(2) for the year beginning January 1, _____ and continuing every year thereafter.
- (D) For the year beginning January 1, _____ only, owners of all occupied rental units shall be eligible to claim a credit of \$9.00 per unit against the annual fee due. This credit, which is the equivalent a 6-months share of the fee, is granted to allow owners of rental property additional time to fully recover the amount of the fee from tenants. In subsequent years, the full amount of the annual 911 service fee shall be paid for all occupied units.
- (E) The fiscal court shall by resolution appoint an Appeals Board to consider and resolve any claims of incorrect determination of occupied individual residential units or occupied individual commercial units.
- (F) All 911 service fees shall be collected by the Spencer County Sheriff and transferred to the Spencer County Fiscal Court on a timely basis, as determined by the Judge/Executive pursuant to Executive Order. The County Clerk and Sheriff shall each be entitled to a 1% fee to defray the actual costs of collection and disbursement of 911 service fees.
- (G) The failure of any real property owner to pay the 911 service fee as set forth in this ordinance shall be punishable as a Class A misdemeanor.

The provisions of this Ordinance are severable, and the invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

This ordinance shall take effect and be in full force from and after its passage, publication and recording, according to law.

Presented for first reading on the _____ day of _____, _____
 Passed and adopted at the second reading on the _____ day of _____, _____

Spencer County 911 Funding

6,707-Residential Property

338-Commerical Property

7,045 Total Properties

Current \$1.84 per month = \$22.08 per year**\$22.08 X 7,045= \$155,553.60**

Proposed \$18.00 annual fee**\$18.00 X 7,045= \$126,810**

John Riley, Judge/Executive

Lynn Hesselbrock, Fiscal Court Clerk

Discussion ensued regarding this ordinance. Magistrate Williams contended that the amount raised with the fee was excessive. Discussion continued as to how the fee would be collected with the other property taxes and what the cost of collection might be. The Court was not ready to take action and the Judge said that he would not bring the subject again until the Court asked him to do so.

Discussion ensued regarding the amount of money that would be generated by this fee. Esq. Williams thought the amount was excessive. Members of the Court asked the Sheriff and Clerk the cost of collecting the extra fee. It was unknown at the time. There was discussion if the fee would be prorated. No action taken on this item.

5. KIPDA resolution. Regional Mitigation Plan

Spencer County, Kentucky
Resolution No. 9
Fiscal Year 2016 Series

Resolution of Adoption of the KIPDA Regional Hazard Mitigation Plan

WHEREAS, certain areas of the City of Taylorsville and Spencer County Kentucky are subject to periodic flooding, tornados, severe winter storms, severe thunderstorms, and landslides and other natural hazards that have potential to cause damages to people and properties within the area; and

WHEREAS, Spencer County desires to prepare and mitigate for such natural hazards; and

WHEREAS, under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdictions have in place a FEMA-approved Hazard Mitigation Plan as a condition of receipt of certain future Federal mitigation funding after November 1, 2004; and

WHEREAS, the KIPDA Regional Mitigation Plan was developed in accordance with the regulations of the Disaster Mitigation Act of 2000 and the guidance provided by the Federal Emergency Management Agency; and

WHEREAS, to assist cities and counties in meeting this requirement, the KIPDA Area Development District has facilitated the development of a multi-jurisdictional Hazard Mitigation Plan covering member jurisdictions of the KIPDA Area Development District including the City of Taylorsville and Spencer County Kentucky; and

WHEREAS, Spencer County has participated in the Hazard Mitigation Planning process:

NOW, Therefore Be It Resolved, that the Fiscal Court of Spencer County hereby:

1. Adopts the 2016 KIPDA Regional Hazard Mitigation Plan as the official Hazard Mitigation Plan which includes Spencer County.
2. Vests the County Office of Emergency Management with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Develop an addendum to this Hazard Mitigation Plan if the jurisdiction's unique situation warrants such an addendum.
3. Appoints KIPDA Area Development District Regional Mitigation Committee to assure that the Hazard Mitigation Plan be reviewed according to the Plan Maintenance Procedures in section 6 of the plan and that any needed adjustment to the plan be developed and presented to the County Local Emergency Planning Committee (LEPC) and Spencer County Fiscal Court.
4. Agrees to consider any other official actions as may be reasonably necessary to carry out the objectives of the KIPDA Regional Hazard Mitigation Action Plan for Spencer County.

AYES

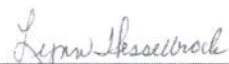
NAYS

Esq. Judd _____
 Esq. Williams _____
 Esq. Goodlett _____
 Judge Riley _____
 Esq. Bayers _____
 Esq. Rogers _____

none _____

So Resolved by vote taken on this the 20th day of June, 2016.


 John Riley, Spencer County Judge Executive

Attest: 
 Lynn Hesselbrock, Spencer Fiscal Court Clerk

6. KOHS resolution.

Spencer County, Kentucky
Resolution No. 10
Fiscal Year 2016 Series

A RESOLUTION OF THE COUNTY OF SPENCER, KENTUCKY AUTHORIZING THE JUDGE/EXECUTIVE TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT. THIS RESOLUTION ALSO ESTABLISHES PROCUREMENT POLICY FOR ANY KOHS APPROVED PROJECT FOR THE FY-2016 APPLICATION CYCLE.

Whereas, Spencer County, Kentucky desires to make an application for United States Department of Homeland Security and/or Commonwealth of Kentucky funds for a project to be administered by Kentucky Office of Homeland Security; and

Whereas, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the county;

NOW, THEREFORE, Be It Resolved by the Fiscal Court of Spencer County, Commonwealth of Kentucky, that:

- 1) The Judge/Executive is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.
- 2) For the purpose of any KOHS funded projects using FY-2016 funds the county will use the provisions of KRS 45A for the purchase of equipment and/or services. For any equipment and/or services under \$20,000 three (3) quotes will be obtained. For any equipment and/or services that exceeds \$20,000 the provisions of KRS 45A will apply.

<u>AYES</u>	<u>NAYS</u>
Esq. Judd _____	none _____
Esq. Williams _____	_____
Esq. Goodlett _____	_____
Judge Riley _____	_____
Esq. Bayers _____	_____
Esq. Rogers _____	_____

So Resolved by vote taken on this the 20th day of June, 2016.

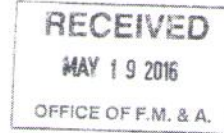
Attest: Lynn Hesselbrock
Lynn Hesselbrock, Spencer Fiscal Court Clerk

John Riley
John Riley, Spencer County Judge Executive

- On the motion of Esq. Bayers, seconded by Esq. Judd, with all members of the Court present voting 'aye', it is hereby ordered to approve the KOHS resolution.

7. Ordinance 5, 2016/2017 budget, second reading.

Spencer County, Kentucky
 Ordinance No. 5
 Fiscal Year 2016 Series



An Ordinance Relating to the Annual Budget and Appropriations

Whereas, the Fiscal Court of Spencer County, Commonwealth of Kentucky, tentatively approved the attached budget for Fiscal Year 2016/2017 on the 18th day of May, 2016; and

Whereas, the State Local Finance Officer approved the proposed budget as to form and classification on the _____ day of _____, 2016;

Now Therefore, Be It Ordained by the Fiscal Court of Spencer County, Commonwealth of Kentucky, that:

Section One. The following budget (in summary form, full-text attached) is hereby adopted for the Fiscal Year 2016/2017 and the amounts stated are appropriated for the purposes indicated.

BUDGET SUMMARY

01 GENERAL FUND:	
50 General Government	\$ 2,414,136.81
51 Protection to Persons & Property	\$ 1,210,733.00
52 General Health & Sanitation	\$ 181,700.00
53 Social Services	\$ 69,500.00
54 Recreation & Culture	\$ 120,100.00
76 Other County Liabilities	\$ 49,060.00
77 Lease(s)	\$ 40,000.00
80 Capital Projects	\$ 36,000.00
91 General Services	\$ 165,200.00
92 Contingent Appropriations	\$ 37,322.01
94 Fringe Benefits (Employer's Share)	\$ 460,500.00
95 Distributions to Other Gov't Agencies	\$ 0.00
General Fund Total:	\$ 4,784,251.82
02 ROAD FUND:	
61 Roads	\$ 1,266,627.00
91 General Services	\$ 46,000.00
92 Contingent Appropriations	\$ 44,009.00
94 Fringe Benefits (Employer's Share)	\$ 206,400.00
Road Fund Total:	\$ 1,563,036.00
03 JAIL FUND	

50	General Fund	\$	27,000.00
51	Protection to Persons & Property	\$	252,000.00
91	General Services	\$	700.00
92	Contingent Appropriations	\$	12,950.00
94	Fringe Benefits (Employer's Share)	\$	25,350.00
	Jail Fund Total:	\$	318,000.00

2015/2016 Total Budget: \$ 6,665,287.82

Section Two. This ordinance shall be published in The Spencer Magnet newspaper by title and above summary within thirty (30) days following adoption.

Section Three. This ordinance becomes effective July 1, 2016 upon passage and publication.

Given first reading and approval on _____.

Given second reading and approval on _____.

John Riley
Spencer County Judge Executive

Attest: _____
Lynn Hesselbrock
Spencer County Fiscal Court Clerk

SPENCER COUNTY
F21 PG623

Local Finance Form 1001

*Budget Summary of Spencer County, Kentucky
Summary Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

	<i>Category</i>	<i>Purpose</i>	<i>Appropriation</i>
FUND 1	GENERAL		
	50	General Government	\$2,414,136.81
	51	Protection to Persons & Property	\$1,210,733.00
	52	General Health & Sanitation	\$181,700.00
	53	Social Services	\$69,500.00
	54	Recreation & Culture	\$120,100.00
	76	Other County Liabilities	\$49,080.00
	77	Lease(s)	\$40,000.00
	80	Capitol Projects	\$36,000.00
	91	General Services	\$165,200.00
	92	Contingent Appropriations	\$37,322.01
	94	Fringe Benefits (Employer's Share)	\$460,500.00
	95	Distributions to Other Governmental Agency	\$0.00
		GENERAL Total	\$4,784,251.82
		Percent of Total Budget	71.78%
FUND 2	ROAD		
	61	Roads	\$1,266,627.00
	91	General Services	\$46,000.00
	92	Contingent Appropriations	\$44,009.00
	94	Fringe Benefits (Employer's Share)	\$206,400.00
		ROAD Total	\$1,563,036.00
		Percent of Total Budget	23.45%
FUND 3	JAIL		
	50	General Government	\$27,000.00
	51	Protection to Persons & Property	\$252,000.00
	91	General Services	\$700.00
	92	Contingent Appropriations	\$12,950.00
	94	Fringe Benefits (Employer's Share)	\$25,350.00
		JAIL Total	\$318,000.00
		Percent of Total Budget	4.77%

Local Finance Form 1001

*Budget Summary of Spencer County, Kentucky
Summary Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Category</i>	<i>Purpose</i>	<i>Appropriation</i>
<i>Total Budgeted Appropriations</i>		
TOTAL GENERAL FUND		\$4,784,251.82
TOTAL ROAD FUND		\$1,583,036.00
TOTAL JAIL FUND		\$318,000.00
GRAND TOTAL ALL FUNDS		\$6,685,287.82

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

Source	Code	GENERAL	ROAD	JAIL	Totals
Real Property Taxes	4101	\$860,000.00	\$0.00	\$0.00	\$860,000.00
Personal Property Taxes	4102	\$30,000.00	\$0.00	\$0.00	\$30,000.00
Motor Vehicle Taxes	4103	\$110,000.00	\$0.00	\$0.00	\$110,000.00
Delinquent Property Taxes	4104	\$9,000.00	\$0.00	\$0.00	\$9,000.00
Bank Franchise Fee	4130	\$22,000.00	\$0.00	\$0.00	\$22,000.00
Occupational License Fee	4134	\$485,000.00	\$0.00	\$0.00	\$485,000.00
Deed Transfer Fee	4135	\$85,000.00	\$0.00	\$0.00	\$85,000.00
Insurance Premiums Tax	4137	\$645,000.00	\$0.00	\$0.00	\$645,000.00
Transient Room Tax	4138	\$5,000.00	\$0.00	\$0.00	\$5,000.00
911 Telephone Surcharge	4140	\$78,000.00	\$0.00	\$0.00	\$78,000.00
Liesu of Taxes	4210	\$20,000.00	\$0.00	\$0.00	\$20,000.00
Business Net Profits	4401	\$120,000.00	\$0.00	\$0.00	\$120,000.00
Alcohol Licenses	4402	\$3,500.00	\$0.00	\$0.00	\$3,500.00
Planning & Zoning	4407	\$52,000.00	\$0.00	\$0.00	\$52,000.00
Impact Fees	4411	\$500.00	\$0.00	\$0.00	\$500.00
Cable TV Franchise	4417	\$15,000.00	\$0.00	\$0.00	\$15,000.00
Solid Waste Franchise	4418	\$102,000.00	\$0.00	\$0.00	\$102,000.00
Dog Licenses/Fees	4420	\$4,000.00	\$0.00	\$0.00	\$4,000.00
MotTax - Other Counties	4505	\$14,500.00	\$0.00	\$0.00	\$14,500.00
State Grants	4510	\$20,000.00	\$361,527.00	\$0.00	\$381,527.00
Truck Licenses	4516	\$0.00	\$201,071.00	\$0.00	\$201,071.00
Drivers Licenses	4517	\$0.00	\$1,575.00	\$0.00	\$1,575.00
County Road Aid	4518	\$0.00	\$813,763.00	\$0.00	\$813,763.00
Election Expenses	4520	\$5,600.00	\$0.00	\$0.00	\$5,600.00
Board of Assessments	4521	\$200.00	\$0.00	\$0.00	\$200.00
Legal Process	4522	\$90.00	\$0.00	\$0.00	\$90.00
ACC Space Rental	4532	\$70,000.00	\$5.00	\$0.00	\$70,005.00
Jail Bed Allocation	4533	\$0.00	\$0.00	\$47,270.00	\$47,270.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

Source	Code	GENERAL	ROAD	JAIL	Totals
Jail Medical	4534	\$0.00	\$0.00	\$3,975.00	\$3,975.00
Court Costs	4535	\$0.00	\$0.00	\$12,200.00	\$12,200.00
DUI Fees	4538	\$0.00	\$0.00	\$2,400.00	\$2,400.00
DEM Reimbursements	4541	\$15,000.00	\$0.00	\$0.00	\$15,000.00
Floodwall Commission Payment	4543	\$25,000.00	\$0.00	\$0.00	\$25,000.00
City of Tville Floodwall Paymts	4544	\$12,500.00	\$0.00	\$0.00	\$12,500.00
Fee Pooling - Clerk	4548	\$484,114.00	\$0.00	\$0.00	\$484,114.00
Fee Pooling - Sheriff	4549	\$528,352.32	\$0.00	\$0.00	\$528,352.32
Litter Abatement Programs	4558	\$28,000.00	\$0.00	\$0.00	\$28,000.00
Court Fees	4561	\$0.00	\$0.00	\$17,800.00	\$17,800.00
Local Corrections Assistance	4569	\$0.00	\$0.00	\$24,000.00	\$24,000.00
Ambulance	4608	\$450,000.00	\$0.00	\$0.00	\$450,000.00
EMS - CPR Training Fees	4611	\$600.00	\$0.00	\$0.00	\$600.00
Dead Animal Removal Grant	4680	\$13,000.00	\$0.00	\$0.00	\$13,000.00
Sale of Road Materials	4706	\$0.00	\$500.00	\$0.00	\$500.00
Farm Income	4707	\$1,600.50	\$0.00	\$0.00	\$1,600.50
Parks/Recreation Sales	4710	\$14,000.00	\$0.00	\$0.00	\$14,000.00
Rentals	4711	\$1,200.00	\$0.00	\$0.00	\$1,200.00
Recycling	4713	\$15,000.00	\$0.00	\$0.00	\$15,000.00
Reimbursements	4727	\$1,000.00	\$500.00	\$0.00	\$1,500.00
Donations	4728	\$200.00	\$0.00	\$0.00	\$200.00
Miscellaneous	4731	\$500.00	\$500.00	\$200.00	\$1,200.00
Drug Intervention Task Force	4761	\$1,500.00	\$0.00	\$0.00	\$1,500.00
Interest	4801	\$1,400.00	\$300.00	\$50.00	\$1,750.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky
Detail Analysis of Revenue

Printed on 5/18/2016

Fiscal Year Ending June 30, 2017

Source	Code	GENERAL	ROAD	JAIL	Totals
Total Revenues		\$4,349,356.82	\$1,380,096.00	\$107,896.00	\$5,837,287.82
Prior Year Carryover	4901	\$400,000.00	\$173,000.00	\$55,000.00	\$628,000.00
Transfers Out	4909	(\$165,105.00)	\$0.00	\$0.00	(\$165,105.00)
Transfers In	4910	\$0.00	\$10,000.00	\$155,105.00	\$165,105.00
KACo Lease	4911	\$200,000.00	\$0.00	\$0.00	\$200,000.00
Total Available		\$4,784,251.82	\$1,563,036.00	\$318,000.00	\$6,665,287.82

Total of all Funds:

\$6,665,287.82

Local Finance Form 1001

*Budget Detail of Spencer County, Kentucky
 Detail Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>	<i>Appropriation</i>
0150011010	County Judge/Exec Salary	\$81,000.00
015001101B	County Judge/Exec Benefits	\$30,000.00
0150011030	Deputy Co Judge/Exec Salary	\$80,000.00
0150014450	Co Judge/Exec Office Supplies	\$4,000.00
	<i>5001 Subtotals</i>	<i>\$165,000.00</i>
0150051010	County Attorney Salary	\$23,500.00
0150051050	Assistant County Attorney Salary	\$7,500.00
0150051650	Co Attorney Secretary Salary	\$9,847.00
0150054450	Co Attorney Rent/Expenses	\$9,000.00
0150055780	Co Attorney Utilities	\$5,500.00
	<i>5005 Subtotals</i>	<i>\$55,347.00</i>
0150101010	County Clerk Salary	\$84,000.00
015010101B	County Clerk Benefits	\$30,000.00
0150101030	County Clerk Deputies Salaries	\$190,000.00
015010103B	County Clerk Deputies Benefits	\$100,579.58
0150102100	County Clerk Expense Allowance	\$3,600.00
0150103180	Clerk Software Program	\$31,000.00
0150104450	County Clerk Office Expenses	\$25,000.00
0150106630	County Clerk Postage	\$8,000.00
0150105690	County Clerk Conferences/Membership	\$2,000.00
0150105730	Clerk Telephone	\$2,500.00
0150105760	County Clerk Trainings/Mileage	\$3,000.00
0150105850	County Clerk Technology Grant	\$86,777.23
	<i>5010 Subtotals</i>	<i>\$545,456.81</i>
0150151010	Sheriff Salary	\$84,000.00
015015101B	Sheriff Benefits/Haz Retirement Match	\$42,350.00
0150151030	Sheriff Deputies Salaries	\$380,000.00
0150151230	Court Security Salaries	\$80,000.00
0150151650	Sheriff Secretary Salary	\$40,000.00
0150152990	Sheriff Staff Benefits	\$200,000.00
0150153020	Sheriff Advertising	\$800.00
0150153190	Sheriff Tax Software/Upgrades	\$10,000.00
0150153480	Leads-Online/C.L.E.A.R. Progra	\$3,500.00
015015401A	Sheriff Ammo/Targets/Shooting	\$3,500.00
015015401W	Sheriff Weapons	\$500.00
0150154350	Sheriff Radar/Video Equipment	\$2,500.00
0150154450	Sheriff Office Supplies	\$7,000.00
0150154460	Sheriff Investigation Supplies	\$1,000.00
0150154550	Sheriff Fuels	\$40,000.00
0150154810	Sheriff Uniforms Allowance	\$5,000.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky

Detail Analysis of Appropriations

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>	<i>Appropriation</i>
0150155630	Sheriff Postage	\$6,000.00
015015573W	Sheriff Wireless Communication	\$5,000.00
0150155780	Sheriff Building Utilities	\$16,000.00
0150155900	Sheriff Telephone Equipment	\$500.00
0150155920	Sheriff Vehicle Maintenance	\$15,000.00
0150155940	Sheriff Accreditation Fee	\$2,500.00
0150157030	Sheriff Computer/Communication	\$4,000.00
0150157170	Sheriff Personnel Equipment	\$5,000.00
0150157230	Sheriff New Vehicles	\$29,000.00
0150157250	Sheriff Office Equipment Upgra	\$24,500.00
0150157510	Sheriff Vehicle Emergency Equi	\$7,000.00
	<i>5015 Subtotals</i>	\$994,650.00
0150201010	Coroner Salary	\$7,000.00
0150201030	Deputy Coroner Salary	\$3,800.00
0150204450	Coroner Supplies	\$5,000.00
	<i>5020 Subtotals</i>	\$15,500.00
0150251010	Magistrates Salaries	\$39,000.00
0150251670	Fiscal Court Clerk	\$2,400.00
0150252100	Magistrates Expense Allowance	\$18,000.00
0150253320	Outside Legal Council Fees	\$1,000.00
0150253680	County Clerk Fee - Prepare Tax	\$8,000.00
	<i>5025 Subtotals</i>	\$65,400.00
0150303670	PVA Office Contribution	\$48,803.00
0150305780	PVA Office Utilities	\$2,500.00
	<i>5030 Subtotals</i>	\$51,303.00
0150351990	Tax Board of Supervisors	\$600.00
	<i>5035 Subtotals</i>	\$600.00
0150401020	Treasurer Salary	\$41,800.00
0150404450	Treasurer Office Supplies	\$1,500.00
	<i>5040 Subtotals</i>	\$43,300.00
0150471420	Occupational Tax Admin Salary	\$21,700.00
0150471670	Occ Tax Enforcement Officer	\$9,300.00
0150474130	Occ Tax Technology Updates	\$3,200.00
0150474450	Occ Tax Office Supplies	\$3,500.00
0150475670	Occ Tax Refunds	\$3,500.00
0150475690	Occ Tax Training/Conferences	\$1,000.00
0150475710	Occ Tax Building Expenses	\$1,000.00
0150475780	Occ Tax Building Utilities	\$5,000.00
0150475920	Occ Tax Enforcement Vehicle	\$2,000.00

SPENCER COUNTY
F21 PG630

Local Finance Form 1001

*Budget Detail of Spencer County, Kentucky
Detail Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>		<i>Appropriation</i>
		<i>5047 Subtotals</i>	<i>\$50,200.00</i>
0150501070	A.B.C. Administrator Salary		\$2,580.00
0150504450	A.B.C. Admin. Office Supplies		\$800.00
		<i>5050 Subtotals</i>	<i>\$3,380.00</i>
0150601010	Circuit Clerk Law Library		\$600.00
		<i>5060 Subtotals</i>	<i>\$600.00</i>
0150651920	Election Officers		\$10,000.00
0150651930	Election Commissioners		\$2,800.00
0150653470	Polling Places		\$2,100.00
0150657370	Election/Voting Machine Expens		\$30,000.00
		<i>5065 Subtotals</i>	<i>\$44,900.00</i>
0150701030	PI & Zo Administrator Salary		\$42,200.00
0150701060	PI & Zo Office Staff		\$15,000.00
0150701670	PI & Zo Enforcement		\$15,000.00
0150701910	PI & Zo/Bd of Adjustmts - Per		\$12,000.00
0150703020	PI & Zo Advertisements		\$2,500.00
0150703320	PI & Zo Legal Services		\$7,800.00
0150704450	PI & Zo Office Supplies		\$4,000.00
0150706670	PI & Zo Refunds		\$500.00
0150705690	PI & Zo Training Expenses		\$1,000.00
0150705780	PI & Zo Bldg Utilities		\$8,000.00
		<i>5070 Subtotals</i>	<i>\$108,000.00</i>
0150801470	Fleet Maintenance Technician		\$48,000.00
0150801750	Custodial Personnel Salary		\$11,500.00
0150801850	Assistant to Superintendent		\$25,000.00
0150803020	County Advertising		\$4,000.00
0150803090	Engineering Services		\$7,500.00
0150803380	Computer Maintenance		\$32,000.00
0150803520	Elevator Maintenance		\$4,000.00
0150804110	Custodial Supplies		\$5,000.00
0150805710	Buildings/Grounds Maintenance		\$45,000.00
0150805780	Courthouse Building Utilities		\$42,500.00
0150807210	Maintenance Supplies/Equipment		\$10,000.00
		<i>5080 Subtotals</i>	<i>\$234,500.00</i>
0150855780	Other County Buildings Utiliti		\$7,000.00
		<i>5085 Subtotals</i>	<i>\$7,000.00</i>
0150865710	Annex Building Maintenance		\$4,000.00
0150865780	Annex Building Utilities		\$25,000.00
		<i>5086 Subtotals</i>	<i>\$29,000.00</i>

Wednesday, May 18, 2016

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SPENCER COUNTY
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Local Finance Form 1001

Budget Detail of Spencer County, Kentucky

Detail Analysis of Appropriations

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

Account	Description	Appropriation
0151154450	Bldg/Elect Inspector Office Expenses	\$1,000.00
	5115 Subtotals	\$1,000.00
0151351070	DEM Director Salary	\$50,000.00
0151354200	DEM Supplies	\$2,500.00
	5135 Subtotals	\$52,500.00
0151363480	Communications Equipmt Expense	\$5,000.00
	5136 Subtotals	\$5,000.00
0151401370	EMS Personnel Salaries	\$468,000.00
0151401670	EMS Clerk Salary	\$9,100.00
015140202H	EMS Hazard Retirement Match	\$175,000.00
0151403200	EMS Billing Contract	\$27,500.00
0151403430	EMS Medical Director (1099)	\$3,600.00
0151404430	EMS Parts & Repairs	\$15,000.00
0151404450	EMS Office Supplies	\$2,500.00
0151404460	EMS Grant-heart monitors	\$28,000.00
0151404550	EMS Fuel & Fluids	\$24,000.00
0151404810	EMS Uniform Allowance	\$5,000.00
0151405500	EMS Medical Supplies/Equipment	\$40,000.00
0151405780	EMS Building Utilities	\$28,000.00
0151405860	EMS Facility Maintenance	\$3,000.00
0151406020	EMS Building Payments	\$22,500.00
0151407390	EMS Vehicle Remount/Purchase	\$200,000.00
	5140 Subtotals	\$1,051,200.00
0151453150	E911 Contract with AT&T	\$6,000.00
0151453220	Dispatching Contract	\$89,500.00
0151454460	Signs/Supplies	\$1,000.00
	5145 Subtotals	\$96,500.00
0151505130	Forest Fire Protection Fee	\$900.00
	5150 Subtotals	\$900.00
0151603480	Drug Intervention Funds	\$1,600.00
	5160 Subtotals	\$1,500.00
0151759030	Public Defender Contribution	\$2,133.00
	5175 Subtotals	\$2,133.00
0152051020	K-9 Officer Salary	\$35,000.00
0152051790	K-9 Part-time Officer	\$12,500.00
0152053150	Animal Sheltering Contract	\$2,000.00
0152054020	Animal Control Equipment/Suppl	\$9,000.00
0152054030	Farm Carcase Removal Contract	\$24,700.00
0152055780	Animal Control Building Utilit	\$3,000.00

Wednesday, May 18, 2016

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Local Finance Form 1001

Budget Detail of Spencer County, Kentucky

Detail Analysis of Appropriations

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

Account	Description		Appropriation
0152055920	Animal Control Vehicle Mainten		\$2,500.00
		5205 Subtotals	\$88,700.00
0152171610	Recycling Personnel Salaries		\$68,000.00
0152174270	Recycling Center Supplies		\$5,000.00
0152174680	Recycling Disposal Expenses		\$5,000.00
0152175480	Recycling E-Scrap Expenses		\$5,000.00
0152175780	Recycling Building Utilities		\$5,000.00
0152175880	Recycling Bldg/Equipmt Expenses		\$5,000.00
		5217 Subtotals	\$93,000.00
0153055070	Senior Citizens Contribution		\$30,000.00
0153055960	Senior Citizens Building Expen		\$2,000.00
		5305 Subtotals	\$32,000.00
0153106070	Public Advocacy Programs		\$5,000.00
		5310 Subtotals	\$5,000.00
0153303480	Community Events		\$4,000.00
		5330 Subtotals	\$4,000.00
0153354210	Spencer County Farm Expenses		\$600.00
		5335 Subtotals	\$500.00
0153404680	Solid Waste/Litter Programs		\$28,000.00
		5340 Subtotals	\$28,000.00
0154011070	Parks Director Salary		\$30,500.00
0154011790	Parks Part-Time/Seasonal Help		\$19,600.00
0154011850	Parks Assistant Dir Salary		\$22,500.00
0154014060	Parks Grounds/Maintenance Supplies		\$4,500.00
0154014450	Parks Office Supplies		\$500.00
0154014550	Parks Fuel		\$9,000.00
0154014670	Parks/Recreation Equipment		\$6,000.00
0154015480	Parks Basketball League		\$10,000.00
0154015780	Parks Utilities		\$10,000.00
0154015920	Parks Vehicle/Equipment maintenance		\$2,500.00
		5401 Subtotals	\$115,100.00
0154205070	Tourism Support		\$0.00
0154205660	Tourism Room Tax		\$5,000.00
		5420 Subtotals	\$5,000.00
0176006020	Floodwall Certification Paymen		\$45,800.00
0176009030	Floodwall Tax		\$3,480.00
		7600 Subtotals	\$49,060.00
0177006990	KACo Lease Payments - Ambulance		\$40,000.00

SPENCER COUNTY
F21 PG633

Local Finance Form 1001

*Budget Detail of Spencer County, Kentucky
Detail Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>		<i>Appropriation</i>
		<i>7700 Subtotals</i>	<i>\$40,000.00</i>
0180997410	Capital Projects - Other		\$0.00
018099741F	Floodwall Certification Expens		\$30,000.00
0180999990	ADF Project		\$6,000.00
		<i>8099 Subtotals</i>	<i>\$36,000.00</i>
0191001910	Ethics Commission - Per Diem		\$2,700.00
0191003070	County Audits		\$12,000.00
019100307C	Clerk Audits		\$9,000.00
019100307S	Sheriff Audits		\$15,000.00
0191003820	Employee Drug Testing		\$1,000.00
0191003990	Miscellaneous		\$500.00
0191005030	Bank Charges		\$1,000.00
0191005210	General Insurance & Bonds		\$100,000.00
0191005510	Memberships		\$6,000.00
0191005670	Insurance Tax Reimbursements		\$0.00
0191005690	Conferences & Registrations		\$18,000.00
		<i>9100 Subtotals</i>	<i>\$165,200.00</i>
0192001860	Employee Accumulated Leave		\$37,222.01
0192009990	Reserves for Transfer		\$100.00
		<i>9200 Subtotals</i>	<i>\$37,322.01</i>
0194002010	Social Security Employer Match		\$70,000.00
0194002020	Non-Hazard Retirement Match		\$90,000.00
0194002030	Employee Benefits Card		\$40,000.00
0194002040	Life Insurance - Employer Paid		\$3,500.00
0194002050	Health Insurance Employer Match		\$145,000.00
0194002060	Unemployment Insurance		\$7,000.00
0194002090	Workers Compensation Insurance		\$70,000.00
0194002120	HB 810 Training Incentives		\$35,000.00
		<i>9400 Subtotals</i>	<i>\$460,500.00</i>
0195005670	Reimbursements		\$0.00
		<i>9500 Subtotals</i>	<i>\$0.00</i>
		<i>Total GENERAL Fund</i>	<i>\$4,784,251.82</i>

Local Finance Form 1001

*Budget Detail of Spencer County, Kentucky
 Detail Analysis of Appropriations*

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>	<i>Appropriation</i>
0261031020	Road Foreman Salary	\$53,600.00
	<i>6103 Subtotals</i>	<i>\$53,600.00</i>
0261051430	Road Labor Salaries	\$275,000.00
0261053110	State-Funded Proj - Flex Funds	\$125,027.00
0261053120	State-Funded Proj - Bridges	\$240,000.00
0261053640	Road Equipment Rentals	\$2,500.00
0261054050	Asphalt - General County Roads	\$16,666.70
0261054051	Asphalt - District 1	\$16,666.66
0261054052	Asphalt - District 2	\$16,666.66
0261054053	Asphalt - District 3	\$16,666.66
0261054054	Asphalt - District 4	\$16,666.66
0261054055	Asphalt - District 5	\$16,666.66
0261054070	Concrete	\$15,000.00
0261054090	Rock, Stone, and Gravel	\$45,000.00
026105409F	Rock Fabric	\$1,500.00
0261054310	Guardrails	\$5,000.00
026105439C	Cold-Mix Emulsions	\$5,000.00
026105439H	Hot-Mix Emulsions	\$25,000.00
0261054410	New Equipment	\$80,000.00
0261054450	Office Supplies	\$3,000.00
0261054460	Snow Removal, Plows & Spreader	\$14,000.00
0261054470	Road Materials & Supplies	\$5,000.00
026105447S	Road Project - Cedar Springs	\$73,000.00
0261054550	Road Fuels & Fluids	\$45,000.00
0261054570	Culverts	\$5,000.00
0261054670	Mower Parts	\$5,000.00
0261054690	Signs/Safety Equipment	\$2,000.00
0261054750	Tools	\$2,000.00
0261054790	Tires	\$8,000.00
0261055480	Special Projects/FEMA Match	\$60,000.00
0261055740	Road Training Expenses	\$4,000.00
0261055780	Road Building Utilities	\$28,000.00
0261055920	Vehicle Maintenance	\$30,000.00
0261057420	Capital Projects - Buildings	\$10,000.00
	<i>6105 Subtotals</i>	<i>\$1,213,027.00</i>
0291003070	County Audits	\$5,500.00
0291005030	Bank Charges	\$500.00
0291005210	General Insurance	\$40,000.00
	<i>9100 Subtotals</i>	<i>\$46,000.00</i>
0292001860	Employee Accumulated Leave	\$40,000.00

*Local Finance Form 1001**Budget Detail of Spencer County, Kentucky
Detail Analysis of Appropriations**Fiscal Year Ending June 30, 2017**Printed on 5/18/2016*

<i>Account</i>	<i>Description</i>	<i>Appropriation</i>
0292009990	Reserves for Transfer	\$4,000.00
	<i>9200 Subtotals</i>	<i>\$44,009.00</i>
0294002010	Social Security Employer Match	\$30,000.00
0294002020	Non-Hazard Retirement Match	\$50,000.00
0294002030	Employee Benefits Card	\$6,000.00
0294002050	Health Insurance Employer Matc	\$48,000.00
0294002080	Unemployment Insurance	\$2,400.00
0294002090	Workers Compensation Insurance	\$70,000.00
	<i>9400 Subtotals</i>	<i>\$206,400.00</i>
	<i>Total ROAD Fund</i>	<i>\$1,563,036.00</i>

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky

Detail Analysis of Appropriations

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

<i>Account</i>	<i>Description</i>	<i>Appropriation</i>
0350801770	Superintendent of Bldgs/Proper	\$27,000.00
	<i>5080 Subtotals</i>	\$27,000.00
0351011010	Jailer Salary	\$22,000.00
0351013140	Housing Contracts	\$195,000.00
0351013990	Prisoner Transport Costs	\$500.00
0351014550	Jailer Fuel	\$2,500.00
0351014810	Uniforms Allowance	\$500.00
0351015480	Jailer Programs	\$1,500.00
0351015490	Inmate Medical Costs	\$25,000.00
0351015920	Jailer Vehicle Maintenance	\$2,000.00
0351017230	Jailer Vehicle Purchase	\$1,000.00
	<i>5101 Subtotals</i>	\$250,000.00
0351023140	Juvenile Housing Contracts	\$2,000.00
	<i>5102 Subtotals</i>	\$2,000.00
0391004990	Miscellaneous	\$400.00
0391005030	Bank Charges	\$200.00
0391005510	Association Dues	\$100.00
	<i>9100 Subtotals</i>	\$700.00
0392001860	Employee Accumulated Leave	\$12,950.00
	<i>9200 Subtotals</i>	\$12,950.00
0394002010	Social Security Employer Match	\$4,500.00
0394002020	Non-Hazard Retirement Match	\$10,500.00
0394002030	Employee Benefits Card	\$750.00
0394002050	Health Insurance Employer Match	\$5,600.00
0394002120	HB 810 Training Incentive	\$4,000.00
	<i>9400 Subtotals</i>	\$25,350.00
	Total JAIL Fund	\$318,000.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2017

Printed on 5/18/2016

Source	Code	GENERAL	ROAD	JAIL	Totals
Total Revenues		\$4,349,356.82	\$1,260,036.00	\$107,895.00	\$5,837,287.82
Prior Year Carryover	4901	\$400,000.00	\$173,000.00	\$55,000.00	\$628,000.00
Transfers Out	4909	(\$165,105.00)	\$0.00	\$0.00	(\$165,105.00)
Transfers In	4910	\$0.00	\$10,000.00	\$155,105.00	\$165,105.00
KACo Lease	4911	\$200,000.00	\$0.00	\$0.00	\$200,000.00
Total Available		\$4,784,251.82	\$1,563,036.00	\$318,000.00	\$6,665,287.82

Total of all Funds: \$6,665,287.82

SPENCER COUNTY
F21 PG637

STATE LOCAL FINANCE OFFICER REQUIREMENT

2015 YEAR TAX RATES FOR ALL COUNTYWIDE TAXING DISTRICTS
 EXCLUDING SCHOOL DISTRICTS

The annual tax rates listed below were approved/accepted by the Fiscal Court of Spencer County for the previous calendar year.

These tax rates will be used for the calculation of the compensating and 4% tax rates for the next year.


County Rates

Real Property	<u>8.8</u>	Motor Vehicle	<u>8.8</u>
Personal Property	<u>8.8</u>	Watercraft	<u>8.8</u>
Bank Deposit Rate	<u>0.025%</u>		

	Ambulance	Library	Soil Cons.	Ext. Service	Health
Special Districts					
Real Property		<u>4.6</u>	<u>0.0087</u>	<u>3.43</u>	<u>4.0</u>
Personal Property		<u>11.54</u>		<u>17.82</u>	<u>4.0</u>
Motor Vehicles		<u>11.54</u>			
Watercraft		<u>11.54</u>			

Other (Identify)	_____	_____	_____	_____	_____
Real Property	_____	_____	_____	_____	_____
Personal Property	_____	_____	_____	_____	_____
Motor Vehicles	_____	_____	_____	_____	_____
Watercraft	_____	_____	_____	_____	_____

The tax rates indicated above are from the Fiscal Court minutes of Aug 3 - Sept 9, 2015 found on pages 646,651,667,702 of the Fiscal Court Order Book number 20.

 Jonathan Riley
 Signature, County Judge Executive

5-18-16
 Date

Note: This form is for countywide districts only and is not all inclusive. Do not include school districts.

ANNUAL STANDING ORDER TO PRE-APPROVE CERTAIN RECURRING EXPENSES

Pursuant to KRS 68.275(3) "The fiscal court may adopt an order to pre-approve the payment of monthly payroll and utility expenses. No other expenses shall be pre-approved pursuant to the subsection without the written consent of the State Local Finance Officer....." The fiscal court of Spencer County in accordance with state law hereby orders recurring expenses for monthly and biweekly payrolls with benefits (including state/fed/FICA taxes, health/life/supplemental insurance premiums) and county buildings utility expenses be paid when due.

The fiscal court of Spencer County further orders upon the written consent of the State Local Finance Officer the following expenses be paid when due:

<u>0150703320</u>	<u>John D. Dale, Jr., contract for legal services, \$650/mth paid biweekly</u>
Account Number	Description
<u>0151403430</u>	<u>contract for ALS physician, \$300/mth paid monthly</u>
Account Number	Description
<u>0150054450</u>	<u>Stephen Goodlett, rent for county attorney building, \$650/mth paid monthly</u>
Account Number	Description
<u>various</u>	<u>office postage, payable as needed</u>
Account Number	Description
<u>0191005690</u>	<u>conferences/training class registrations, payable as needed</u>
Account Number	Description
<u>0151407420</u>	<u>Spencer County Extension Svcs. for building purchase, \$1875/mth paid monthly</u>
Account Number	Description
Account Number	Description

It is hereby acknowledged the above standing orders shall expire after July 1 of each fiscal year and no more payments designated in the standing order shall be pre-approved unless a new order is adopted by the fiscal court of Spencer County according to the provisions of KRS 68.275(3).

Motion made by Esq Bayers, second by Esq Rogers
 Vote "ayes" - Esq Bayers, Rogers, Williams, Goodlett, JUDGE
Riker NO "nays"; absent - Esq Judd

Signed [Signature] JOHN RIGBY County Judge Executive 6-8-16 Date

Approved _____ State Local Finance Officer _____ Date

Rev. 01/00

Budget Document Page 20 of 20 Pages

Submitted

Date 5-18-16

(Signed) [Signature]
JOHN RILEY
 County Judge/Executive

Approved as to Form and Classification

Date May 23, 2016

(Signed) [Signature]
 State Local Finance Officer

I certify that this budget, incorporating the changes if any, as required by the state local finance officer,
 has been duly adopted by the Spencer County Fiscal Court on the _____ day of _____,
 20__.

(Signed) _____
 County Judge/Executive

Attest: _____
 Fiscal Court Clerk

All submissions to: The Department for Local Government, The State Local Finance Officer, 1024
 Capital Center Drive, Suite 340, Frankfort, Kentucky 40601. Initial submission is one (1) original and
 two (2) copies. Return final budget as adopted by the fiscal court within fifteen (15) days of adoption.

- Motion made by Esq. Goodlett, seconded by Esq. Rogers to approve the adoption of the 2016/2017 budget, Ordinance #5.
 Discussion ensued regarding the budget. The Judge informed the Court that they were mandated by law to pass a budget by July 1, 2016. Esq. Williams stated that he had voted 'no' on the first reading of the budget because he thought the budget was not a true picture of the County's finances, and he still felt that way. He went on to say the budget was presented to Fiscal Court and the magistrates were told to pass the budget and everything would be worked out later. At this point, the Judge interrupted Esq. Williams saying "that is not correct". Esq. Williams objected to the interruption saying that he had the floor and the Judge could correct him when he was finished speaking. Esq. Goodlett said that he thought the budget was a working budget, DLG had approved it, and he didn't understand what was wrong with it. Esq. Williams said that there were provisions in the proposed budget for \$80,000.00 to \$90,000.00 in raises, but no money for a rainy day fund or for tourism. The Judge replied that the budget was presented on May 18th and sent to DLG and was approved. He said the Court would have to look to the County Attorney for what options were available should Fiscal Court fail to pass a budget. He went on to say that members of a fiscal court in some county years ago were jailed for violating the statute requiring the passage of a budget. He also said failure to pass a budget would be the most irresponsible thing this Court has done, and he wanted the Court members to understand the ramifications. He recommended the passage of the budget.
 - On the motion of Esq. Goodlett, seconded by Esq. Rogers, with Esq. Rogers, Judge Riley, Esq. Goodlett voting 'aye', and Esq. Judd, Bayers and Williams voting 'nay', the motion to approve the 2016/2017 budget fails.
8. ordinance #6, alcohol regulations, second reading.

Spencer
County
Ordinance No. 6
Fiscal Year 2016 Series

AN ORDINANCE REGULATING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN SPENCER COUNTY, KENTUCKY

WHEREAS, pursuant to an election held on October, 2009, a majority of the voters of Spencer County, Kentucky were in favor of said County going "wet" and permitting alcohol sales;

WHEREAS, the Fiscal Court of Spencer County, Kentucky deems it necessary to regulate the sales of alcoholic beverages within its boundaries;

NOW THEREFORE, Be it Ordained by the Fiscal Court of Spencer County, Kentucky, hereby rescinds, repeals, and revokes Spencer County Ordinance No. 1, Fiscal Year 2014 Series, and as follows:

Section 1.01 TITLE

This ordinance shall be numbered as Spencer County Ordinance No6, Fiscal Year 2016 Series and shall be cited and known as the "Alcoholic Beverage Control Ordinance" of Spencer County, Kentucky.

Section 1.02 PURPOSE.

The purpose of this Ordinance is to establish uniform regulations and requirements for the licensing and regulation of alcoholic beverage manufacture and sales pursuant to authorization of KRS 241 through 244.

Section 1.03 DEFINITIONS.

The definitions of the words used throughout this Ordinance, unless the context requires otherwise, shall have the same meaning as those set out in the Kentucky Alcoholic Beverage Control law (KRS Chapters 241,242,243 and 244) of the Commonwealth of Kentucky and all amendments and supplements thereto.

Section 1.04 SCOPE.

This Ordinance shall be construed to apply to the manufacture and traffic in both malt beverages and distilled spirits and wine where the context permits such application. Nothing in this Ordinance shall excuse or relieve the licensee, or the owner, proprietor, employee, agent or person in charge of any licensed premises where alcoholic beverages are sold from the restrictions, requirements and penalties of any other ordinance or ordinances of the County or of any statutes of the state relating to violations pertaining to alcoholic beverages.

1.05 ADOPTION OF STATE LAW

The provisions of the Alcoholic Beverage Control Law of the Commonwealth of Kentucky (KRS Chapters 241,242,243 and 244) and all amendments and supplements thereto, are adopted so far as applicable to this Ordinance except as otherwise lawfully provided herein.

**LICENSES; LICENSE FEES; REGULATORY LICENSE FEE; EXPIRATION OF
LICENSE**

1.06 LICENSES GENERALLY.

For the privilege of causing, permitting and engaging in the actions, business, and transactions authorized thereby in regard to traffic in alcoholic beverages in the County and pursuant to the authority of KRS 243.060, there is hereby established a corresponding County license for each of the state licenses described in KRS 243.060. The fee for each County license shall be as set out in the following schedule, and may be amended from time-to-time as authorized by law.

1.07 LICENSE FEES.

Only those licenses set out in this subchapter shall be issued.

Distilled spirit licenses as set forth in KRS 243.030:	
Distiller's license, per annum	\$500.00
Rectifier's license, per annum	\$3000.00
Wholesaler's distilled spirits and wine license, per annum	\$3000.00
Quota retail package license, per annum	\$1000.00
Quota retail drink license per annum	N/A
Special temporary license, per event	\$50.00
Nonquota type 1 retail drink license (includes distilled spirits, wine, and malt beverages), per annum	N/A
Nonquota type 2 retail drink license (includes distilled spirits, wine, and malt beverages), per annum	\$1000.00
Nonquota type 3 retail drink license (includes distilled spirits, wine, and malt beverages), per annum	\$300.00
Distilled spirits and wine special temporary auction license, per event	\$200.00

Special Sunday retail drink license, per annum	\$300.00
Caterer's license, per annum	\$800.00
Bottling house or bottling house storage license, per annum	\$1000.00

Brewer's license, per annum	\$500.00
Microbrewery license, per annum	\$500.00
Malt beverage distributor's license, per annum	\$400.00
Nonquota retail malt beverage package license, per annum	\$400.00
Nonquota type 4 retail malt beverage drink license; per annum	\$400.00
Malt beverage brew on premises license, per annum	\$400.00
Limited restaurant license (includes distilled spirits, wine, and malt beverages), per annum	\$1400.00
Limited golf course license (includes distilled spirits, wine, and malt beverages), per annum	\$1400.00

The holder of a Nonquota retail malt beverage package license may obtain a Nonquota type 4 malt beverage drink license for a fee of \$50. The holder of a Nonquota type 4 malt beverage drink license may obtain a nonquota retail malt beverage package license for a fee of \$50. Any amount paid to any city within the County as a license fee for the same privilege for the same year may be credited against the County license fee.

1.08 CERTAIN SPECIAL LICENSES DEFINED.

(A) Special temporary licenses. A special temporary license may be issued only as set out in KRS 243.260. This license shall authorize the licensee to exercise the privileges of a quota retail

drink license and an NQ4 retail malt beverage licensee at designated premises for a specified and limited time, not to exceed 30 days, and shall expire when the qualifying event ends. All restrictions and prohibitions applying to a distilled spirits and wine quota retail drink licensee or an NQ4 retail malt beverage drink license shall apply also to a special temporary licensee.

(B) A nonprofit organization holding an NQ4 retail malt beverage drink license may be issued a special temporary license to sell distilled spirits and wine by the drink on the licensed premises for a specified and limited time, not to exceed ten days. The temporary license may be issued in conjunction with any public or private event including but not limited to weddings, receptions, reunions, or similar occasions.

(C) All restrictions and prohibitions applying to regular retail drink distilled spirits and wine licenses and retail malt beverage licenses shall apply to the special licenses, unless otherwise provided by law.

(D) The Spencer County Fiscal Court, pursuant to KRS 243.072, finds that an economic hardship exists, due to the extensive opportunities presented to our County as a lake community, and that it would aid economic growth and provide business opportunities if distilled spirit and wine sales by the drink were available as part of a special event license.

(E) Pursuant to 243.260, a special temporary license for a qualifying event shall not be issued unless the purported licensee can demonstrate to the County ABC Administrator that adequate safeguards will be in place to prevent persons who are under the age of 21 from purchasing or consuming alcoholic beverages and that adequate security will be present to prevent unruly or disruptive behavior.

(F) (1) A "Nonquota type 2" or "NQ2" retail drink license may be issued to:

(a) A hotel that:

1. Contains at least 50 sleeping units;
2. Contains dining facilities for at least 50 persons; and
3. Receives from its total food and beverage sales at least 50% of its gross receipts from the sale of food;

A restaurant with a minimum seating for 50 consumers at tables;

(b) An airport; or

(c) A riverboat.

(2) A qualifying hotel, restaurant with seating for at least 50 consumers at tables, airport, or riverboat holding an NQ2 retail drink license may purchase, receive, possess, and sell distilled spirits, wine and malt beverages at retail by the drink for consumption on the licensed premises. The licensee shall purchase distilled spirits, wine, or malt beverages only from licensed wholesalers or distributors. An NQ2 retail drink license shall not authorize the licensee to sell distilled spirits, wine, or malt beverages by the package. The holder of an NQ2 retail drink license shall comply with the requirements of KRS 243.250.

(3) A restaurant, including a restaurant located within a hotel, holding an NQ2 retail drink license shall be required to establish during the license year that the gross receipts from the sale of food at said restaurants was equal to or greater than 50% of the total gross sales receipts of alcohol and food combined.

(G) A "Nonquota type 3" or "NQ3" retail drink license may be issued to:

- (1) A private club in existence for longer than one year prior to the license application; or
- (2) A dining car.

(H) A "Nonquota type 4" or "NQ4" retail drink license may be issued to the holder of a quota retail drink license, microbrewery license, small farm winery license, or any other business wishing to sell malt beverages by the drink for consumption on the premises only.

(I) Special License required for Sunday sales.

1.09 EXPIRATION OF LICENSE: PRORATION OF FEES.

All County licenses shall begin on February 1st of any year and shall expire on January 31st of the following year. Any licenses issued after February 1st of any year shall be assessed a fee which is based on the pro rata portion of the remainder of the license period; however, the cost of any license shall not be less than one-half (1/2) the amount of the full fee for an annual license of that type.

1.10 PAYMENT OF LICENSE FEES: DELINQUENCY.

No licensee shall enter into or begin operating any business for which a license is required by this Ordinance until the license fee has been paid in full. The fee for renewal of any license shall be paid with the renewal application. Failure to pay any license fee within ten (10) days after it becomes due shall result in a penalty equal to ten percent (10%) of the license fee. Any licensee failing to pay the fees, including penalties, within ten (10) days after such fees are due may be subject to revocation of the license and to other penalties as provided by law.

1.11 REFUND OF FEES.

(A) Should any licensee under this Ordinance be prohibited from conducting the licensed business for the full period covered by the license because of any changes that may hereafter be made in the laws of the commonwealth with reference to alcoholic beverages or other cause outside licensee's control, then the County shall refund to licensee the proportionate part of the license fee for the period during which licensee is prevented from carrying on said business if the licensee provides sufficient proof to the County ABC Administrator that such period of inactivity was not the fault of the licensee or the result of a revocation, suspension or other wrongdoing by licensee, or an agent or employee of the licensee.

(B) In the event a violation of this Ordinance occurs that results in the suspension or revocation of the license, the County shall not be required to refund any portion of the license fee.

1.12 DISPOSITION OF FEES.

The County shall transmit any fees received upon collection into the appropriate designated account.

OFFICE OF THE COUNTY ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATOR1.13 ESTABLISHED DUTIES

- (A) Pursuant to KRS 241.110, there is hereby created the office of County Alcoholic Beverage Administrator.
- (B) The Spencer County Judge Executive shall serve as the County Alcoholic Beverage Control Administrator (hereinafter referred to as County ABC Administrator), unless the Spencer County Judge Executive shall appoint someone else to fill the position pursuant to KRS 241.110.
- (C) The Spencer County Judge Executive may from time to time appoint such additional personnel as is necessary to assist the County ABC Administrator in the administration of this Ordinance.
- (D) The salary for the office of County ABC Administrator, if any, together with the salaries of any other personnel assisting the County ABC Administrator, shall be fixed from time to time by the Spencer County Fiscal Court.
- (E) The functions of the County ABC Administrator shall be the same with respect to the County licenses and regulations as the functions of the Alcoholic Beverage Control Board of the Commonwealth of Kentucky (hereinafter referred to as ABC Board) with respect to state licenses and regulations, except that no amendment to these regulations proposed by the County ABC Administrator may be less stringent than the statutes relating to Alcoholic Beverage Control, or than regulations of the ABC Board. No regulation of the County ABC Administrator shall become effective until the Spencer County Fiscal Court has first appropriately approved it.
- (F) No person shall be a County ABC Administrator, an investigator or an employee of the County under the supervision of the County ABC Administrator, who would be disqualified to be a member of the ABC Board under KRS 241.100.
- (G) The County ABC Administrator shall have all authority as authorized under KRS 241 through 244. The County ABC Administrator, and the County ABC Administrator's investigators may inspect any premises where alcoholic beverages are manufactured, sold, stored or otherwise trafficked in, without first obtaining a search warrant.
- (H) Should the County ABC Administrator at any time have reasonable grounds to believe that any applicant, licensee, employee of a licensee, or any stockholder, agent or employee of a licensed corporation, LLC or other business organization, has a criminal record, he or she shall have the authority to require such person to appear in person at the Spencer County Sheriff's Office for the purpose of having his or her fingerprints taken. Costs of fingerprinting shall be borne by the County.
- (I) The County ABC Administrator before entering upon his or her duties as such, shall take the oath as prescribed in Section 228 of the Constitution and shall execute a bond with a good corporate surety in the penal sum of not less than one thousand dollars (\$1,000.00). The County ABC Administrator may require any employee under the County ABC Administrator's supervision to execute a similar bond in such penal sum as the County ABC Administrator deems necessary. The costs of any such bonds shall be borne by the County.

(J) Unless other appeal procedures are set forth herein, appeals from the orders of the County ABC Administrator may be taken to the state ABC Board by filing with the Board within thirty (30) days a certified copy of the orders of the County ABC Administrator. The Board shall hear matters at issue as upon an original proceeding. Appeals from orders of the County ABC Administrator shall be governed by KRS Chapter 13B.

(K) When any decision of the County ABC Administrator shall have been appealed, or when a protest has been lodged against an application for any license within the County, and the ABC Board shall have made a decision regarding such appeal or protested application, the County ABC Administrator, upon receipt of notice of finality of the decision, shall enter such orders and take such action as required by the final order of the ABC Board. As provided by law, and as used herein, no order of the ABC Board is final until all appeals or appeal times shall have been exhausted. A "final order" of the ABC Board is the order entered by said Board, unless an appeal is taken from the Board's order, in which case the "final order" is the order entered by the Board upon direction from the reviewing court of last resort in the final order of said reviewing court.

APPLICATION FOR LICENSE; MAINTENANCE OF LICENSE

1.14 ADVERTISEMENT.

(A) Before an application for a license shall be considered, the applicant must publish a notice of its intent to apply for an alcoholic beverage license in a newspaper meeting the requirements of KRS Chapter 424 and Chapter 243.

(B) The advertisement shall state the name and address of the applicant. It shall state the members of the partnership if the applicant is a partnership, and membership of the LLC if the applicant is an LLC, as well as the name of the business and its address. If the applicant is a corporation, the advertisement shall state the names and addresses of the principal officers and directors of the corporation, as well as the name and address of the corporation itself. All advertisements shall state the location of the premises for which the license is sought, and the type of license for which application is made. The notice shall state the date the application will be filed and shall contain the following statement: "Any person, association, corporation, or body politic may protest the granting of the license by writing to County ABC Administrator, P.O. Box 397, Taylorsville, Kentucky 40071, within thirty (30) days of the date of legal publication." Any protest received after the thirty (30) day period has expired shall not be considered a valid legal protest by the County.

(C) The applicant shall attach to the application a newspaper clipping of the advertisement and proof of the publication as provided in KRS 424.170.

1.15 APPLICATION FEE

A nonrefundable application fee of \$50.00 shall be paid with the filing of the application for a County license. If the license is granted, the application fee shall be credited against the initial license fee.

1.16 FORM OF APPLICATION

(A) All licenses granted under this Ordinance shall be approved by the County ABC Administrator. Applications for the issuance of new licenses and for renewals of existing licenses shall be in writing and upon the forms provided by the ABC Board and the Spencer County Fiscal Court, as amended and supplemented from time to time.

(B) The application shall be verified and shall set forth in detail such information concerning the applicant and the premises for which the license is sought as required by the Kentucky Revised Statutes, the ABC Board and the County, including as follows:

- (1) Name and address;
- (2) Nature of interest;
- (3) Whether or not a citizen of the United States;
- (4) Date of birth and Social Security Number;
- (5) Date residence was established in Kentucky, if a resident of Kentucky. If Spencer County resident, indicate when residence was established;
- (6) Whether or not he or she has any interest in any other license or LLC, corporation, partnership or other business organization holding a license under this ordinance;
- (7) Extent of stock or company ownership;
- (8) Whether or not he or she has any interest in any license or LLC, corporation, partnership or other business organization holding a license in any other state or province.
- (9) If the applicant is a partnership, corporation, limited partnership company, or limited liability company, the name, age, Social Security number, address, and residence of each officer, director, member, partner, and managerial employee and the citizenship of each, and the state under the laws of which the corporate applicant is incorporated or organized. The County may require the names of all the stockholders and the percentage of stock held by each;
- (10) The premises to be licensed, stating the street and number, if the premises has a street number, and otherwise such a description that will reasonably indicate the location of the premises;
- (11) A statement that neither the applicant nor any other person referred to in this section has been convicted of; any misdemeanor directly or indirectly attributable to alcoholic beverages; any violation of KRS 218A.050, 218A.060, 218A.070, 218A.080, 218A.090, 218A.100, 218A.110, 218A.120, or 218A.130 within the two (2) years immediately preceding the application; any felony, within five (5) years from the later of the date of parole or the date of conviction; or providing false information to the department preceding the application; and that the applicant or any other person referred to in this section has not had any license that has been issued to him under any alcoholic beverage statute revoked for cause within two (2) years prior to the date of the application; and
- (12) A statement that the applicant will in good faith abide by every state and local statute, regulation, and ordinance relating to the manufacture, sale, use of, and trafficking in alcoholic beverages.
- (13) If, after a license has been issued, there is a change in any of the facts required to be set forth in the application, a verified supplemental statement in writing giving notice of the change shall be filed with the County ABC Administrator within ten (10) days after the change.

(14) In giving any notice or taking any action in reference to a license, the County ABC Administrator may rely upon the information furnished in the application or in the supplemental statement connected with the application. This information, as against the licensee or applicant, shall be conclusively presumed to be correct. The information required to be furnished in the application or supplemental statement shall be deemed material in any prosecution for perjury.

(C) Each application shall be accompanied by a certified check, cash or a postal or express money order for the amount of the license fee, less the \$50.00 application fee.

(D) In addition to the above specified information, the applicant shall file with the application responses to any additional questions as may be posed or prescribed by the County ABC Administrator. The Spencer County Fiscal Court has adopted a statement of guidelines and priorities for the issuance of licenses and, in order to determine the extent to which applications may further or impede the objectives of those guidelines, the Spencer County Fiscal Court may, by order, adopt a questionnaire to be submitted to applicants for licenses. Upon adoption of the questionnaire, it shall become a part of the application process. The initial questionnaire adopted by the Spencer County Fiscal Court is a part of this Ordinance and is incorporated in the ordinance codified herein as Exhibit 4.4.3 A. The questionnaire may be altered, expanded, supplemented or replaced by order of the Spencer County Fiscal Court hereafter. In addition to the information contained in the application and any County-ordered questionnaire, the County ABC Administrator may require such other information as the County ABC Administrator may in his/her discretion deem desirable, reasonable or appropriate to the consideration of the application.

1.17 OTHER CONDITIONS.

In addition to any other inquiries, conditions or considerations required or permitted by law:

(A) The County ABC Administrator shall not grant any alcoholic beverage license or approve a renewal of a license until the applicant and his place of business shall have been approved by the Spencer County Building Inspector and any and all other inspections as may required by the Kentucky Building Code or the state fire code.

(B) All applicants shall voluntarily submit to a criminal background check and shall sign a waiver allowing the release of this information to the County ABC Administrator, and

(C) No license to sell alcoholic or malt beverages shall be granted or renewed to any person who is delinquent in the payment of any taxes or fees due the County at the time of issuing the license, nor shall any license be granted or renewed to sell upon any premises or property, owned and occupied by the licensee upon which there are any delinquent taxes, bills, or fees due the County. Further, if a licensee becomes delinquent in the payment of any taxes, bills, or any fees due the County at any time during the license period, the license to sell alcoholic or malt beverages shall be subject to revocation or suspension.

(D) No person, whether an applicant for license, or a licensee, shall in any manner attempt to bribe, threaten, unduly influence or intimidate the County ABC Administrator, or any member of his or her staff, or any State ABC Administrator or staff, in any matter in which an application or proposed application for license, or procedure for revocation or suspension is pending before such officer. This section is not intended to stifle expressions of opinion; however, it is intended

to make clear that the County and State ABC Administrators are public officials charged with the administration and enforcement of the law, both local and state. Any person applying for a license, or contesting the revocation or suspension of a license, who engages in attempted bribes, threats, attempted undue influence or intimidation of a County or State ABC Administrator or staff shall be disqualified from receiving or retaining a license, in addition to other penalties as provided by law. The procedures for appeals shall apply to disqualifications, revocations or suspensions under this section. This section shall not be interpreted to prohibit monetary settlements in lieu of revocation or suspension of license after a final order or revocation or suspension, where the ordinance and applicable statutes allow for such payments in settlement.

1.18 FORM OF LICENSE

All County licenses shall be in such form as may be prescribed by the Spencer County Fiscal Court and shall contain:

- (A) The name and address of the licensee;
- (B) The number of the license;
- (C) The type of license;
- (D) A description by street and number, or otherwise, of the licensed premises;
- (E) The name and address of the owner of the building in which the licensed premises are located;
- (F) The expiration date of the license;
- (G) A statement in substance that the license shall not be a property or vested right and that it may be revoked at any time pursuant to law.
- (H) Each kind of license shall be printed so as to be readily distinguishable from the other kinds.

1.19 CHANGE OF INFORMATION

(A) If after a license to individuals or to a sole proprietor has been issued, there is a change in any fact required to be set forth in the application, a verified amendment in writing giving notice of the change shall be filed with the County ABC Administrator within ten (10) days of the change.

(B) Since licenses issued by the County may be in the name of corporations or other business organizations, it is necessary that ownership changes in such organizations be reported to the County ABC Administrator. The County ABC Administrator can, therefore, investigate the person to whom the ownership or management is transferred in order to ascertain whether that person is precluded by statute from holding an interest in an alcoholic beverage license.

(1) As used with regard to a partnership, corporation, LLC or other business organization herein, the word "change" is construed to include any change in managers, partners or LLC members, directors or officers of the corporation, or change in ownership or stock whereby any

person secures ten percent (10%) of the outstanding ownership or stock. Transfer of more than ten percent (10%) of the total ownership or stock shall require a new license.

(2) The following information will be required concerning any new manager, partner or LLC member, new director, officer, or person securing any interest in alcoholic beverage license:

- (a) Name and address;
- (b) Nature of interest;
- (c) Whether or not a citizen of the United States;
- (d) Date of birth and Social Security Number;
- (e) Date residence was established in Kentucky, if a resident of Kentucky. If a Spencer County resident, indicate when residence was established;
- (f) Whether or not he or she has any interest in any other license or in any LLC, corporation, partnership or other business organization holding a license under this act;
- (g) Extent of stock or company ownership;
- (h) Whether or not he or she has any interest in any license or in any LLC, corporation, partnership or other business organization holding a license in any other state or province.

(3) This information shall be filed with the County ABC Administrator as a verified amendment of the application pursuant to which the license was granted. Filing shall be made within ten (10) days of any change of required information.

1.20 RENEWAL OF LICENSE

(A) Every year each licensee shall renew its license. All renewal licenses must be on file with the County ABC Administrator no less than thirty (30) days prior to the expiration of the license for the preceding license period or the same shall be canceled, except where the licensee is unable to continue in business at the same premises licensed during the preceding license period as a result of construction, act of God, casualty, death, the acquisition or threatened acquisition of the premises by any federal, state, city or other governmental agency or private organization possessing power of eminent domain, whether such acquisition is voluntary or involuntary, or loss of lease through failure of landlord to renew existing lease; provided that said licensee shall file a written verified statement no less than twenty (20) days from the expiration date of the license, setting forth these facts, and the County ABC Administrator is hereby authorized to extend the time for filing of a renewal of such license for a reasonable length of time within the sound discretion of the County ABC Administrator; provided, however, such licensee shall pay a license fee from the expiration date of the former license or licenses. Said license fee shall not be payable until application is made for the transfer of said license to a new location.

(B) The renewal by the County ABC Administrator of the license shall not be construed to be a waiver or acceptance of any violation which occurred prior to such renewal and shall not prevent subsequent proceedings against the licensee.

1.21 LOST OR DESTROYED LICENSE.

When a license shall be lost or destroyed without fault on the part of the licensee or his agent or employee, a duplicate in lieu of the original license shall be issued by the County ABC Administrator after the County ABC Administrator shall have been satisfied as to the facts; provided, however, that the applicant for said duplicate license shall pay a fee of ten dollars (\$10.00) for the duplicate license.

1.22 REVOCATION OR SUSPENSION.

(A) Any license may be revoked or suspended by the County ABC Administrator if the licensee shall have violated any of the provisions of KRS Chapters 241,242,243 or 244, or any rule or regulation of the ABC Board or of the Department of Revenue relating to the regulation of the manufacture, sale and transportation or taxation of alcoholic beverages or if such licensee shall have violated or shall violate any act of Congress or any rule or regulation of any federal board, agency or commission, or this Ordinance now, heretofore, or hereafter in effect relating to the regulation of the manufacture, sale and transportation or taxation of intoxicating liquors or any rules or regulations of the County heretofore in existence or authorized by the terms of Kentucky Revised Statutes Chapters 241,242,243 and 244 to be created, irrespective of whether the licensee knew of or permitted the violation or whether the violation was committed in disobedience of his instructions, or any such license may be revoked or suspended for any cause which the County ABC Administrator in the exercise of his or her sound discretion deems sufficient, including, but not limited to, acts of moral turpitude.

(B) A license may be revoked for any of the reasons for which the County ABC Administrator would have been required to refuse a license if the facts had been known.

(C) In addition to the foregoing stated causes, any license may be revoked or suspended for the following causes:

- (1) Conviction of the licensee or his agent or employee for selling any illegal beverages on the premises licensed.
- (2) Making any false, material statements in an application for a license.
- (3) If within a period of two (2) consecutive years, any licensee or any clerk, servant, agent or employee of the licensee shall have been convicted of two (2) violations of the terms and provisions of KRS Chapter 241,242,243 or 244 or any act heretofore or hereafter in effect relating to the regulation of the manufacture, sale and transportation of alcoholic beverages or if within such period, any licensee or any clerk, servant, agent or employee of the license shall have twice been convicted of any misdemeanor directly or indirectly attributable to the use of alcoholic beverages, or of any felony of any type.
- (4) Willful and deliberate failure or default of a licensee to pay an excise tax or any part thereof, or any penalties imposed by or under the provisions of any statutes, this Ordinance or acts of Congress relative to taxation, or for a violation of any rules or regulations of the Department of Revenue made in pursuance thereof.
- (5) Setting up, conducting, operating or keeping, on the licensed premises, any gambling game, device, machine or contrivance, or lottery or gift enterprise, or handbook or facility for betting or transmitting bets on horse races; or permitting to be set up, conducted, operated, kept,

or engaged in, on the licensed premises, any such game, device, machine, contrivance, lottery, gift enterprise, handbook or facility.

1.23 PROCEEDINGS FOR REVOCATION OR SUSPENSION OF LICENSE: NOTICE AND OPPORTUNITY TO CONTEST: APPEAL: EFFECT OF REVOCATION OR SUSPENSION.

(A) Upon the verified complaint of any person, or on the initiative of any certified peace officer or of the County ABC Administrator, the County ABC Administrator may institute proceedings to revoke or suspend any license granted under this Ordinance. A license may be revoked or suspended only after the licensee shall have been given written notice, by certified or registered mail, of the proposed revocation, including notice of the reasons for such proposed action. The licensee shall be given opportunity to be heard in opposition to the proposed revocation or suspension. The notice of proposed action shall advise the licensee of the date, time and place of the hearing. Notice shall be sufficient if mailed to the licensee at the address shown in the last application for a license or in the last statement supplemental to or in amendment of the application, whether or not the mailing is receipted for or claimed. Failure of the licensee to attend the date of the hearing, unless good cause is shown or a continuance is granted, shall conclude the matter.

(B) The hearing shall be conducted before the Spencer County Fiscal Court and shall be informal. The licensee may present evidence and the Spencer County Judge Executive is authorized to swear witnesses. Counsel for the licensee is permitted to attend. In conducting the hearing, the Spencer County Fiscal Court shall be limited to determining whether or not the County ABC Administrator abused his or her discretion in deciding upon the action to be taken. The Spencer County Fiscal Court may affirm, modify, or reverse the action taken by the County ABC Administrator, at which time the licensee may seek further appeal under KRS 243.550.

(C) Within three (3) days after any order of revocation or suspension of a license becomes final, notice of revocation shall be given to the licensee and to the owner of the licensed premises. A notice mailed to the licensee and to the owner of the licensed premises at the address shown in the last application for a license or in the last statement supplemental to the application shall be deemed sufficient compliance with this section. The licensee shall at once surrender his license to the County ABC Administrator. If the revoked or suspended license is not forthwith surrendered by the licensee, the Spencer County Sheriff or a deputy thereof, at the request of the County ABC Administrator shall immediately cause one of his officers to take physical possession of the license and return it to the County ABC Administrator.

(D) When a license has been revoked or suspended, the former licensee may, with prior approval of the County ABC Administrator, dispose of and transfer his stock of alcoholic beverages to an appropriate entity.

(E) Appeal from the decision of the Spencer County Fiscal Court affirming the County ABC Administrator revoking or suspending a license shall be to the ABC Board. The timely filing of an appeal shall stay further proceedings for revocation.

(F) If a license is revoked or suspended by an order of the County ABC Administrator, and the decision is not appealed, the licensee shall at once suspend all operations authorized under his or her license. Upon the entry of a final order of the ABC Board sustaining or ordering

revocation or suspension on appeal, the licensee shall at once suspend all operations authorized under this license.

1.24 TRANSFER OR ASSIGNMENT.

No license issued under this Ordinance shall be transferred or assigned either as to licensee or location except with prior approval of the County ABC Administrator and not then until a payment of one hundred dollars (\$100.00) shall be made to the County.

- (1) For purpose of this section, "transfer" means:
 - (a) The transfer to a new person or entity often percent (10%) or more ownership interest in any license issued under KRS 243.020 to 243.670; or
 - (b) The transfer in bulk, and not in the ordinary course of business, of a major part of the fixtures, materials, supplies, merchandise, or other inventory of a licensee's business.
- (2) Any license issued under KRS 243.020 to 243.670 to any person for any licensed premises shall not be transferable or assignable to any other person or to any other premises or to any other part of the building containing the licensed premises, unless a transfer or assignment is authorized by the County ABC Administrator in the exercise of his sound discretion. For the purposes of this section, each railroad dining car shall be deemed premises to be separately licensed.
- (3) A licensee shall not acquire or otherwise dispose of any interest in a licensed premises or any license issued by the department, by sale of assets, stock, inventory, control or right of control, or activities on the licensed premises without prior approval of the County ABC Administrator. The County ABC Administrator shall grant approval if the person acquiring the interest meets the qualifications for a new applicant.
- (4) Any acquisition of interest in a license without prior authorization shall be void.
- (5) All applications for approval of a transfer shall be made in writing to the County ABC Administrator.
- (6) Applications for approval of a transfer shall be made under oath or affirmation, shall be signed by both the transferor and the transferee, and shall contain such other information from the transferee as is required for a new applicant for license.
- (7) The notice and publication requirements for a proposed transfer shall be the same as those set forth in Section 10.024.
- (8) No licensee or other person seeking to acquire an interest in an existing license shall transfer control or assume control of any licensed premises by agreement or otherwise without the written consent of the County ABC Administrator.
- (9) A licensee shall not transfer his or her license or any interest in the license while any proceedings against the license or the licensee for a violation of any statute or regulation which may result in the suspension or revocation of the license are pending.

(10) A licensee shall not transfer his or her license or any interest he or she has in the license if the licensee owes a debt on the inventory to a wholesaler responsible for the collection and payment of the tax imposed under KRS 243.884.

(11) A licensee shall not transfer his or her license or any interest in the license if the licensee owes the County for any unpaid license fees or license regulatory fees under this Ordinance.

1.25 REFUSAL OF LICENSE; GUIDELINES FOR APPROVAL OF QUOTA LICENSES.

(A) The County ABC Administrator may refuse to issue or renew a license for any of the following reasons:

(1) Causes for refusal to issue or renew a license and for suspension or revocation of a County license shall be the same as provided for state licenses according to KRS 243.450, 243.490 and 243.500, as well as violation of any County ordinance regarding alcohol beverage licensing, sales or the administration thereof;

(2) If the applicant has done any act for which a revocation of license would be authorized; or

(3) If the applicant has made any false material statement in his or her application.

(B) In the case of quota licenses, before approving an application, the County ABC Administrator is hereby directed to consider, in addition to the factors set out in KRS 243.450, 243.490 and 243.500, and any other factors the County ABC Administrator determines in his or her discretion to be reasonable and pertinent to the license application, the following criteria:

(1) **Ownership:** The Spencer County Fiscal Court places great value on business owners who are invested in the community.

(2) **Economic impact:** The Spencer County Fiscal Court desires businesses which make the most positive impact on the community, in number of jobs, payroll, property investment and revenues to the County.

(3) **Site of business:** The Spencer County Fiscal Court is interested in serving all geographic areas of the County. Therefore, the County does not wish to cluster all licensed ABC outlets in one area.

(4) **Aesthetics:** The Spencer County Fiscal Court is committed to protecting the character and beauty of our community.

(5) **Capital:** The Spencer County Fiscal Court values businesses that demonstrate their ability to financially support and sustain their viability. Financial capability of the proposed proprietor is important.

(6) **Public support of licensed business in the area:** The Spencer County Fiscal Court intends that public sentiment and safety be considered in deciding upon the approval of retail liquor sales licenses in any area of the County.

(C) An applicant who has been refused a license by the County ABC Administrator may appeal the refusal to the ABC Board pursuant to KR 241.200.

1.26 REVIEW OF LICENSE, BOOKS, RECORDS AND REPORTS.

(A) Applicants to whom a license is issued pursuant to this Ordinance shall provide periodic information demonstrating compliance with the conditions of any license, such as, but not limited to, the continuing requirement that a minimum percentage of the applicant's business income is earned from the sale of food. This documentation shall be provided on a schedule to be coordinated with the applicant's quarterly regulatory fee filings. The County shall provide the form schedule to the licensee. The licensee's acceptance of a license to manufacture or traffic in alcoholic beverages shall constitute consent to the filing of the quarterly report. In the case of caterer filing, the quarterly report shall identify each catered event by type of event, date and address of the event, and shall provide a per event breakdown of sales and the ratio of food sales to alcohol sales during the reporting period. This requirement for filing of reports notwithstanding, the County ABC Administrator may at any time come upon the premises of any licensee and examine the books, audio and visual recordings and records to determine whether the licensee is in compliance with all parts of this Ordinance. Licensee shall be required to maintain all available video/audio recordings for a minimum of 30 days. In the event the conditions of any license requirement are not met during any particular quarter, the County ABC Administrator shall have discretion in determining whether revocation is appropriate or whether the licensee may be allowed a reasonable period of time to reach compliance. If a good faith effort is demonstrated by the licensee, the County ABC Administrator may apply an accounting period of at least one (1) year in determining whether or not the food sale percentage requirement has been met.

(B) (1) Every licensee under this Ordinance shall keep and maintain upon the licensed premises adequate books and records, including audio and video recordings, of all transactions involved in the sale of alcoholic beverages in the same manner required by the rules and regulations of the ABC Board. Licensee shall be required to maintain all video/audio recordings for a minimum of 30 days. Such books and records shall be available at all reasonable times for inspection by the County ABC Administrator and such County employees who may assist the County ABC Administrator in his or her review.

(2) For the purpose of assisting the County ABC Administrator in enforcement of this Ordinance, every licensee required to report to the ABC Board under KRS 243.850 shall provide a copy of such report to the County ABC Administrator. Copies of any and all reports and correspondences to the ABC Board required by statute shall be furnished to the County ABC Administrator.

1.27 DORMANCY.

(A) It is necessary that a licensee actually conduct the business authorized by such a license or else the license will be declared dormant and become null and void after ninety (90) days. Such is the intent of this section. Realizing that a licensee, like other business, may have his business interrupted by situations not under his control, various exceptions to the dormancy rule have been included in this section.

(B) Any license under which no or substantially no business is transacted during a period of ninety (90) days shall be deemed inactive and, unless the conditions set forth in section (D) below are proved to the satisfaction of the County ABC Administrator, the license shall be surrendered to the County ABC Administrator. If the license is not voluntarily surrendered, it shall be revoked by the County ABC Administrator.

(C) For purposes of the preceding section, "no or substantially no business" means that there were either no alcohol transactions during the ninety (90) day period in question, or by using comparable data, the County ABC Administrator determines in his or her discretion that the license is being underutilized to a significant degree. Comparable data available to the County ABC Administrator may include, but not be limited to, sales data from comparable businesses and past sales data of the licensee in question.

(D) The provisions of section (B) of this section shall not apply to any licensee who is unable to continue in business at the premises for which a license is issued due to construction, an act of God, casualty, death, the acquisition of the premises by any federal, state, city or other governmental agency under power of eminent domain, whether acquisition is voluntary or involuntary, or loss of lease through failure of landlord to renew existing lease. Prior to the expiration of ninety (90) days of inactivity, such licensee shall furnish to the County ABC Administrator a verified statement setting forth the fact that the licensee is unable to continue in business, for any of the specific reasons set forth herein, and the County ABC Administrator may grant an extension of the dormancy with the license continuing to remain in effect during the license period or until same is transferred to another premises, notwithstanding the fact that no business is transacted during said period; provided, however, no such license shall be considered valid unless business is conducted there within twelve (12) months from the date of notice to the County ABC Administrator. Such extension may not extend beyond the renewal date but may be for such times as the County ABC Administrator deems appropriate in exercise of his or her sound discretion. The provisions of section (B) of this section shall also not apply to licensees whose business operations are "seasonal" and who may experience extreme downturns in revenue during certain calendar periods such that it is not economically feasible to remain open.

MISCELLANEOUS PROVISIONS

1.28 HOURS FOR SALE AND DELIVERY.

(A) Unless otherwise set forth specifically herein, a licensee for distilled spirits, wine or malt beverages by the drink shall be permitted to sell or dispense distilled spirits, wine and/or malt beverages by the drink between the hours of 6:00 a.m. until 12:00 (midnight) on Mondays through Saturdays. Sunday sales by the drink shall only be permitted between the hours of 1:00 p.m. until 12:00 (midnight). Notwithstanding the foregoing, sales by the drink on December 31st, regardless of the day of the week upon which it might fall, may continue until 1:00 a.m. on January 1st.

(B) Retail package distilled spirits and wine sales and package malt beverage sales shall be permitted from 6:00 a.m. until 12:00 (midnight), Monday thru Thursday. Sunday, retail package distilled spirits and wine sales and package malt beverage sales shall be permitted from 1:00 p.m. until 12:00 (midnight). If any establishment remains open after midnight, all coolers containing alcoholic beverages must be locked. All distilled spirits and wines not kept in coolers must be locked up. Any displays of malt beverages must have a sign with lettering not less than two inches in heights reading "NO SALES AFTER MIDNIGHT ". This sign must be atop every display and in cases where establishments have aisles of malt beverages, a larger sign, with letters not less than four inches in height, must be placed at the entrance and exit of each aisle.

(C) A licensee shall not sell, give away, or deliver any alcoholic beverage or permit any alcoholic beverage to be sold, given away, or delivered on the licensed premises during non-permitted hours for sale and delivery. A licensee shall not permit the consumption of alcoholic beverages on the licenses premises past 12:00 (midnight).

(D) Alcohol sales at golf courses.

Golf courses located within the County that have a golf course alcohol beverage control license shall be allowed to sell distilled spirits, wine, or malt beverages by the drink between the hours of 6:00 a.m. until 12:00 (midnight) on Mondays through Saturdays. Sunday sales by the drink shall only be permitted between the hours of 1:00 p.m. until 12:00 (midnight). Notwithstanding the foregoing, sales by the drink on December 31st regardless of the day of the week upon which it might fall, may continue until 1:00 a.m. on January 1st.

1.29 CONDITIONS, PROHIBITIONS AND RESTRICTIONS.

(A) No gambling or game of chance unless otherwise authorized by the Commonwealth of Kentucky shall be permitted in any form on such licensed premises. Dice, slot machines, or any device of chance is prohibited and shall not be kept on such premises.

(B) It shall be unlawful for any licensee licensed under this Ordinance to have or maintain any radio receiving apparatus (including an application on a mobile device) on such premises which is intentionally adjusted so as to receive police messages broadcast from any law enforcement agency. In addition to other penalties provided for the violation of this section, any certified peace officer or the County ABC Administrator, or his or her designated investigator, shall have the authority to confiscate any and all such radio receiving apparatus.

(C) The licensee shall be responsible for maintaining security on his 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 premise. Security standards are further necessary to discourage unlawful activity in and around the licensed premises.

(D) It shall be unlawful for the licensee under this Ordinance who sells alcoholic beverages of any kind to give away or offer to give away anything tangible of value as a premium or prize, or for any other purpose in direct connection with the sale of alcoholic beverages nor shall any licensee give away any alcoholic beverage in any quantity for less than a full monetary consideration.

(E) No licensee or agent or employee of the licensee shall permit any person to become drunk or intoxicated on the premises, nor shall any licensee sell alcoholic beverages to any person who is actually or apparently under the influence of alcoholic beverages, or known to the seller or server to be an habitual drunkard or any person known to the seller or server to have been convicted of drunkenness as many as three (3) times within the most recent twelve (12) month period. No licensee shall permit any person who is actually or apparently under the influence of alcoholic beverages to remain on the licensed premises. As used herein, whether a person is actually or apparently under the influence of alcoholic beverages shall be determined by the licensee or server with specific reference to the principles and guidelines established in mandatory alcohol server training as to the signs of alcohol intoxication.

(F) The licensee shall not sell or dispense alcoholic beverages to any person who is under 21 years of age. The licensee shall check all identifications to ascertain that every person attempting to purchase or consume alcoholic beverages is at least 21 years of age.

(G) The licensee shall display at all times in a prominent place a sign at least 8" x 11" in 30 point or larger type which states as follows:

Persons under the age of twenty-one (21) are subject to criminal prosecution if they:

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

(H) The licensee, before commencing any business for which a license has been issued, shall post and display at all times in a conspicuous place in the room or principal room where the business is carried on so that all persons visiting the place may readily see the license. The licensee shall not at any time post the license on premises other than the licensed premises or upon premises where traffic in alcoholic beverages is being carried on by any person other than the licensee, or knowingly deface, destroy or alter the license in any respect.

(I) The licensee shall post in a prominent place easily seen by patrons a printed sign at least eleven (11) inches by fourteen (14) inches in size, with letters at least one (1) inch high, supplied by the Alcoholic Beverage Control Commission, and with gender-neutral language supplied by the Cabinet for Health Services, which shall warn that drinking alcoholic beverages prior to conception or during pregnancy can cause birth defects. A person who violates this subsection shall be subject to a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). KRS 243.895.

(J) 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. No retail licensee shall sell to a purchaser for any consideration except for cash at time of purchase.

(K) No licensee shall knowingly employ in connection with his or her business any person who:

- (1) Has been convicted of any felony within the last two (2) years;
 - (2) Has been twice convicted of any misdemeanor or offense directly or indirectly attributable to the use of intoxicating liquors within the last two (2) years;
 - (3) Is under the age of twenty (20) years who will be serving alcoholic beverages or who will be having any contact whatsoever with the sale of alcohol as defined under state statute;
 - (4) Within two (2) years prior to the date of his or her employment, has had any County license under this Ordinance revoked for cause.
- (L) Licensees shall be prohibited from offering reduced price drink specials (e.g discounts, two-for-one, happy hours) from 6:00 p.m. to closing.
- (M) No licensee shall offer or permit nudity, adult entertainment activities, including nude or nearly nude dancing, adult motion picture, television, slide or stage shows, cabarets or sexual entertainment centers on any licensed premise. No licensee shall permit explicit sexual activity, whether actual or simulated, upon any licensed premises. No licensee shall sponsor or permit wet t-shirt or wet clothing contests, lingerie fashion shows, mud wrestling or similar activities, nor shall a licensee allow dancing with touching for compensation (including but not limited to wages, tips or gratuities), or any other service, display or contest requiring physical contact between patrons and/or patrons and employees on any licensed premises. No licensee shall sponsor, offer or permit drinking contests, all-you-can-drink specials or free drinks on any licensed premise in the County.
- (N) No license shall be issued for any premises to operate a vehicle "drive-through" outlet for the sale of alcoholic beverages, nor shall any person or licensee operate or permit such a vehicle drive-through outlet. This prohibition shall not apply to a drive-up window at any premises licensed for retail package liquor, wine or malt beverage, including retail beer, where the primary sales area is arranged for and utilized by persons entering the premises on foot and manually carrying out the products purchased therein.
- (O) Retail premises shall not be disorderly.
- (1) A retail licensee, a patron, or the licensee's agents, servants, or employees shall not cause, suffer, or permit the licensed premises to be disorderly.
 - (2) Acts which constitute disorderly premises consist of causing, suffering, or permitting patrons, the licensee, or the licensee's servants, agents, or employees to cause public inconvenience, annoyance or alarm or create a risk through:
 - (a) Engaging in fighting or in violent, tumultuous, or threatening behavior;
 - (b) Making unreasonable noise;
 - (c) Refusing to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire hazard or other emergency;
 - (d) Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose;

- (e) Creating a public nuisance which is further defined by KRS 241.010(39);
- (f) Engaging in criminal activity that would constitute a capital offense, felony, or misdemeanor; or
- (g) Failing to maintain the minimum health, fire, safety, or sanitary standards established by the state or local government, or by state administrative regulations, for the licensed premises.

(P) Ideally, no license for quota retail package sales should be issued where the proposed situs of the business is or will be located within five hundred (500) feet of a church, school, or daycare facility, as measured by a straight line from the closest walls of the respective structures. For purposes of this section, "church" shall mean (in addition to its ordinary meaning) a nonresidential structure and premises where religious services are conducted on a regular and continuing basis. "School" shall mean (in addition to its ordinary meaning) a non-residential structure and premises where ten (10) or more students regularly gather for educational purposes. "School" shall not include a vocational training center intended for adults over the age of 18. "Daycare facility" shall mean (in addition to its ordinary meaning) a non-residential structure and premises where ten (10) or more children are cared for during normal daytime working hours while the parents or guardians are at work or are otherwise engaged. Similarly, no license for quota retail package sales should be issued where such a store would materially alter the character of a predominantly residential neighborhood.

(Q) Notwithstanding the foregoing section (P) immediately above, the Spencer County Fiscal Court realizes that a variety of factors might make the five hundred (500) feet barrier inequitable in a particular case and that a certain degree of discretion is necessary when determining the propriety of a proposed situs for a quota retail package store. Among any other relevant factors to consider, in determining whether to issue a quota retail package license where the proposed situs would be located within five hundred (500) feet of a church, school, or daycare, or where the proposed situs might materially alter the character of a predominantly residential neighborhood, the County ABC Administrator is instructed to consider:

1. Public sentiment in the area and the fairness to all affected parties;
2. Number of other alcohol licensees in the area;
3. Potential for future growth;
4. Type of area involved, and whether a quota retail package store would detrimentally affect the character of the neighboring properties and/or the property values;
5. Type of transportation available;
6. Financial potential of the area;
7. Whether or not there exists any natural or artificial sight barriers (trees, treelines, hills, other buildings, extensive shrubbery, etc.) in the area which would provide an adequate visual and/or sound buffer between the situs of the proposed quota retail package store and the church, school, or daycare facility in question.

Any aggrieved party may appeal the decision of the County ABC Administrator to the Spencer County Fiscal Court in accordance with Section 10.033(B).

(R) Violation of this section shall subject the licensee to penalties provided in this Ordinance and shall be cause for revocation of license.

1.30 POSSESSION BY MINORS PROHIBITED: NO PERSON SHALL AID POSSESSION BY MINORS.

(A) Except as specifically authorized under KRS 241 through 244, no person under the age of 21 may possess alcoholic beverages or enter onto any licensed premises for the purpose of acquiring alcoholic beverages.

(B) As provided in KRS 244.085, no person under the age of 21, except in the company of a parent or guardian, may enter any premises licensed for the package sale of alcoholic beverages. For purposes of this prohibition, "premises" specifically encompasses the entire lot upon which a licensed establishment is situated, including any drive-up window. The prohibition contained in this section (B) shall not apply to premises where the usual and customary business of the establishment is a gas station, convenience store, grocery store, drugstore, or similar establishment.

(C) No person shall knowingly allow, aid, assist, induce, cause or otherwise encourage any minor to be in possession of or use or consume alcoholic beverages. All licensees shall require proof of age of all persons attempting to purchase or consume alcoholic beverages on the licensee's premises.

(D) No person being the owner or occupant or otherwise in possession or control of any property located within the County shall knowingly allow any minor to remain on such property while in possession of, using or consuming alcoholic beverages.

(E) It shall be a defense to any prosecution under this section if the person charged, upon discovery of said minor individuals, manifests a proper effort to enlist the aid of and cooperate with law enforcement personnel in stopping the minor individuals' possession, consumption or use of alcoholic beverages, or that the minor individuals' possession of alcoholic beverages was exempted by KRS 244.087.

1.31 CONSUMPTION ON LICENSED PACKAGE PREMISES PROHIBITED: CONGREGATING ON CERTAIN ABC LICENSED PREMISES AND VACANT PREMISES PROHIBITED.

(A) (1) No licensee of a package store, whether trafficking in distilled spirits, wine or malt beverages, shall permit consumption of alcoholic beverages on the premises. A licensee shall post a prominent notice on the premises stating that consumption of alcoholic beverages on premises is prohibited.

(2) This restriction regarding on premises consumption shall not prohibit sampling as allowed for microbreweries and wineries under the provisions of KRS Chapter 243, or where sampling is permitted for a retail distilled spirits and wine licensee under the provisions of KRS 244.050, or beer tastings as permitted in 804 KAR 11:030.

(B) No person or entity operating a package liquor store, whether trafficking in distilled spirits, wine or malt beverages, including retail package beer licensees, shall knowingly allow or permit habitual congregating of persons on the unenclosed portion of the licensed premises so as to constitute a public nuisance.

(C) No person or entity being the owner or otherwise in possession or control of any vacant property shall knowingly allow or permit habitual congregating of persons on the unenclosed portion of such property so as to constitute a public nuisance.

(1) No persons shall congregate for the purposes, under the circumstances, or in the places proscribed in sections (A) and (B) of this section.

(2) It shall be a defense to any prosecution under section (A) or (B) of this section if such licensed vendor or property owner shall post or permit law enforcement to post and maintain a legible, painted or printed sign in at least two (2) separate prominent places in such area, in letters of not less than three (3) inches in height, stating that congregating of persons is prohibited and that violators shall be prosecuted for trespass pursuant to KRS 511.080.

(3) As used in this section, the term:

(a) "HABITUAL," shall mean consistent, that is, by frequent practice or use, but not necessarily constant or exclusive;

(b) "PACKAGE LIQUOR STORE" shall mean a retail establishment selling distilled spirits, wine and malt beverages in package containers pursuant to licenses issued for those purposes;

(c) "PUBLIC NUISANCE" shall mean any activity that endangers or interferes with the general use and enjoyment of neighboring property, passers-by or the health, safety and welfare of the public; and

(d) "VACANT PROPERTY" shall mean a vacant lot on which no building or other structure exists or property on which any structure is unoccupied or unused, or which otherwise reflects abandonment by the owner or person with the right of occupancy.

1.32 MALT BEVERAGE KEG REGISTRATION.

(A) As used in this section, "KEG" is defined as a container designed and capable of holding six (6) or more gallons of malt beverage.

(B) All retail licensees (herein after referred to as "licensee") operating within Spencer County who sell malt beverages in kegs for consumption off the premises of the licensee shall attach a control label. The label must have a control number, and the name of the business. Each label must be affixed to each keg at the time of sale and shall require the purchaser to complete and sign a keg registration form for the keg stating the following:

(1) The purchaser is of legal age to purchase, possess and use the malt beverage;

(2) The purchaser is not purchasing the keg for resale and will not allow any person under the age of twenty-one (21) to consume the malt beverage;

(3) The purchaser will not remove, obliterate or allow to be removed or obliterated the identification label;

(4) The purchaser will state the property address where the keg will be consumed and physically located; and

(5) The purchaser is aware of his/her duty to maintain a copy of the keg registration form visible and readily accessible from the location of the keg.

(C) The licensee shall obtain the name, address and telephone number of the purchaser and shall require the purchaser to produce a valid driver's license number and, if that is not available, to produce at least one other valid form of identification.

(D) The licensee shall retain copies of the keg registration forms for a period of one year and shall make the keg registration form available for inspection by state and local alcoholic beverage control officers and other enforcement officers.

(E) The keg registration form shall be forwarded to the County ABC Administrator within five (5) working days in all situations when the keg is not returned or is returned with the identification label removed or obliterated.

(F) The County ABC Administrator is authorized to develop appropriate rules and regulations and to develop and make available keg registration forms.

(G) All licensees that sell or offer for sale kegs shall post on the licensed premises a notice provided by the County concerning the provisions of this section.

(H) It shall be unlawful for any licensee to sell or offer for sale kegs without the identification labels attached and the keg registration form completed. It shall also be unlawful for any person to remove or to obliterate the identification label or to fail to have the declaration form visible and readily accessible from the location of the keg.

1.33 ENFORCEMENT.

All certified peace officers and the County ABC Administrator are authorized to enforce this Ordinance for alleged violations.

1.34 MANDATORY RESPONSIBLE BEVERAGE SERVICE TRAINING.

(A) All persons employed in the selling and serving of alcoholic beverages shall participate in and complete a County-approved responsible beverage service training program. For a responsible beverage service training program to be approved by the County, it must effectively train its participants in the identification of false age documents and recognition of characteristics of intoxication. The County will not require enrollment in particular classes, but only that the training be obtained from a recognized program meeting the goals expressed in this Ordinance.

(B) All persons required to complete training under section (A) of this section shall complete that training within thirty (30) days of the date on which the person first becomes subject to the

training requirement. When a new business is licensed to serve alcoholic beverages all employees must be trained prior to the opening of the business.

(C) Each licensee shall be responsible for compliance with the training requirements and shall maintain, for inspection by the County ABC Administrator, a record or file on each employee that shall contain the pertinent training information. Each premise licensed hereunder must at all times when alcoholic beverages are being served have at least one person currently certified in responsible beverage service training on duty.

(D) All persons completing the training required by this section shall be re-certified in responsible beverage service training from a program approved by the County not less than once every three years thereafter.

1.35 SIGNS AND ADVERTISING.

(A) No sign, banner, poster or other type of display advertising which refers, either directly or indirectly, to alcoholic beverages, shall be displayed on, nor shall it 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 business price cards not larger than 2 1/2 inches in size, setting forth the price at which he offers alcoholic beverages for sale.

(B) No flashing, oscillating, rotating, shimmering, or other lights demonstrating movement, or the illusion of movement, shall be used to illuminate, or be visible from, the exterior of any premises licensed under this chapter.

(C) It shall be unlawful for any person holding any license under this chapter to give away or offer to give away anything tangible of value as a premium or prize, or for any other purpose in connection with the sale of alcoholic beverages.

(D) Any advertising by any licensee under this chapter shall be in compliance with this chapter, KRS 244.130, and any regulation promulgated pursuant to KRS 244.130.

(E) No licensee shall publish or display advertising that is false or misleading, nor shall any licensee publish or display advertising that implies that consumption of alcoholic beverages is fashionable or the accepted course of behavior, or advertising that contains any statement, picture or illustration implying that the consumption of alcoholic beverages enhances athletic prowess, whether or not any known athlete is depicted or referred to, nor shall any licensee publish or display advertising that encourages intoxication by referring to the intoxicating effects of alcohol (or the use of terms such as "high test", "high proof" or "extra strong") or depicting activities that tend to encourage excessive consumption.

1.36 PATIO AND OUTDOOR SALES

(A) Patio and outdoor sales of alcoholic beverages shall be permitted only on premises licensed for sales of alcoholic beverages by the drink.

(B) Procedure. Anyone wishing to obtain an outdoor alcoholic beverage license must first have obtained a liquor by the drink license issued by the County ABC Administrator shall be done in conjunction with applying for a liquor by the drink license.

(1) Application for an outdoor alcoholic beverage license shall be made to the County ABC Administrator.

(2) If a restaurant has obtained an outdoor alcoholic beverage license, but moves to a new location or if the outdoor alcoholic beverage area is altered or relocated at the existing premises, the permit shall be automatically terminated and a new application will be required.

(C) Required conditions. The County ABC Administrator may only grant an outdoor alcoholic beverage license if the following conditions are met:

(1) The only entrance and exit to the outdoor alcoholic beverage area shall be through the principal structure. The perimeter of the outdoor alcoholic beverage area shall be clearly defined with decorative walls or fencing at a minimum height of three (3) feet so as to provide control over the operation of the outdoor alcoholic beverage area in conjunction with the landscaping requirements as prescribed in section two (2); otherwise, a solid enclosure at a minimum height of four (4) feet is required. The outdoor alcoholic beverage area is intended to provide separation from pedestrians. Emergency exits shall be required for the outdoor alcoholic beverage area in accordance with any applicable fire codes.

(2) Some combination of evergreen vegetation or landscaping will be required, around the perimeter of the outdoor alcoholic beverage area, to provide partial screening at a minimum height of four (4) feet with plantings spaced on a maximum of a four (4) foot center. These requirements will not be used to reduce or minimize any other screening ordinance in place.

(3) A seating plan must be submitted along with the proposed surface area. The seating plan will be reviewed to provide recommendations. The surface area of the outdoor alcoholic beverage area should generally be a hard surface.

(4) Lighting is required. The lighting shall be of a subdued nature and not imposing to any adjacent property.

(5) All plans are to be reviewed and approved by the County ABC Administrator prior to issuance of an outdoor alcohol beverage license.

(6) Any restaurant not in compliance with this section on the day of its adoption shall have one hundred and twenty (120) days to come in compliance.

(7) The licensee shall at all times ensure that the operation of an outdoor alcoholic beverage area does not unreasonably interfere with the quiet enjoyment of neighboring properties.

(D) Notwithstanding the foregoing requirements which contemplate a completely enclosed outdoor seating area, an application for an outdoor alcoholic beverage license may be approved if the applicant can demonstrate that one or more natural or artificial barriers will provide an adequate means of:

(1) Preventing persons who are under the age of 21 from purchasing or consuming alcoholic beverages;

(2) Preventing persons who did not enter the premises from one of the main entrances from entering the outdoor alcoholic beverage seating area;

(3) Preventing persons from leaving the premises, unless it is an emergency, without exiting through one of the main entrances;

(4) Permitting, at any given time, the licensee to quickly and readily provide a reasonably accurate head count of the number of patrons in the outdoor alcoholic beverage seating area.

(E) Absent a showing that all of the conditions in section (D) above can be satisfied, the County ABC Administrator shall require the outdoor alcoholic beverage seating area to be completely enclosed on all sides.

1.37 CONFLICTS, SEVERABILITY, RECORD OF PROCEEDINGS AND APPEAL

(A) If any of the provisions of this Ordinance are found to be in conflict with applicable statutes or regulations, the applicable statutes and/or regulations shall control.

(B) The invalidity of one or more provisions of this Ordinance shall not affect the applicability or enforceability of the remaining provisions.

(C) Upon exhaustion of administrative measures, any party aggrieved may seek appropriate relief in a court of competent jurisdiction.

(D) Any hearing conducted pursuant to this Ordinance, whether by the County ABC Administrator or the Spencer County Fiscal Court, shall be recorded to preserve all evidence.

1.38 PENALTIES

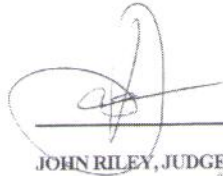
(A) In addition to any criminal prosecution instituted in Spencer District Court against an alleged violator pursuant to subsection (B) of this provision or under other state law, the County ABC Administrator may assess the fines and penalties authorized in KRS 243.480, including the per diem assessments for ongoing violations. Should the fines or penalties assessed by the state change under KRS 243.480, then the fines or penalties under this Ordinance shall be adjusted accordingly to mirror the fines or penalties imposed by state law. Payment of all fines shall be made to the County to be deposited in the appropriate designated account. For any violation of this Ordinance for which civil fines under KRS 243.480 are not applicable or appropriate, the County ABC Administrator may impose a fine of between fifty (\$50.00) dollars to one hundred (\$100.00) dollars, per violation, per day. Civil fines issued under this subsection may be appealed to the Spencer County Fiscal Court in the same manner as set out in Section 10.033 of this Ordinance. If the offending licensee is a partnership, LLC, corporation, or any other business entity, the fines may be levied against the organization or against the principal officers or agents responsible for the violation.

(B) Any person, firm or corporation who violates any of the provisions of this Ordinance, for which no other penalty is hereby provided, shall, for the first offense, be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) or imprisoned in the county jail for not more than six (6) months, or both, and for the second and each subsequent violation, he or she shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) or imprisoned in the county jail for not more than six months, or both. The penalties provided for in this subsection shall be in addition to the revocation or suspension of the offender's license. Each day that an offending condition is present shall constitute a


separate offense. If the offender is a corporation, LLC, joint stock company, association or other business organization, or a fiduciary, the principal officer or officers responsible for the violation may be fined, imprisoned, or both.

FIRST READING: June 6, 2016
SECOND READING: June 20, 2016
PUBLICATION: June 8, 2016

Passed and effective on this the 21st day of June, 2016.



JOHN RILEY, JUDGE-EXECUTIVE SPENCER COUNTY FISCAL COURT

ATTEST: 
Spencer County Fiscal Court Clerk

- On the motion of Esq. Bayers, seconded by Esq. Goodlett, with Esq. Williams, Esq. Goodlett, Judge Riley and Esq. Bayers voting 'aye' and Esq. Judd and Rogers voting 'nay', it is hereby ordered to approve the Ordinance # 6 regulating the sale and consumption of alcoholic beverages in Spencer County, Kentucky.
- 9. Nuisance ordinance proposal.
The Judge said that there were some errors in the ordinance and it needed to be corrected before being presented to Fiscal Court. No action taken.
- 10. Review and approval of expenditures, purchases, invoices and transfers.

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F21 PG669

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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: A&MOIL		A & M Oil Company Inc.					
S26510	06/20/16	0154014650 parks fuel	06/20/16	15.81	.00	.00	15.81
				Vendor Total: A&MOIL	.00	.00	15.81
Vendor: AIRGAS		Airgas Inc.					
9052177743	06/20/16	0151405500 ems oxygen	06/20/16	66.57	.00	.00	66.57
9936526197	06/20/16	0151405500 ems oxygen	06/20/16	268.97	.00	.00	268.97
				Vendor Total: AIRGAS	.00	.00	334.54
Vendor: APLUSSHRED		A Plus Paper Shredding					
13249	06/20/16	0150104450 clk papershredder	06/20/16	65.00	.00	.00	65.00
13249	06/20/16	0151404450 ems papershredder	06/20/16	55.00	.00	.00	55.00
				Vendor Total: APLUSSHRED	.00	.00	120.00
Vendor: AT&T		A T & T					
6/20atty	06/20/16	0150055780 co atty uverse	06/20/16	60.60	.00	.00	60.60
6/20coroner	06/20/16	0150204450 coroner internet	06/20/16	47.00	.00	.00	47.00
6/20ems	06/20/16	0151405780 ems uverse	06/20/16	60.60	.00	.00	60.60
6/20maint	06/20/16	0150855780 mainten uverse	06/20/16	35.00	.00	.00	35.00
6/20occtax	06/20/16	0150475780 octax uverse	06/20/16	85.60	.00	.00	85.60
				Vendor Total: AT&T	.00	.00	288.80
Vendor: AUTOZONE		Auto Zone					
4547448064	06/20/16	0150807210 maint fuseholder	06/20/16	6.09	.00	.00	6.09
4547448151	06/20/16	0160157030 sher powersupply	06/20/16	12.02	.00	.00	12.02
4547451547	06/20/16	0150807210 maint fluids	06/20/16	50.68	.00	.00	50.68
4547452973	06/20/16	0151404430 ems bulbs	06/20/16	49.02	.00	.00	49.02
4547456228	06/20/16	0150807210 maint bungee cords	06/20/16	12.02	.00	.00	12.02
4547457636	06/20/16	0151404430 ems wipers	06/20/16	67.96	.00	.00	67.96
				Vendor Total: AUTOZONE	.00	.00	197.79
Vendor: BENGAS		Bennett's Gas Company					
6/20ems	06/20/16	0151405780 ems bay propane	06/20/16	69.48	.00	.00	69.48
6/20mainten	06/20/16	0150855780 mainten propane	06/20/16	17.50	.00	.00	17.50
6/20recycle	06/20/16	0152175780 recycle propane	06/20/16	35.00	.00	.00	35.00
				Vendor Total: BENGAS	.00	.00	121.98
Vendor: BLGRASSREC		Bluegrass Recycling Srvc Inc					
May2016	06/20/16	0152054030 farm carcass dispos	06/20/16	2,015.79	.00	.00	2,015.79
				Vendor Total: BLGRASSREC	.00	.00	2,015.79
Vendor: BLUEINTEGR		Bluegrass Integrated Communicn					
157946-SP-05	06/20/16	0150857370 voter notices	06/20/16	45.15	.00	.00	45.15
				Vendor Total: BLUEINTEGR	.00	.00	45.15
Vendor: BOUNDTREE		Bound Tree Medical LLC					
82164768	06/20/16	0151405500 ems needles	06/20/16	220.00	.00	.00	220.00
82171746	06/20/16	0151405500 ems collars	06/20/16	203.75	.00	.00	203.75
				Vendor Total: BOUNDTREE	.00	.00	423.75
Vendor: CARDINAL		Cardinal Office Products					
IN-1524078	06/20/16	0150704450 zoning paper	06/20/16	31.52	.00	.00	31.52

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IN-1524078	06/20/16	0151404450 ems office supplies	06/20/16	70.47	.00	.00	70.47
IN-1525357	06/20/16	0150804110 custodial cleaners	06/20/16	256.80	.00	.00	256.80
IN-1525889	06/20/16	0154014870 pks bathrm supplies	06/20/16	50.52	.00	.00	50.52
Vendor Total: CARDINAL				409.31	.00	.00	409.31
Vendor: CITY	Taylorsville Waterworks						
6/20park	06/20/16	0154015780 wat.park utilities	06/20/16	39.38	.00	.00	39.38
Vendor Total: CITY				39.38	.00	.00	39.38
Vendor: CLIMPP	Chris Limpp						
6/20reimb	06/20/16	0151354200 lifevest	06/20/16	164.29	.00	.00	164.29
Vendor Total: CLIMPP				164.29	.00	.00	164.29
Vendor: CMS UNIF	CMS Uniforms Inc.						
665145	06/20/16	0150154810 sher unif shirt	06/20/16	39.95	.00	.00	39.95
Vendor Total: CMS UNIF				39.95	.00	.00	39.95
Vendor: COMTRONICS	Comtronics Inc.						
86770	06/20/16	0150157030 sher tablet	06/20/16	1,816.00	.00	.00	1,816.00
86989	06/20/16	0150157030 sher tablets	06/20/16	10,896.00	.00	.00	10,896.00
Vendor Total: COMTRONICS				12,712.00	.00	.00	12,712.00
Vendor: COUNTRY MT	Taylorsville Country Mart						
6/20mainten	06/20/16	0150807210 maint/pk/recy water	06/20/16	11.97	.00	.00	11.97
6/20parks	06/20/16	0154014550 parks fuel	06/20/16	30.70	.00	.00	30.70
Vendor Total: COUNTRY MT				42.67	.00	.00	42.67
Vendor: DELUXE	Deluxe						
0061463022	06/20/16	0191005030 laser checks	06/20/16	536.76	.00	.00	536.76
Vendor Total: DELUXE				536.76	.00	.00	536.76
Vendor: DROSE	Donna Rose Company Inc.						
8803	06/20/16	0150104450 clerk books,folders	06/20/16	2,748.00	.00	.00	2,748.00
Vendor Total: DROSE				2,748.00	.00	.00	2,748.00
Vendor: DUPLICATOR	Duplicator Sales & Service Inc						
632499	06/20/16	0150803380 p/z server contract	06/20/16	57.29	.00	.00	57.29
Vendor Total: DUPLICATOR				57.29	.00	.00	57.29
Vendor: DWILLIAMS	Doug Williams						
6/20reimb	06/20/16	0151404450 ems postage	06/20/16	6.11	.00	.00	6.11
Vendor Total: DWILLIAMS				6.11	.00	.00	6.11
Vendor: EMSCONSULT	EMS Consultants Ltd.						
May2016	06/20/16	0151403200 ems billing conrtct	06/20/16	1,982.98	.00	.00	1,982.98
Vendor Total: EMSCONSULT				1,982.98	.00	.00	1,982.98
Vendor: GETSET	Get Set Graphics						
May2016	06/20/16	0150803380 website mainten	06/20/16	200.00	.00	.00	200.00
Vendor Total: GETSET				200.00	.00	.00	200.00
Vendor: HARP	Harp Enterprises Inc.						
33740-1	06/20/16	0150657370 May elect'n expense	06/20/16	12,507.20	.00	.00	12,507.20

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35019	06/20/16	0150657370 electrn batterypack	06/20/16	171.50	00	00	171.50
Vendor Total: HARP				12,676.70	00	00	12,676.70
Vendor: INTERACT		InterAct 911					
MNCO00005789A	06/20/16	0150157030 7mobilecop/mobilcad	06/20/16	1,352.04	00	00	1,352.04
Vendor Total: INTERACT				1,352.04	00	00	1,352.04
Vendor: JPCOOKE		J.P. Cooke Company					
399435	06/20/16	0150104450 clerk notaryseal	06/20/16	38.45	00	00	38.45
Vendor Total: JPCOOKE				38.45	00	00	38.45
Vendor: KACTFO		K.A.C.T.F.O.					
D.Williams	06/20/16	0191005510 membership	06/20/16	50.00	00	00	50.00
Vendor Total: KACTFO				50.00	00	00	50.00
Vendor: KSPENCER		Karen Spencer					
6/20mileage	06/20/16	0191005690 training mileage	06/20/16	79.56	00	00	79.56
Vendor Total: KSPENCER				79.56	00	00	79.56
Vendor: KYUTIL		Kentucky Utilities					
6/20annex	06/20/16	0150865780 annex utilities	06/20/16	471.82	00	00	471.82
6/20atty	06/20/16	0150055780 co atty utilities	06/20/16	87.39	00	00	87.39
6/20cthse	06/20/16	0150805780 ctchse utilities	06/20/16	2,061.25	00	00	2,061.25
6/20ccctax	06/20/16	0150475780 ccctax utilities	06/20/16	64.21	00	00	64.21
6/20sheriff	06/20/16	0150155780 sheriff utilities	06/20/16	389.17	00	00	389.17
6/20zoning	06/20/16	0150705780 zoning utilities	06/20/16	296.83	00	00	296.83
Vendor Total: KYUTIL				3,370.67	00	00	3,370.67
Vendor: L&W EE		L & W Emergency Equipment					
16839	06/20/16	0150157510 sher truck package	06/20/16	6,898.30	00	00	6,898.30
Vendor Total: L&W EE				6,898.30	00	00	6,898.30
Vendor: LCNI		The Spencer Magnet					
6/20oo	06/20/16	0150803020 misc co ads	06/20/16	255.88	00	00	255.88
6/20electn	06/20/16	0150657370 electrn notice	06/20/16	223.80	00	00	223.80
6/20recyc	06/20/16	0152174880 recycling ads	06/20/16	325.00	00	00	325.00
6/20zoning	06/20/16	0150703020 zoning ads	06/20/16	231.63	00	00	231.63
Vendor Total: LCNI				1,036.31	00	00	1,036.31
Vendor: LF&S		Louisville Fire & Safety LLC					
16420-2	06/20/16	0150805710 fire extinguisher	06/20/16	151.00	00	00	151.00
Vendor Total: LF&S				151.00	00	00	151.00
Vendor: LFLW		Limestone Farm Lawn Worksite					
parks	06/20/16	0154014670 parksmower repair	06/20/16	399.31	00	00	399.31
parks	06/20/16	0154014670 prks plugs.element	06/20/16	319.45	00	00	319.45
Vendor Total: LFLW				718.76	00	00	718.76
Vendor: LHESSELBRK		Lynn Hesselbrock					
6/20reimb	06/20/16	0150105780 clerk conf expense	06/20/16	411.60	00	00	411.60
Vendor Total: LHESSELBRK				411.60	00	00	411.60
Vendor: LINE X		Line-X of Kentucky					

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47291	06/20/16	0150155920 sher truckliner, equ	06/20/16	807.00	.00	.00	807.00
Vendor Total: LINE X				807.00	.00	.00	807.00
Vendor: LOWES		Lowe's					
902433	06/20/16	0154014870 parks lumber	06/20/16	49.98	.00	.00	49.98
Vendor Total: LOWES				49.98	.00	.00	49.98
Vendor: MAGI		MAGI Services LLC					
2350	06/20/16	0151405500 ems defibril maintn	06/20/16	750.00	.00	.00	750.00
Vendor Total: MAGI				750.00	.00	.00	750.00
Vendor: MGOORE		Melvin Gore					
6/20reimb	06/20/16	0152054020 reimb training exp	06/20/16	34.59	.00	.00	34.59
Vendor Total: MGOORE				34.59	.00	.00	34.59
Vendor: NAPA		NAPA Auto Parts					
6/20anim	06/20/16	0152055920 anim ctrl veh hose	06/20/16	4.06	.00	.00	4.06
6/20ern	06/20/16	0151363480 siren battery	06/20/16	69.95	.00	.00	69.95
6/20ems	06/20/16	0151404430 ems shocks, fluids	06/20/16	249.16	.00	.00	249.16
6/20maint	06/20/16	0150807210 maint eyewash	06/20/16	49.80	.00	.00	49.80
6/20sher	06/20/16	0150155920 sher waterpump, brak	06/20/16	151.18	.00	.00	151.18
Vendor Total: NAPA				524.15	.00	.00	524.15
Vendor: NCDHD		North Central District					
879	06/20/16	0151405500 ems tb tests	06/20/16	180.00	.00	.00	180.00
Vendor Total: NCDHD				180.00	.00	.00	180.00
Vendor: PIONEER		Pioneer Research Corp					
246546	06/20/16	0150204450 coroner truck suppl	06/20/16	229.40	.00	.00	229.40
Vendor Total: PIONEER				229.40	.00	.00	229.40
Vendor: QK4		Qk4					
56366	06/20/16	0150803090 foxlair repairspecs	06/20/16	1,928.48	.00	.00	1,928.48
56367	06/20/16	0150803090 subdiv inspections	06/20/16	1,485.00	.00	.00	1,485.00
Vendor Total: QK4				3,413.48	.00	.00	3,413.48
Vendor: QUADMED		Quad Med Inc.					
112645	06/20/16	0151405500 ems medic supplies	06/20/16	188.50	.00	.00	188.50
112755	06/20/16	0151405500 ems medic supplies	06/20/16	199.00	.00	.00	199.00
112830	06/20/16	0151405500 ems medic supplies	06/20/16	188.86	.00	.00	188.86
112874	06/20/16	0151405500 ems manikin	06/20/16	469.00	.00	.00	469.00
112927	06/20/16	0151405500 ems medic supplies	06/20/16	12.36	.00	.00	12.36
Vendor Total: QUADMED				1,057.72	.00	.00	1,057.72
Vendor: QUILL		Quill Corporation					
6301851	06/20/16	0150154450 sher chair	06/20/16	103.99	.00	.00	103.99
Vendor Total: QUILL				103.99	.00	.00	103.99
Vendor: RADIOSHACK		Taylorsville RadioShack					
10069567	06/20/16	0150157030 sher veh poweroutle	06/20/16	19.99	.00	.00	19.99
Vendor Total: RADIOSHACK				19.99	.00	.00	19.99
Vendor: S&JLIGHT		S&J Lighting & Lense Supply					

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506327	06/20/16	0151405860 ems lights	06/20/16	225.70	.00	.00	225.70
506327	06/20/16	0150807210 maint lights	06/20/16	175.00	.00	.00	175.00
Vendor Total: S&JLIGHT				400.70	.00	.00	400.70
Vendor: SCEXTEN		Spencer County Extension					
July2016	06/20/16	0151406020 ems bldg pymt#30	06/20/16	1,875.00	.00	.00	1,875.00
Vendor Total: SCEXTEN				1,875.00	.00	.00	1,875.00
Vendor: SCGENERAL		Spencer County General Fund					
01062016	06/20/16	TRANSFER	06/20/16	15,000.00	.00	.00	15,000.00
Vendor Total: SCGENERAL				15,000.00	.00	.00	15,000.00
Vendor: SIEGELS		Siegel's Uniforms					
293782-1	06/20/16	0151404810 ems shirts	06/20/16	125.00	.00	.00	125.00
Vendor Total: SIEGELS				125.00	.00	.00	125.00
Vendor: SOFTW MGMT		Software Management LLC					
25196	06/20/16	0150103180 clerk softw progrm	06/20/16	2,522.00	.00	.00	2,522.00
Vendor Total: SOFTW MGMT				2,522.00	.00	.00	2,522.00
Vendor: SRECC		Salt River Electric					
6/20anim	06/20/16	0152055780 anim ctrl util	06/20/16	65.56	.00	.00	65.56
6/20ems	06/20/16	0151405780 ems utilities	06/20/16	557.20	.00	.00	557.20
6/20maint	06/20/16	0150855780 mainten utilities	06/20/16	196.69	.00	.00	196.69
6/20parks	06/20/16	0154015780 parks utilities	06/20/16	512.47	.00	.00	512.47
6/20recycle	06/20/16	0152175780 recycling utilities	06/20/16	72.77	.00	.00	72.77
6/20tower	06/20/16	0151363480 tower utilities	06/20/16	20.95	.00	.00	20.95
Vendor Total: SRECC				1,426.64	.00	.00	1,426.64
Vendor: TRW		Thomson Reuters-West					
834097712	06/20/16	0150153480 sher CLEAR, May2016	06/20/16	140.00	.00	.00	140.00
Vendor Total: TRW				140.00	.00	.00	140.00
Vendor: USPOST		U.S. Postal Service					
6/20judge	06/20/16	0150014450 judge postage	06/20/16	94.00	.00	.00	94.00
6/20zoning	06/20/16	0150704450 zoning postage	06/20/16	141.00	.00	.00	141.00
Vendor Total: USPOST				235.00	.00	.00	235.00

* These invoices are on hold.

Report Total: Invoices	78,181.38
Open Credits	.00
Less Discounts Available	.00
Net Balance Due	78,181.38

*** Report Options ***
 Vendors: ALL
 Invoice Dates: ALL
 Status: All
 Accounts: 0149090000 to 01GROSS
 As Of: Current Date (06/16/2016)
 *** End of Report ***

SPENCER COUNTY
F21 PG674

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Spencer County Fiscal Court
Open Invoice Report
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Road

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: A&MOIL A & M Oil Company Inc.							
F35578	06/21/16	0261054550 road fuels	06/21/16	759.52	.00	.00	759.52
				Vendor Total: A&MOIL	759.52	.00	759.52
Vendor: AHP Air Hydro Power							
9745719	06/21/16	0261054670 mower parts	06/21/16	75.01	.00	.00	75.01
				Vendor Total: AHP	75.01	.00	75.01
Vendor: AUTOZONE Auto Zone							
4547443758	06/21/16	0261055920 road	06/21/16	14.77	.00	.00	14.77
4547455374	06/21/16	0261054790 road	06/21/16	18.49	.00	.00	18.49
				Vendor Total: AUTOZONE	33.26	.00	33.26
Vendor: CCSI California Contractors Supply							
TT30508	06/21/16	0261054750 impact sockets	06/21/16	126.80	.00	.00	126.80
				Vendor Total: CCSI	126.80	.00	126.80
Vendor: CTW ELECTR CTW Electrical Co. Inc.							
145169-00	06/21/16	0261055920 fuses	06/21/16	123.96	.00	.00	123.96
145182-00	06/21/16	0261055920 bolts, screws, connec	06/21/16	200.11	.00	.00	200.11
				Vendor Total: CTW ELECTR	324.07	.00	324.07
Vendor: CWLE County Wide Lawn Equipment							
6/21road	06/21/16	0261054670 trimhead	06/21/16	63.98	.00	.00	63.98
				Vendor Total: CWLE	63.98	.00	63.98
Vendor: DIAMOND M Diamond Mowers Inc.							
0111495-IN	06/21/16	0261054670 relief valve	06/21/16	218.23	.00	.00	218.23
0111583-IN	06/21/16	0261054670 mower skidshoe	06/21/16	221.97	.00	.00	221.97
				Vendor Total: DIAMOND M	440.20	.00	440.20
Vendor: DSPINKS Dale Spinks							
247459	06/21/16	0261055920 truck4 repair	06/21/16	180.00	.00	.00	180.00
247480	06/21/16	0261055920 mack repairs	06/21/16	180.00	.00	.00	180.00
247462	06/21/16	0261055920 backhoe repair	06/21/16	180.00	.00	.00	180.00
347458	06/21/16	0261055920 truck21 repair	06/21/16	180.00	.00	.00	180.00
347461	06/21/16	0261055920 truck106 repair	06/21/16	180.00	.00	.00	180.00
347463	06/21/16	0261055920 truck24 repair	06/21/16	180.00	.00	.00	180.00
				Vendor Total: DSPINKS	1,080.00	.00	1,080.00
Vendor: DWHITEHOUS Dakota Whitehouse							
6/21reimb	06/21/16	0261054450 phonecase	06/21/16	45.51	.00	.00	45.51
				Vendor Total: DWHITEHOUS	45.51	.00	45.51
Vendor: ESTEIER Eddie Steier							
6/20road	06/21/16	0261054670 mower weld	06/21/16	150.00	.00	.00	150.00
				Vendor Total: ESTEIER	150.00	.00	150.00
Vendor: HALLS Hall's Wrecker Service							
708	06/21/16	0261055920 air tool repair	06/21/16	45.00	.00	.00	45.00
				Vendor Total: HALLS	45.00	.00	45.00

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Spencer County Fiscal Court
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Road

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: HAYDONMAT Haydon Materials LLC							
173084	06/21/16	0261054090 stone	06/21/16	2,747.01	.00	.00	2,747.01
173085	06/21/16	0261054090 stone	06/21/16	723.04	.00	.00	723.04
Vendor Total: HAYDONMAT				3,470.05	.00	.00	3,470.05
Vendor: LFLW Limestone Farm Lawn Worksite							
287443	06/21/16	0261054670 mower fitting	06/21/16	5.88	.00	.00	5.88
289508	06/21/16	0261054670 mower seat	06/21/16	198.87	.00	.00	198.87
289511	06/21/16	0261054670 mower cushionkit	06/21/16	175.46	.00	.00	175.46
293926	06/21/16	0261054670 blades	06/21/16	70.77	.00	.00	70.77
Vendor Total: LFLW				450.98	.00	.00	450.98
Vendor: MAGO Mago Construction Company LLC							
064503	06/21/16	0261053110 FLEX-DeltaRd	06/21/16	29,548.80	.00	.00	29,548.80
064703	06/21/16	0261053110 DISCRET-MurphyLn	06/21/16	55,242.69	.00	.00	55,242.69
064704	06/21/16	0261053110 FLEX-DeltaRd	06/21/16	6,724.29	.00	.00	6,724.29
064705	06/21/16	0261053110 FLEX-MarvinNethery	06/21/16	32,558.97	.00	.00	32,558.97
064706	06/21/16	0261053110 DISCRET-CecilNoel	06/21/16	41,327.28	.00	.00	41,327.28
064707	06/21/16	0261053110 DISCRET-GreensLn	06/21/16	11,446.17	.00	.00	11,446.17
064708	06/21/16	0261053110 DISCRET-MartinLn	06/21/16	19,060.80	.00	.00	19,060.80
Vendor Total: MAGO				195,909.00	.00	.00	195,909.00
Vendor: MICZEE Driscoll Enterprises Inc.							
25422	06/21/16	0261054470 empl bagged ice	06/21/16	55.80	.00	.00	55.80
Vendor Total: MICZEE				55.80	.00	.00	55.80
Vendor: MONROEGARA Monroe's Garage							
556652	06/21/16	0261054790 tubes	06/21/16	105.00	.00	.00	105.00
Vendor Total: MONROEGARA				105.00	.00	.00	105.00
Vendor: SHELBYAUTO Shelby County Automotive Inc							
225370	06/21/16	0261055920 oil	06/21/16	31.98	.00	.00	31.98
Vendor Total: SHELBYAUTO				31.98	.00	.00	31.98
Vendor: SRECC Salt River Electric							
6/21road	06/21/16	0261055780 road utilities	06/21/16	57.11	.00	.00	57.11
Vendor Total: SRECC				57.11	.00	.00	57.11
Vendor: TRACTORSUP Tractor Supply							
100405410	06/21/16	0261054670 hydraulic valve	06/21/16	249.99	.00	.00	249.99
100405547	06/21/16	0261055920 aircompressor	06/21/16	269.99	.00	.00	269.99
100408717	06/21/16	0261055920 locks	06/21/16	29.97	.00	.00	29.97
Vendor Total: TRACTORSUP				549.95	.00	.00	549.95
Vendor: TRUCKPRO TruckPro, LLC							
May2016	06/21/16	0261055920 veh parts	06/21/16	63.14	.00	.00	63.14
Vendor Total: TRUCKPRO				63.14	.00	.00	63.14

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Spencer County Fiscal Court
Open Invoice Report
As of June 16, 2016

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Road

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
* These invoices are on hold.							Report Total: Invoices	203,836.36
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	203,836.36

*** Report Options ***
Vendors: ALL
Invoice Dates: 06/21/2016 to 06/21/2016
Status: All
Accounts: ALL
As Of: Current Date (06/16/2016)
*** End of Report ***

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Spencer County Fiscal Court
Open Invoice Report
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Jail

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
Vendor: SCODET		Shelby County Detention Center						
030518	06/22/16	MAY 2016 HOUSING	06/22/16	16,085.50	.00	.00	16,085.50	
Vendor Total: SCODET				16,085.50	.00	.00	16,085.50	
* These invoices are on hold.							Report Total: Invoices	16,085.50
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	16,085.50

*** Report Options ***
Vendors: ALL
Invoice Dates: ALL
Status: All
Accounts: 0350801770 to 03GROSS
As Of: Current Date (06/16/2016)
*** End of Report ***

ADDITIONAL INVOICES AND TRANSFERS

GENERAL FUND INVOICES/TRANSFERS

Spencer Co Clerk	0150704450 zoning filings	129.00
All State Ford	0151404430 med2 fire repair	2565.66
Daugherty's Body Shop	0151404430 med2 fire repair	1128.01
Spencer Co Road Fund	0199999990 FEMA-rec'd road funds less general	63777.24
Transfer \$300 to 0150157030 (sher computer/communic) from 0150155780 (sheriff utilities)		
Transfer \$5000 to 0150157030 (sher computer/communic) from 0150154550 (sheriff fuel)		
Transfer \$5000 to 0150157030 (sher computer/communic) from 0150154810 (sheriff uniforms)		
Transfer \$2300 to 0150157510 (sher veh equipmt) from 0150155780 (sheriff fuel)		
Transfer \$275 to 0150204450 (coroner expenses) from 0192001860 (employee leave)		
Transfer \$125 to 0150704450 (zoning office supplies) from 0150703020 (zoning ads)		
Transfer \$3400 to 0150803090 (engineering svcs) from 0192001860 (employee leave)		
Transfer \$200 to 0150855780 (mainten utilities) from 0150805710 (bldgs repairs)		
Transfer \$250 to 0150865780 (annex utilities) from 0150865710 (annex repairs)		
Transfer \$1000 to 0151403200 (ems billing contract) from 0151404550 (ems fuel)		
Transfer \$5000 to 0151404430 (ems repairs) from 0192001860 (employee leave)		
Transfer \$100 to 0151404450 (ems office supplies) from 0151404550 (ems fuel)		
Transfer \$200 to 0151405860 (ems bldg expense) from 0151404550 (ems fuel)		
Transfer \$3000 to 0152174680 (recycling) from 0192001860 (employee leave)		
Transfer \$700 to 0154014670 (parks expenses) from 0154014550 (parks fuel)		
Transfer \$500 to 0154015780 (parks utilities) from 0154014550 (parks fuel)		
Transfer \$250 to 0191005030 (bank charges) from 0192001860 (employee leave)		
Transfer \$4000 to 0150151230 (court security) from 0150151030 (deputies salaries)		
Transfer \$1300 to 0150701910 (zoning members) from 0192009990 (reserves for transfer)		
Transfer \$1500 to 0154011850 (parks asst dir salary) from 0154011790 (parks pt-time help)		
Transfer \$100 to 0150475780 (occtax utilities) from 0192001860 (employee leave)		
Transfer \$1200 to 0150805780 (cths utilities) from 0192001860 (employee leave)		
Transfer \$400 to 0150865780 (annex utilities) from 0192001860 (employee leave)		
Transfer \$400 to 0154015780 (parks utilities) from 0192001860 (employee leave)		
Transfer \$7500 to 01940002050 (health insur) from 0192001860 (employee leave)		
Transfer \$1000 to 0150101030 (clerk dep salaries) from 0150105850 (technology grant)		
Transfer \$800 to 0150151230 (court security) from 0150151030 (deputy salaries)		
Transfer \$1 to 0150201030 (deputy coroner salary) from 0150204450 (coroner supplies)		
Transfer \$1200 to 0150801470 (fleet technician) from 0192001860 (employee leave)		
Transfer \$100 to 0150801750 (custodian) from 0192001860 (employee leave)		
Transfer \$400 to 0150801850 (assistant sup.of bldgs) from 0192001860 (employee leave)		
Transfer \$500 to 0151351070 (EM director salary) from 015140202H (ems hazard retirement)		
Transfer \$300 to 0152051020 (animal ctr salary) from 0152051790 (parttime animal officer)		
Transfer \$500 to 0154011070 (parks dir salary) from 0154011790 (parttime parks help)		

ROAD FUND INVOICES/TRANSFERS

Transfer \$68600 to 0261053110 (flex projects) from 026105311D (discretionary projects)
 Transfer \$3500 to 0261054090 (stone) from 0261054470 (materials/supplies)

Cash Balance:	General Fund	Road Fund	Jail Fund
6/26/2015	\$655,476.25	\$256,512.58	\$94,224.50
7/29/2015	\$483,467.55	\$184,616.85	\$130,587.19
8/31/2015	\$432,531.91	\$934,004.65	\$111,226.60
9/30/2015	\$283,316.09	\$776,867.70	\$89,868.17
10/30/2015	\$707,125.67	\$712,103.61	\$77,578.15
11/30/2015	\$788,291.19	\$655,810.24	\$52,852.18
12/29/2015	\$903,354.84	\$399,956.31	\$77,069.34
1/31/2016	\$780,520.76	\$509,212.23	\$67,749.39
2/29/2016	\$740,207.62	\$691,020.23	\$71,410.58
3/31/2016	\$570,528.96	\$554,773.25	\$51,420.21
4/29/2016	\$683,484.95	\$517,618.51	\$86,221.46
5/31/2016	\$649,149.35	\$733,841.00	\$66,124.12
6/20/2016	\$622,141.05 (-Insurpymts)		\$62,367.70
		\$609,851.40 (-73000 Cedar Springs)	

- On the motion of Esq. Williams, seconded by Esq. Goodlett, with all members of the Court present voting 'aye', it is hereby ordered to approve the expenditures, purchases, invoices and transfers, including additional transfers that were handed out at the start of this meeting.

Esq. Judd stated that he had a request from a member of the Fair Board about the possibility of using inmates to help clean up the fairgrounds. This program had been suspended due to problems, but eight employees have recently been trained on the supervision of inmates, and the Judge said this program would be reinstated soon.

Esq. Rogers said that he had a complaint about a drainage problem

Judge Riley said that in light of the fact that the Court had failed to pass a budget, he wanted to call a recess and reconvene on Wednesday, June 22, 2016 at 2:00 pm in the Fiscal Court meeting room. The meeting was recessed at 9:47 PM.

Wednesday, June 22, 2016, 2:00 PM
Fiscal Court Meeting Reconvened from Monday, June 20

The meeting was reconvened at 2:09 PM by Judge Riley. Esq. Bayers was not present due to the fact that he was in Louisville with his wife who was undergoing an ultrasound, and it had taken longer than expected. He was on his way to the meeting.

Jude Riley led the discussion by saying the issue at hand was passing the budget. He said that the County Attorney had done some research on the matter, and the Judge said that he thought it was extremely important that the Court members know what the ramifications would be if they continued on the same course. He said they were getting into uncharted waters. He said that to his knowledge there had only been one other county in the State that had not approved their budget by July 1; that was Breathitt County. He said he didn't know all the details but he did know some of the Court members were jailed over the situation. He said that this was a very serious situation and he encouraged the court to rise above politics and personalities and do what was right for the County. At that point the Judge asked the County Attorney to explain what he had learned about the situation. The County Attorney said that he had been in conversation with Mr. Bobby Russell, General Counsel for DLG as well as with Robert Brown and someone named Tom and another named Will, all with DLG. He said DLG would like to see Spencer County get their budget passed. They had the opinion that the Sheriff's salary cap and the budget were two separate issues, that they were not the same. The County Attorney stated that he thought that there may be problems with the Sheriff's audit if the amount in his salary cap did not match the approved amount when the budget was sent in to Frankfort. Discussion ensued regarding the Sheriff's salary cap and how transfers could be made at a later time after the budget was passed. The Judge stated that they would have to make sure DLG had the minutes from the meeting where the transfers were made showing a change in the Sheriff's

salary cap. Esq. Goodlett commented that Esq. Bayers needed to be present to hear the conversation and the Judge called for a ten-minute recess.

The Judge reconvened the meeting at 2:35 when Esq. Bayers arrived. The Judge brought Esq. Bayers up to date on what had transpired up until that time.

The Judge stated to Esq. Judd that in a simple motion, a three to three vote would cause the motion to fail. But on a vote for an ordinance, it would take four votes for the ordinance to pass. The Judge then asked if anyone in the audience considered themselves to be an authority on Parliamentary procedure. There was no response from the audience. The Judge then went on to say that the goal was to once again take up the issue of the County budget and in order to do that, he would entertain a motion to reconsider the issue of the budget and for that he would need a motion and a second and as he understood it, the motion and second had to come from someone who had voted in the affirmative.

- Motion made by Esq. Goodlett, seconded by Esq. Rogers to reconsider the issue of the County budget. The vote in favor was unanimous to reconsider the budget.

The Judge then said that to continue forward he would entertain a motion to rescind the votes on the previous motion for the adoption of the County budget.

- On the motion of Esq. Goodlett, seconded by Esq. Bayers with all members of the Court present voting 'aye', except Esq. Williams, who voted 'nay', it is hereby ordered to rescind the votes on the previous motion to adopt the County budget.

The Judge then said that the next step was to vote on the ordinance adopting the budget for 2016/2017.

- Motion was made by Esq. Goodlett, seconded by Esq. Rogers to adopt Ordinance # 5, the budget for 2016/2017.
Discussion ensued the Judge saying that it would take four votes to pass the ordinance. He said transfers and amendments could be made later. He said that he believed that if the budget was not passed, either DLG, or through the Attorney General's office would sue the Court and the issue would be settled in Circuit Court. He again said to the forget the politics.
Esq. Williams said that Representative Tipton had spoken with General Counsel for DLG, and he was told no one was going to jail. Esq. Williams also asked if the Judge was willing to compromise on any of the issues previously brought forward, or would the Court be voting on the budget without changes. He said he would like to see some changes before the budget was approved. The Judge said that if changes were made to the budget that it would have to back to DLG and the approval process would have to start all over. Esq. Williams again said that he would like to see some changes made but the Judge was not willing to negotiate so he would be unwilling to change his vote. Judge Riley asked him for specific changes Esq. Williams would like to see and Esq. Williams said that there was a motion and second on the floor. The Judge wanted to know what changes Esq. Williams would like to make. Esq. Williams said that he would like to see the \$80,000.00 in raises set aside for a rainy day fund or used for economic development. The Judge said that if the" Court adopted this budget and move into a new fiscal year, at any time, we can budget a new vehicle for the Parks Department, because they need it,

you voted to purchase the new vehicle, you budgeted for it, OK?" Esq. Williams said he understood what the Judge was saying, but he said it was also within the Court's prevue to make changes to the budget today. Discussion continued with Esq. Bayers saying that there were 9 days left to make amendments, get the budget sent to DLG, advertise and still get the budget approved. The Judge again said that changes could be made after the budget was approved. Esq. Rogers called for the vote.

On the motion to adopt the Ordinance #5, 2016/2017 budget "ayes' were Esq. Goodlett, Judge Riley, Esq. Rogers. 'nays' were Esq. Bayers, Esq. Judd, Esq. Williams. The motion fails.

- On the motion of Esq. Rogers, seconded by Esq. Goodlett, with all members of the Court present it is hereby ordered to adjourn this meeting at 3:19 PM.



Spencer County Judge Executive, John Riley

7-7-16
Date



Attest: Spencer County Clerk, Lynn Hesselbrock

7-7-16
Date