

Fledge of Allegiance to the flag.

Prayer by Esq. Judd before court began.

On motion of Esq. Henry, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court to approve the previous Fiscal Court minutes.

Communications from County Judge Executive:  
County Judge Jenkins thanked everyone for their concern and support during his mothers illness and death.

Reports from Members, Other Offices, and Committees:  
1) Ethics Committee-proposed code of ethics  
Esq. Henry spoke for the committee and announced they had revised the current code of ethics for approval.

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Spencer County, Kentucky  
Amended Ordinance No. \_\_\_\_\_  
Fiscal Year 2010 Series

CODE OF ETHICS FOR THE COUNTY OF SPENCER

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WHEREAS; the Spencer County Fiscal Court has the authority pursuant to KRS Chapter 65, to enact an ordinance establishing a code of ethics to guide the conduct of elected and appointed officers and employees of Spencer County, including members of the Fiscal Court, Sheriff, County Attorney, County Clerk, Jailor, Coroner, and Constables; and,

WHEREAS; public office and employment are a public trust and government has a duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and,

WHEREAS; it is the purpose of this section of the Spencer County Administrative Code to provide a method of assuring that the standards of ethical conduct for local government officers and employees shall be clear, consistent, and uniform in their application, and to provide local officers and employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

SECTION 1: FINDINGS, DECLARATIONS

The Spencer County Fiscal Court finds and declares that:

- A. Public office and employment are a public trust;
- B. The vitality and stability of representative democracy depend upon the public's confidence in the integrity of its elected and appointed representatives whether compensated or not;
- C. Whenever the public perceives a conflict between the private interests and the public duties of a government officer or employee, that confidence is imperiled;
- D. Local government has the duty both to provide the citizens of Spencer County with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and
- E. It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for local government officers and employees shall be clear, consistent, uniform in their application, and enforceable with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

SECTION 2: DEFINITIONS:

- A. Business associate includes the following:
  - 1. a private employer;

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- 2. a general or limited partnership, or a general or limited partner within the partnership;
  - 3. a corporation that is family-owned or in which all shares of stock are closely held, and the shareholders, owners, and officers of such a corporation;
  - 4. a corporation, business association, or other business entity in which the county government officer or employee serves as a compensated agent or representative.
- B. Business organization means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self employed individual, holding company, joint stock company, limited liability corporation, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit;
- C. Candidate means an individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:
- 1. files a notification and declaration of nomination for office with the County Clerk or Secretary of State; or
  - 2. is nominated for office by a political party under KRS 118.105, 118.115, 118.325, or 118.760.
- D. County government agency means any board, commission, authority, non-stock corporation, department, or other entity formed by the county government or combination of local governments and includes any employee thereof.
- E. County government employee means any person, whether compensated or not, whether full time, part time, or seasonal, employed by or serving the county government, but shall not mean any employee of the local school board or any person using jail work release or performing community service under Judicial Order.
- F. County government officer means any person, whether compensated or not, whether full time or part time, who is elected to any county government office; or any person who serves as a member of the governing body of any county government agency or special taxing or non-taxing district.
- G. Family member means a spouse, parent, child, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.
- H. Rule of necessity means the county government, agency, or district may make or enter into a contract in which an officer, employee, family member, or a business associate has an economic interest if:
- 1. The nature of the transaction and the nature of the interest is publicly disclosed on record prior to the time it is engaged in, and

- 2. A specific finding is made by the county government, agency, or district and entered on the official record of the proceedings of the governing body that, notwithstanding the conflict, it is in the best interest of the local government because of limited supply, price, or documented emergency.

SECTION 3: STANDARDS OF CONDUCT

Spencer County officers or employees under the jurisdiction of this section shall comply with the following provision:

- A. No county government officer or employee or member of his/her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in conflict with the proper discharge of his/her duties in the public interest;
- B. No county government officer or employee shall use or attempt to use his or her position to secure unwarranted privileges or advantages for himself/herself;
- C. No county government officer or employee shall act in his/her official capacity in any manner which he/she, a member of his/her family, or a business organization in which he/she has an interest, has a direct or indirect financial or personal involvement that might be expected to impair his/her objectivity or independence of judgment;
- D. No county government officer or employee shall undertake any employment or service, compensated or not, which might be expected to prejudice his/her independence of judgment in the exercise of his/her official duties;
- E. No county government officer or employee, member of his/her immediate family, or business organization in which he/she has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, political contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective office as governed by the Kentucky Revised Statutes;
- F. No county government officer or employee shall be prohibited from giving or receiving an award publicly presented in recognition of public service, or hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearance, ceremonies or fact finding trips related to official county government business.
- G. No duly authorized county government official shall be prohibited from accepting a gratuity for solemnizing a marriage;

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H. No county government officer or employee shall use, or allow to be used, his/her public office or employment, or any information, not generally available to the members of the public, which he/she receives or acquires in the course of and by reason of his/her office or employment, for the purpose of securing financial gain for himself/herself, any member of his/her family, or any business organization with which he/she is associated except under the "rule of necessity".

L. No county government officer, county employee, or business organization a county government officer or employee has an interest in shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he/she serves;

J. No county government officer or employee shall be deemed in conflict with these provisions if, by reason of his/her participation in the enactment of any ordinance, resolution or other matter required to be voted upon, which falls under the "rule of necessity".

K. No elected county government officer shall be prohibited from making an inquiry for information of providing assistance on behalf of a constituent, if no fee, reward, or other thing of value is promised to, given to, or accepted in return by the officer or a member of his/her immediate family, whether directly or indirectly;

L. Nothing in this section shall prohibit any county government officer, county employee, or members of his/her family, from representing himself/herself or themselves in negotiations or proceedings concerning his/her or their own interests;

M. No county government officer or employee shall use official authority, influence, or coercion toward an official or employee of county government at any time for political activity or to effect a nomination or election result;

N. No county government officer or employee shall attempt, directly or indirectly, to coerce a person in county government to lend, pay, or contribute anything of value to a group or person for any political activity or purpose;

O. No county government officer or employee shall use personnel, property, equipment, or resources of the county government for personal benefit or any political activity, convenience or profit, nor for the benefit, convenience or profit for any family members, relatives, business associates or friends.

P. No official or employee of county government shall receive any requisites of office that are not offered equally to each and every citizen, including but not limited to vehicles, neighborhood development, or other discretionary grant funds.

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#### SECTION 5: RECEIPT OF GIFTS.

No officer, employee, board or commission member of the county or any county agency shall directly or indirectly through any other person or business, solicit or accept any gift having a fair market value of more than one hundred dollars (\$100), whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the officer, employee, board or commission member in the performance of his or her public duties.

#### Exceptions:

- unsolicited gratuities, regardless of value, when such gratuities are offered to and remain the property of the County or County Agency.
- Admission to events to which they are invited in their official capacity as a Public Official.
- Campaign contributions or services in connection with their political campaign.
- Loans made in the ordinary course of business.
- Gifts received from family members
- An occasional non-monetary award publicly presented by a nonprofit organization for performance of public service.

#### SECTION 6: USE OF COUNTY PROPERTY, EQUIPMENT AND PERSONNEL.

No officer, employee, board or commission member of the county shall use or permit the use of any county time, funds, personnel, equipment, or other personal or real property for the private use of any person, unless:

- The use is specifically authorized by a stated county policy; or
- The use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public.

#### SECTION 7: MISUSE OF CONFIDENTIAL INFORMATION.

No officer, employee, board or commission member of the county or any county agency shall intentionally use or disclose information acquired in the course of his or her official duties, if the primary purpose of the use or disclosure is to further his or her financial interest or that of another person or business. Information shall be deemed confidential, if it is not subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.872 to 61.884, at the time of its use or disclosure.

#### SECTION 8: HONORARIA.

(A) No officer, employee, board or commission member of the county or any county agency shall accept any compensation, honorarium or gift with a fair market value greater than \$100 in consideration of an appearance, speech or article unless the appearance, speech or article is both

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#### SECTION 4: CONFLICT OF INTEREST IN CONTRACTS

No officer, employee, board or commission member of the county or any county agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the county or county agency, except as follows:

1. The prohibition in subsection (A) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for county office, before an appointed officer was appointed to a county or county agency office, or before an employee was hired by the county or county agency. However, if any contract entered into by a county, or county agency, officer, employee, board or commission member, before he or she became a candidate, was appointed to office, or was hired as an employee, is renewable after he or she becomes a candidate, assumes the appointed office, or is hired as an employee, then the prohibition in subsection (A) of this section shall apply to the renewal of the contract.

2. The prohibition in subsection (A) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the officer, employee, board or commission member is authorized to participate in establishing the contract specifications, awarding the contract, or managing contract performance after the contract is awarded. If the officer, employee, board or commission member has any of the authorities set forth in the preceding sentence, then the officer, employee, board or commission member shall have no interest in the contract, unless the requirements set forth in subpart (3) below are satisfied.

3. The prohibition in subsection (A) of this section shall not apply in any case where the following requirements are satisfied.

(A) The specific nature of the contract transaction and the nature of the officer's employee's, board or commission member's interest in the contract are publicly disclosed at a meeting of the governing body of the county or county agency and refrain from participating in voting.

(B) The disclosure is made a part of the official record of the governing body of the county or county agency before the contract is executed.

(C) A finding is made by the governing body of the county or county agency that the contract with the officer, employee, board or commission member is in the best interest of the public and the county or county agency because of price, limited supply, or other specific reasons.

(D) The finding is made a part of the official record of the governing body of the county or county agency before the contract is executed.

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related to the officer's, employee's, board or commission member's activities outside of government service and is unrelated to the officer's, employee's, board or commission member's service with the county.

(B) Nothing in this section shall prohibit an officer, employee, board or commission member of the county from receiving and retaining from the county or on behalf of the county actual and reasonable out-of-pocket expenses incurred by the officer, employee, board or commission member in connection with an appearance, speech or article, provided that the officer, employee, board or commission member can show by clear and convincing evidence that the expenses were incurred or received on behalf of the county or county agency and primarily for the benefit of the county and not primarily for the benefit of the officer, employee, board or commission member or any other person.

#### SECTION 9: POLITICAL ACTIVITIES.

No appointment to, or employment in, any county agency position shall be dependent on political activity. No Public Official shall require any person to engage in any political activity as a condition of appointment or employment.

#### SECTION 10: PERFORMANCE OF OFFICIAL FUNCTIONS.

Public Officials shall:

- Discharge public duties without favor, compensation or reward, except from the county or agency involved;
- Not use or attempt to use their official position to secure unwarranted personal or financial gain, or to avoid consequences of illegal acts, for themselves or others; or
- Not act in their official capacity in any matter when the Public Official or a family member has a direct or indirect financial or personal involvement, or when the Public Official has reason to know that their action may result in a personal financial benefit for the Public Official or family member.

#### SECTION 11: FINANCIAL DISCLOSURE

A. The following individuals shall be required, as defined in this chapter, to file a financial disclosure statement:

- Elected officials - annually;
- Candidates for elected office - within 21 days of filing;
- Officers and other employees with procurement authority exceeding five hundred (\$500.00) per purchase - annually;
- Members of boards and commissions to which this chapter of the Spencer County Administrative Code applies including any employee of these boards and commissions with procurement authority exceeding five hundred dollars (\$500.00) per purchase - annually.

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- B. The financial disclosure statement shall be on a form setting forth the above (copy of the form is attached to this chapter as an appendix). The financial disclosure statement shall be filed annually by those subject to the reporting provisions of this chapter no later than February 28.
- C. Candidates shall be required to file the statement no later than twenty one (21) days after the filing date or the date of their nomination by a political party.
- D. Newly-appointed officers, board and commission members, shall file the required financial disclosure form annually by February 28.
- E. The financial disclosure statement shall contain the following information:
1. Name of filer.
  2. Current business address, business telephone number and home address of the filer;
  3. Title of the filer's public office or office being sought;
  4. Occupations of filer and spouse;
  5. Positions held by the filer, spouse, or minor children in any business organization or nonprofit entity from which the filer, spouse, or minor children received compensation in excess of \$10,000 during the preceding calendar year, and the name, address, and telephone number of the business organization or nonprofit entity;
  6. Name, address, and telephone number of each source of income of the filer, spouse, or minor children which exceeds \$10,000 during the preceding year;
  7. Name, address, and telephone number of each business organization in which the filer, spouse, or minor children had an interest of \$10,000 at fair market value or five percent (5%) ownership interest or more during the preceding year;
  8. The location and type (commercial, residential, agricultural) of all real property, other than the filer's primary residence, in which the filer, spouse, or minor children had an interest of \$10,000 or more during the past year.
- F. Each statement shall be signed and dated by the individual filing the statement of financial interest. Signing a financial disclosure statement knowing it is false shall be a Class A misdemeanor.
- G. All financial disclosure statements shall be open records and access to them shall be governed by the Kentucky Open Records Law.
- H. Financial disclosure statements shall be filed with the County Clerk, who shall forward a copy of such documents to the Spencer County Ethics Commission within 48 hours of the filing deadline. Following review or final disposition by the Spencer County Ethics Commission, the documents shall be maintained by the Spencer County Clerk.

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- L. The Spencer County Ethics Commission shall meet after March 1<sup>st</sup> and before March 31<sup>st</sup> of each calendar year to review financial disclosure statements that are filed by county officials and employees.
- M. The Spencer County Ethics Commission shall meet within 30 days of the final filing date for elected officials for the purpose of reviewing the required financial disclosure statements of candidates.
- N. Other meetings may be held as necessary to carry out the provisions of this chapter by the Chairperson of the Spencer County Ethics Commission. If the Chairperson is unable to call a meeting or refuses to call a meeting, the two remaining members may call a meeting by notifying the County Judge/Executive and Spencer County Fiscal Court in writing of the time and place a meeting will be held.
- O. The Spencer County Fiscal Court shall provide the Spencer County Ethics Commission with necessary facilities for the conduct of its business and the preservation of its records, and shall supply equipment and supplies as may be necessary.
- P. All necessary expenses incurred by the Spencer County Ethics Commission and its members shall be paid, upon certification of the chairperson, by the Spencer County Fiscal Court within the limits of funds appropriated by the Spencer County Fiscal Court by manual or emergency appropriations for these purposes. Spencer County Fiscal Court retains the right to withhold payment for good cause shown.

**SECTION 14: POWERS AND DUTIES OF THE COUNTY ETHICS COMMISSION:**

The Spencer County Ethics Commission shall have the following powers and duties:

- A. To receive, hear, and review complaints and hold hearings with regard to possible violations of the county ethics provisions or financial disclosure requirements by local government officers or employees serving the county;
- B. Administer oaths, compel the attendance of witnesses and the production of papers, books, documents, and testimony; and to have the deposition of witnesses taken in the manner prescribed by the Kentucky Rules of Civil Procedure for taking depositions in civil actions;
- C. To render advisory opinions to local government officers or employees serving the county as to whether a given set of facts and circumstances would constitute a violation of any provision set forth in this chapter on ethics and financial disclosure;
- D. To forward to the Spencer County Attorney, Attorney General of Kentucky, Commonwealth Attorney or other government bodies any information concerning violations of the county provisions of ethics and financial disclosure by local government officers or employees serving the county which may become the subject of criminal prosecution or which may warrant the institution of other legal proceedings by such officials;
- E. Prescribe forms for reports, statements, notices, and other documents required by this chapter. The Fiscal Court shall pay the costs of producing the forms prescribed by the Spencer County Ethics Commission. The prescribed forms shall be maintained by the Office of the County Judge/Executive and available to the public or those covered by the provisions of this chapter upon request.

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**SECTION 12: NEPOTISM**

- A. After the effective date of this administrative code of ethics, a family member as defined in Section II of this chapter on ethics of a county officer shall not be initially employed to a full time position in any governmental agency or special district in which the county officers serves. This provision is subject to appeal to the ethics commission. This provision shall not apply to a county officer's family member who, after the effective date of this administrative code of ethics, on the date of the county officer's election or appointment, has been employed for at least twelve (12) months in the same county agency in which the county officer serves. This provision shall not apply to part-time, seasonal, or emergency employees who work less than 120 days per year.

**SECTION 13: SPENCER COUNTY ETHICS COMMISSION - ESTABLISHMENT**

- A. There is hereby established the Spencer County Ethics Commission.
- B. The Spencer County Ethics Commission shall consist of three (3) members.
- C. The members of the Spencer County Ethics Commission shall be citizens who hold no public office or position.
- D. Members of the Spencer County Ethics Commission shall be at least 21 years of age and shall not have been convicted of a misdemeanor within the previous two (2) years nor convicted of a felony at any time.
- E. Members of the Spencer County Ethics Commission shall be residents of Spencer County, Kentucky.
- F. Members of the Spencer County Ethics Commission shall be nominated by the Spencer County Judge/Executive and confirmed by the Fiscal Court of Spencer County. Nominations may be suggested to the County Judge/Executive by any resident of Spencer County.
- G. Those members of the Spencer County Ethics Commission serving at the time of the adoption of this administrative code of ethics shall continue to serve until the expiration of their current term of appointment.
- H. Vacancies on the Spencer County Ethics Commission shall be filled within sixty (60) days by the County Judge/Executive with the approval of the Fiscal Court. If a vacancy is not filled by the County Judge/Executive and approved by the Fiscal Court, the remaining members of the Spencer County Ethics Commission shall fill the vacancy subject to the approval of the fiscal court. All vacancies shall be filled for the remainder of the unexpired term.
- I. The terms of members of the Spencer County Ethics Commission shall be for a period of four years. A commission member may serve no more than two (2) consecutive terms.
- J. Members of the Spencer County Ethics Commission shall be compensated the same amount as other board members and shall be reimbursed by the county for necessary expenses incurred in the performance of their duties under this chapter.
- K. Members of the Spencer County Ethics Commission shall annually elect a chairperson. The election of the chairperson shall be held in February of each year and the newly elected chairperson will assume his/her duties on March 1<sup>st</sup>.

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- F. Determine whether the required financial disclosure statements and reports have been filed, and, if filed, whether they conform with the requirements of this chapter. The Spencer County Ethics Commission shall give notice within fifteen (15) days from the Commission's review to a filer that deficiencies in and/or corrections to a required report need to be filed with the Spencer County Ethics Commission. Such notice shall be in writing and explained to the filer in detail by the Spencer County Ethics Commission. The filer of such a report found to be deficient shall have fifteen (15) days to resubmit the required report to the Spencer County Ethics Commission.
- G. Retain private counsel with pre-approval by the fiscal court at the expense of the county.
- H. To enforce the provisions of this chapter on ethics and financial disclosure with regard to local government officers and employees serving the county and to impose penalties for the violation thereof as are authorized by this chapter.

**SECTION 15: REQUEST FOR ADVISORY OPINION FROM ETHICS COMMISSION**

A local government officer or employee serving the county may request and obtain from the Spencer County Ethics Board an advisory opinion as to whether any proposed activity or conduct would in its opinion constitute a violation of the provisions of this chapter. Advisory opinions of the Spencer County Ethics Commission shall not be made public.

**SECTION 16: COMPLAINT PROCEDURE: PRELIMINARY INVESTIGATIONS**

- A. Any person over the age of 18 may file a complaint alleging a violation of this chapter on ethics and financial disclosure subject to the following requirements:
1. The alleged violation must have occurred, in whole or in part, within twelve (12) months preceding the filing of the complaint;
  2. The complaint must be on the form prescribed by the commission, or substantially conform thereto;
  3. The complaint must contain the name, address, and signature of the complainant, and all other information requested on the complaint forms.
- B. The Spencer County Ethics Commission may initiate a complaint upon its own motion, based upon information reported in the media.

**SECTION 17: INITIAL INQUIRY**

- A. Not later than fifteen (15) days after the Spencer County Ethics Commission receives the complaint from a citizen or initiates a complaint upon its own motion, the Ethics Commission shall begin an initial inquiry into the alleged violation of the provisions of this chapter.
- B. Within thirty (30) days of commencement of the initial inquiry, the Spencer County Ethics Commission shall conclude whether or not the complaint is incomplete, outside of its jurisdiction, or frivolous. It shall reduce this conclusion, if so found, to writing and shall transmit a copy thereof, if possible, to the complainant and to the local government

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- officer or employee against whom the complaint was filed, thereby terminating the action and dismissing the complaint.
- C. If a potential violation is found the Spencer County Ethics Commission shall notify within ten (10) days the local government officer or employee against whom the complaint was filed of the nature of the complaint and the facts and circumstances set forth therein. Such notice shall be in writing and shall contain a copy of the original complaint.

**SECTION 18: PRELIMINARY INVESTIGATION**

- A. Upon a finding of potential violation after an initial inquiry, the commission shall afford any person accused of a violation an opportunity to respond in writing to the allegations in the complaint. The accused person shall be allowed thirty (30) days to prepare a written response. A fifteen (15) day extension may be offered at the discretion of the commission. A copy of the written response will be forwarded to the complainant. The accused person may request an opportunity to appear before the commission for informal oral arguments. The commission shall permit such appearance only after giving written notice to the complainant of his/her right to be present.
- B. If the Spencer County Ethics Commission determines, during or after the preliminary investigation, that the complaint does not allege facts sufficient to constitute a violation of this chapter, the Commission shall immediately terminate the inquiry and shall issue a written opinion to that fact. Copies of the opinion shall be filed with the Spencer County Clerk.
- C. If the Spencer County Ethics commission, during the course of the preliminary investigation or hearing, finds probable cause to believe that a violation of this chapter has occurred, the commission shall notify in writing to the accused violator such findings and may, upon majority vote initiate an adjudicatory proceeding under the provisions of Section 19 of this chapter to determine whether there has been a violation of the provisions of this chapter on ethics and financial disclosure. Such an adjudicatory proceeding shall occur no less than 30 days from the issuance of written notice to the accused violator.

**SECTION 19: ADJUDICATORY PROCEEDINGS**

- A. The Kentucky Rules of Civil Procedure and the Kentucky Rules of Evidence shall apply to all Spencer County Ethics Commission adjudicatory hearings.
- B. All testimony in a Spencer County Ethics Commission adjudicatory hearing shall be under oath and shall be recorded by a judicial court reporter.
- C. All parties shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine witnesses, to submit evidence, and to be represented by legal counsel and any other due process rights, privileges, and responsibilities of a witness appearing before the courts of the Commonwealth of Kentucky.

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Kentucky. Evidence collected by the Spencer County Ethics Commission may be used in a criminal proceeding if otherwise relevant.

**SECTION 20: APPEALS**

- A. Any person found by the Spencer County Ethics Commission to have committed a violation of this chapter of the Spencer County Administrative Code may appeal the action to the Spencer Circuit Court. The appeal shall be initiated within thirty (30) days after the final action of the Spencer County Ethics Commission by filing a petition with the Spencer Circuit Court against the Spencer County Ethics Commission. The Spencer County Ethics Commission shall transmit to the clerk of the Spencer Circuit Court all evidence considered by the Spencer County Ethics Commission at the public hearing. The Spencer Circuit Court shall hear the appeal upon the record as certified by the Spencer County Ethics Commission.

**SECTION 21: GENERAL PROVISIONS**

- A. All Spencer County Ethics proceedings and records with the exception of the adjudicatory hearing shall be confidential until a final determination is made by the Commission. Notwithstanding the foregoing, the Spencer County Ethics Commission may turn over to the Spencer County Attorney, the Commonwealth Attorney, or other appropriate investigative agency, evidence which may be used in criminal proceedings.
- B. The complaining party or alleged violator shall not publicly disclose the existence of a complaint under preliminary investigation. Violation of this subsection may result in disciplinary action up to and including suspension without pay, a fine, or both. This action would not preclude either party from obtaining counsel.
- C. The Spencer County Ethics Commission members shall not publicly disclose the existence of a complaint or a preliminary investigation nor make public any documents which were issued to any party in an action until a final determination is made.
- D. Any person who knowingly files with the Spencer County Ethics Commission a false complaint of misconduct on the part of any county officer or employee shall be charged with a Class A misdemeanor.
- B. An accused person shall have the right to be represented by an attorney at every stage beyond initial inquiry.

**SECTION 22: SEVERABILITY SECTION**

The provisions of each section of this Ordinance are severable, and if any provision, section, paragraph, sentence or part thereof, or the application thereof to any person, license, class or group, be held unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this Ordinance, it being the legislative intent of the Fiscal Court to

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- D. Any person whose name is mentioned during a Spencer County Ethics Commission Adjudicatory Hearing and who may be adversely affected thereby may appear personally before the Commission on the person's own behalf, with or without an attorney, to give a statement of opposition to such adverse mention or file a written statement of the opposition for incorporation into the record of the proceeding.
- E. All Spencer County Ethics Commission Adjudicatory Hearings shall be carried out pursuant to the provisions of this section shall be open to the public unless the members vote to go into executive session in accordance with the provisions of KRS 61.810.
- F. Within five (5) days after the end of an adjudicatory proceeding held pursuant to the provisions of this section, the Spencer County Ethics Commission shall meet in executive session for the purpose of reviewing the evidence before it. Within ten (10) days after the completion of deliberations, the Spencer County Ethics commission shall publish a written report of its findings of facts and conclusions of law. This report shall be filed with the County Attorney, or Attorney General of Kentucky if filed in regard to the County Attorney.
- G. The Spencer County Ethics Commission, upon finding pursuant to an adjudicatory hearing, that there has been clear and convincing proof of a violation of this chapter of the Spencer County Administrative Code may:
1. Issue an order requiring the violator to cease and desist the violation;
  2. Due to mitigating circumstances such as lack of significant economic advantage or gain by the alleged violator, lack of significant economic loss to the county, or lack of significant impact on public confidence in government, the Spencer County Ethics Commission may issue a public or confidential reprimand, in writing, to the alleged violator for potential violations of the provisions of this chapter.
  3. Issue an order requiring the violator to file any report, statement, or other information as required by this chapter on ethics and financial disclosure;
  4. In writing, publicly reprimand the violator for potential violations of the law and provide a copy of the reprimand to the County Clerk.
  5. Issue an order requiring the violator to pay a civil penalty of not more than one thousand dollars (\$1,000.00). Such civil penalty shall be paid to the Spencer County Treasurer.
  6. Refer the matter to the Spencer County Attorney, Commonwealth Attorney, Attorney General of Kentucky, or other investigative agencies of appropriate jurisdiction for further proceedings and possible criminal penalties.
- H. Findings of fact or final determination by the Spencer County Ethics Commission that a violation of this chapter of the Spencer County Administrative Code has been committed, or any testimony related to the Commission's findings of fact or final determinations, shall not be admissible in criminal proceedings in the courts of the Commonwealth of

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ordain and enact each provision, section, paragraph, sentence and part thereof, separately and independently of every other.

**SECTION 23: EFFECTIVE**

This Ordinance shall become effective on \_\_\_\_\_, 2010, after its passage and publication as required by law. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Given first reading and approval on \_\_\_\_\_

Given second reading and adoption on \_\_\_\_\_

David Jenkins  
Spencer County Judge Executive

Attest:

Judy Puckett  
Spencer County Fiscal Court Clerk

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ORDERS

SPENCER COUNTY FISCAL COURT

TERM, DAY, 5th DAY OF, April 20.10

County Judge Jenkins announced that County Attorney Ruth Hollan is having orthopedic problems and won't be attending today's meeting, for that reason the court may want to wait to act on this until she's present.

On motion of Esq. Drury, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court to table the proposed code of ethics until the next Fiscal Court meeting.

2) Grants Committee-sidewalks

Esq. Drury gave an update for the grants committee and announced the committee recommends Fiscal Court apply for the transportation enhancement grant.

On motion of Esq. Drury, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court that Fiscal Court is to file a letter of intent for the transportation enhancement grant.

3) Equipment Committee-mack truck program

Esq. Judd announced it's the committees recommendation to retain the current mack truck the county has on hand.

On motion of Esq. Judd, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court that the county retains the current mack truck that's on hand.

Esq. Henry spoke for Parks Director Randy Wise who's requesting a new trimmer/weed eater. He provided two estimates, one from County Wide Lawn Equipment for \$219.95 and the other from Big Three Tractor for \$219.00.

On motion of Esq. Henry, second by Esq. Judd, all members of the court present voting "Aye" it is hereby ordered by the court to purchase the parks department a new weed eater from County Wide Lawn Equipment for \$219.95.

Esq. Henry announced that the baseball association is requesting two loads of sand, in the past its cost the county \$450.00, which does get reimbursed.

On motion of Esq. Henry, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court that the county assist the baseball association with two loads of sand and be reimbursed.

Esq. Henry announced that Waterford Park is having an issue with people driving through the creek and into the park. There's a need for 10 more barriers (\$35.00/each) to prevent it from happening.

On motion of Esq. Judd, second by Esq. Drury, all members of the court present voting "Aye" it is hereby ordered by the court to purchase 10 new barriers for Waterford Park.

Deputy Sheriff Kyle Bennett spoke on behalf of Sheriff Steve Coulter who is recommending that the county hire Damon Jewell, who already trained, as a deputy sheriff.

On motion of Esq. Goodlett, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court to hire Damon Jewell as a deputy sheriff.

Jailer's Report-March

SPENCER COUNTY TRANSPORT-MONTHLY REPORT

MONTH: March 2010

NUMBER OF TRIPS <u>88</u>	NUMBER OF TRIPS <u>88</u>
DUI <u>21</u>	AMOUNT <u>3520.00</u>
BALANCE <u>67</u>	DAVID <u>2340.00</u>
	David <u>400.00</u>

GAS EXPENSES 281.00 AMOUNT DUES 2200.00

TOTAL MILEAGE 3420

VEHICLE REPAIRS Phone 48.90

MISC. EXPENSES 769.50 Food 19.60

COURT RUNS 32

JAIL RUNS 56

TRANSPORT OFFICERS	RUNS	SITTING	TOTAL
SHARON COOK	<u>7</u>		<u>280.00</u>
MARLENE CRANMER	<u>11</u>	<u>2hrs</u>	<u>440.00</u>
TABITHA KING	<u>4</u>	<u>2hrs</u>	<u>160.00</u>
DARRRELL HEINDON	<u>26</u>		<u>1040.00</u>
<u>Mike Blockhouse</u> GLENN GOODLETT	<u>4</u>	<u>2hrs</u>	<u>160.00</u>
ROB HANCE	<u>15</u>	<u>2hrs</u>	<u>600.00</u>
David H	<u>14</u>	<u>1hr</u>	<u>560.00</u>
TOTAL AMOUNT DUES			<u>22556.3</u>

SPENCER COUNTY JAILER David H. Houchlin  
THE HONORABLE DAVID HOCHLIN

DATE: March 31, 2010

LiL=9  
L.V=2  
4600=1

TERM, DAY, 5th DAY OF April 20 10

On motion of Esq. Goodlett, second by Esq. Riley, all members of the court present voting "Aye" it is hereby ordered by the court to approve the jailer's report.

Revised Interlocal Agreement

INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT made and entered into this day \_\_\_\_ of April 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 establishment of a Public Safety Answering Points (PSAPs) to answer all Enhanced 911 calls originating from Spencer County and all other parties hereto through the Enhanced 911 Emergency Service System (E-911) which is to be established.

WITNESSETH:

WHEREAS, the establishment of an Enhanced 911 Emergency Service System will greatly contribute to the public safety and benefit the citizens of Spencer County and each of the other parties to this agreement; and

WHEREAS, the successful implementation and efficient operation of an 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, duplicative of effort and impractical for the parties to this agreement to establish and maintain separate PSAPs; and

WHEREAS, the Kentucky State Police and the Spencer County Fiscal Court and the other above named parties have determined that it is mutually advantageous and beneficial to combine resources and enter into a cooperative arrangement for the establishment of a PSAP E-911 Answering System at Post 12 of the Kentucky State Police.

NOW, THEREFORE, the parties hereto, acting through their respective chief executive officers pursuant to lawful and duly delegated authority, agree as follows:

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 said 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 Operating 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 state troopers and personnel shall also be utilized to dispatch to the parties of this agreement.

EQUIPMENT, SUPPLIES, AND FACILITIES

Subject to the approval of the 911 Advisory Committee, the Kentucky State Police is hereby granted authority to review and approve all telephone services and equipment necessary for the 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 purposes solely dedicated to the establishment and operation of the Enhanced 911 Emergency Service System (E-911) 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, the City of Taylorsville, the Mount Eden Fire Department and the Taylorsville-Spencer County Fire Department 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 hire, pay, train, supervise, and discipline all personnel necessary for the operation of the PSAP, located at the Kentucky State Police Post 12 pursuant to the provisions of Chapter 18A of the Kentucky Revised Statutes and administrative regulations promulgated pursuant thereto. All personnel so employed shall be state employees and members of the classified service and the Kentucky Employees Retirement System.

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The 911 Advisory Committee

The previously established 911 Advisory Committee shall henceforth consist of the Commander of the Kentucky State Police Post or designee, the Mount Eden Fire Chief or a designee, the Taylorsville-Spencer County Fire Chief or a designee, the Spencer County EMS/EMA Chief or a designee, the Spencer County Sheriff or a designee, the Taylorsville Police Chief or a designee and one representative from the Kentucky Department of Fish & Wildlife. The 911 Advisory Committee will elect a Chairman annually from its membership.

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 a 24 hour notification to each member. Additionally, the 911 Advisory Committee shall be apprised by the PSAP manager of all significant plans and events.

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 PSAP Manager as confidential. The 911 Advisory Committee may inspect the PSAP facility or observe PSAP operations. The 911 Advisory, acting through its chairman, may inquire of the Commander of the Kentucky State Police Post 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 their meetings or other business not set forth in this agreement.

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 Committee functions.

ESTABLISHMENT AND OPERATION OF THE PSAP

The Kentucky State Police Post 12 hereby establishes a Public Safety Answering Point (PSAP) that will answer all E-911 calls originating from Spencer County, the City of Taylorsville, the Taylorsville-Spencer County Fire Department and the Mount Eden Fire Department and will be responsible for routing the calls immediately to the appropriate police, fire, and/or ambulance service for emergency response. The PSAP shall be under the administrative and operational control of the Kentucky State Police. The Kentucky State Police shall select the PSAP manager.

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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. The ordinance authorizes the collection of a surcharge from each subscriber by the local telephone company and the payment of the funds collected to the Spencer County Fiscal Court Treasurer who then deposits the funds in a separate trust account and issues payments for expenses incurred as authorized by the ordinance for the E-911 system. The ordinance is in accord with applicable Kentucky Revised Statutes as well as in form acceptable to the local telephone company.

GEOGRAPHICAL INFORMATION

Spencer County, the City of Taylorsville and the other parties hereto, agree to furnish the local telephone company and the Kentucky State Police, if necessary, existing geographical information consisting of unique street addresses for all subscribers and all specific premises and real estate parcels in the county. The geographical information shall be in a form acceptable to the local telephone company and the Kentucky State Police. There are no costs associated with this for the county, it's just a requirement if the county knows of a new home construction, new business construction or name change, or changes to a road name or street name, the county is to notify KSP so they can send someone out to map the new/changed location for the KSP CAD.

FUNDING AND FISCAL ADMINISTRATION

The Kentucky State Police shall provide 911-Dispatching Services for Spencer County, the City of Taylorsville, the Mount Eden Fire Department and the Taylorsville-Spencer County Fire Department for the sum of \$89,500.00 per year beginning July 1, 2010. This amount will be reviewed annually thereafter by all the parties. A surcharge of \$1.84 per landline subscriber per month, as authorized by local ordinance, shall be applied to fund the operation of the E-911 system as well as the wireless surcharge already being collected by the Kentucky State Police. The amount of the surcharge shall be subject to review by the 911 Advisory Committee one (1) year from the date of this agreement and annually thereafter. The 911 Advisory Committee shall have the authority to recommend modification of the surcharge as needed, based upon projected costs put forth to Spencer County Fiscal Court. The Kentucky State Police are collecting all wireless phone surcharges for Spencer County at this time. The Kentucky State Police shall

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provide the parties hereto with the amount collected as a result of these wireless surcharges on an annual basis.

The 911 surcharge money shall be placed in a dedicated E-911 account by the Spencer County Fiscal Court Treasurer and shall be used solely for the establishment and operation of the E-911 system. Any amount of money collected that exceeds the present contract amount may be used for any and all purchases referenced in 202 KAR 6:09. Should the current landfill surcharge not cover the cost of the operation of the E-911 system, said surcharge may be increased by the Spencer County Fiscal Court, or the cost for operation that exceeds the surcharge proceeds collected will be shared by the Spencer County Fiscal Court, the City of Taylorsville, the Mount Eden Fire Department and the Taylorsville-Spencer County Fire Department on a pro rata share to be determined and recommended by the 911 Advisory Committee.

The implementation date of the E-911 system and the FSAP shall be July 1, 2010.

#### INDEMNIFICATION

It is expressly understood and agreed that the execution of this agreement does not alter or constitute a waiver in whole or in part of any of the privileges or immunities otherwise enjoyed by any of the units of government that are parties hereto. Each party that is a party hereto agrees to hold harmless and indemnify the Kentucky State Police for any liability claim or damages arising by reason of negligence or other wrongful acts of any officer, agent or employee of said county, city or other party hereto.

#### ACCEPTANCE OF OTHER LOCAL GOVERNMENTS WHO ENTER INTO THIS AGREEMENT

The parties hereto mutually agree that other units of government may enter into a cooperative agreement at any time with the Kentucky State Police for the establishment of a Public Safety Answering Point at any State Police Post that is party to this agreement.

#### DURATION

The duration of this agreement shall be two (2) years. The Kentucky State Police or any party hereto may withdraw from this agreement upon thirty (30) days written notice to the other

parties. This agreement may be dissolved by mutual agreement in writing thirty (30) days prior to such dissolution.

#### EXECUTION AND VALIDITY

This agreement shall be valid and binding only when all the following acts have occurred:

- 1) Execution by the Commissioner of the Kentucky State Police;
- 2) Execution by the County Judge Executive of Spencer County, as authorized by the fiscal court pursuant to a duly enacted county ordinance;
- 3) Execution by the Mayor of Taylorsville, as authorized by its council pursuant to a duly enacted city ordinance
- 4) Execution by the Chairman of the Board of the Taylorsville-Spencer County Fire Department
- 5) Execution by the Chairman of the Board of the Mount Eden Fire Department
- 6) Approval by the Attorney General of the Commonwealth of Kentucky pursuant to KRS 65.210;
- 7) Filing of attested copies with the Secretary of State of the Commonwealth of Kentucky and the County Clerk of Spencer County, as required by KRS 65.290.

IN WITNESS WHEREOF, we have hereunto set our hands pursuant to the laws of the Commonwealth of Kentucky and county ordinances, copies of which are attached hereto, authorizing the execution of this agreement.

RODNEY BREWER,  
Commissioner, Kentucky State Police

DAVID JENKINS  
Spencer County Judge Executive

BONPAY,  
Mayor, City of Taylorsville

N. GLEN GOEBEL,  
Chairman of the Board  
Taylorsville-Spencer County Fire Dept.

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ROBERT L. JONES,  
Chairman of the Board Mount Eden Fire Dept.

APPROVED, pursuant to KRS 65.620 this

\_\_\_\_\_ day of April, 2010

JACK CONWAY,  
Attorney General  
Commonwealth of Kentucky

On motion of Esq. Riley, second by Esq. Drury, all members of the court present voting "Aye" it is hereby ordered by the court to approve the revised Interlocal Agreement subject to the county attorney's approval.

#### Communications from Citizens:

Tina Piery came before the court to request either speed bumps or a speed limit reduction on her road, Glenview Drive. She states there's a big problem with speeding and people using the private portion of the road as a shortcut.

On motion of Esq. Drury, second by Esq. Riley, all members of the court present voting "Aye" it is hereby ordered by the court lower the speed limit on Glenview Drive to 25mph.

Davis Lee Downs came before the court to submit two letters from Dwight Greenwell, Chairman of the Ethics Commission, to be placed in the minutes.

March 4, 2010

Dwight D. Greenwell, Chairman  
Spencer County Ethics Commission  
88 Hunters Trace  
Taylorsville, KY 40071David Jenkins  
Spencer County Judge Executive  
P.O. Box 397  
Taylorsville, KY 40071

To the Honorable Judge Jenkins:

The Spencer County Ethics Commission has acted on the January 13, 2010 complaint of Davis Lee Downs that the Executive Director of the Taylorsville Spencer County Economic Development Authority (TSCEDA) may have participated in a real estate sale in conflict with her position. The complaint further states that Jack Proctor resigned his position on the board of the EDA because of his concern over this conflict of interest.

The Spencer County Code of Ethics as amended (Ordinance E-494) states:

V.C.2. All commission proceedings and records relating to a preliminary investigation shall be confidential until a final determination is made...

V.D.1. If the Commission concludes in its report that in consideration of the evidence produced at the hearing there is clear and convincing proof of a violation of this ordinance, the Commission may:

- (a) Issue an order requiring the violator to cease and desist...
- (b) In writing, publicly reprimand the violator...
- (c) In writing, recommend to the executive authority ... that the violator be sanctioned....
- (d) Issue an order requiring the violator to pay a civil penalty of not more than \$1,000.
- (e) Refer evidence of criminal violations ... to the county attorney or Commonwealth's attorney ....

The Commission recognizes and accepts as fact that the Executive Director of the Taylorsville Spencer County Economic Development Authority did indeed receive commission from the sale of the property, previously known as Stucker Furniture and purchased by W.T. Froman Drug Store Inc.

The complaint alleges that Jack Proctor resigned his position as director on the Economic Development Authority board because of his disapproval of the actions of the Executive Director relative to this sale. During the 28 January meeting of the Ethics Commission, Mr. Proctor pointed out that as stated in his letter of resignation, his official reason for resigning was the conflict of interest caused by serving as Commissioner for the City of Taylorsville and simultaneously as Director on the Economic Development Authority Board.

The Ethics Commission acknowledges that during the 28 January meeting, and later in the 4 March meeting, testimony was presented to indicate that the EDA Executive Director's involvement in the property purchase by W.T. Froman Drug Store may have been a concern of Mr. Proctor and may have been a factor in his resignation.

According to information discovered during the preliminary investigation, neither the buyers nor sellers of the subject property requested or received any assistance or information from the Taylorsville - Spencer County Economic Development Authority.

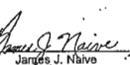
After reviewing evidence pertaining to the aforementioned complaint, the Spencer County Ethics Commission has determined that there is no clear and convincing proof that the Executive Director of TSCEDA is in violation of the Code. We base this decision on the following:

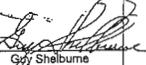
- (1) James A. Tiplon, owner of Premier Realty provided evidence that the Stucker Building was listed for sale with Premier Realty several months in advance of the sale of the property.
- (2) In an interview with Mr. Tim Nichols, part owner of W.T. Froman Drug Company, Mr. Nichols stated that after seeing the For Sale sign on the Stucker building he made first contact with Premier Realty to inquire about the purchase of the property.
- (3) In a letter from Mr. Ben C. Scott, part owner of W.T. Froman Drug Company, to Mr. Dennis Eisenback, Board Chairman of TSCEDA, he stated: "... I called Premier Realty and talked to Agent Annette King. I asked her to provide information on the listing for the Stucker Furniture building .... Any suggestion that contact was made with Mrs. Annette King at the Economic Development Office or in her capacity as an employee of that office is totally false."

After making the determination of no violation, the Ethics Commission acted in accordance with the Code of Ethics V.B.3, which states that, "The Commission may render advisory opinions ... We strongly recommend that the TSCEDA Board provide a written Job Description for the position of Executive Director, establishing policies and procedures which will avoid Conflict of Interests."

Sincerely,

  
Dwight D. Greenwell  
Chairman

  
James J. Naive

  
Guy Shelburne

CC: Annette King, Executive Director TSCEDA  
Davis Lee Downs

March 30, 2010

Dwight D. Greenwell, Chairman  
Spencer County Ethics Commission  
88 Hunters Trace  
Taylorsville, KY 40071David Jenkins  
Spencer County Judge Executive  
P.O. Box 397  
Taylorsville, KY 40071

To the Honorable David Jenkins:

At the request of Davis Lee Downs we are writing to inform you and the members of the Spencer County Fiscal Court concerning a recent preliminary investigation of a complaint filed by Davis Lee Downs. As you recall the complaint is concerning a real estate transaction in which the Taylorsville Spencer County Economic Development Director acted as agent for a commercial real estate transaction.

The current Ethics Ordinance does not specifically state that the commission has authority over the TSCEDA Director. However, during the investigation, the Ethics Commission determined that, in our opinion, the TSCEDA Director falls within the authority of the Spencer County Ethics Code, Ordinance E-1-94.

As you are aware the Ethics Code is currently in the process of revision which will better clarify the authority over TSCEDA employees.

Sincerely,

  
Dwight D. Greenwell, Chairman  
Spencer County Ethics Commission  
CC: Guy Shelburne, Jim Naive, Davis Lee Downs

2) Zonings, Readings, and Recommendations

Julie Sweazy, Planning and Zoning Administrator read to the court the following zone changes.

PUBLIC NOTICE

Notice is hereby given that the Fiscal Court of Spencer County on the 19th day of April, 2010 at its meeting will consider the following ORDINANCE for second reading and adoption:

- 1. The Peoples Bank - Requesting a zone change from R-3, residential to R-1, residential on Lots 17-31 and 33-36 of Camp Branch Trail Subdivision located at 3238 Bloomfield Road, Hwy. 55S.

Attest: Judy Puckett Clerk Spencer County Fiscal Court

David Jenkins Spencer County Judge/Executive

PUBLIC NOTICE

Please take notice that the Spencer County Fiscal Court on the 5th day of April, 2010 passed the following ORDINANCES:

- 1. On motion of Esq. Riley, second by Esq. Drury all members of the court voting "Aye", with the exception of Esq. Henry not voting, it is hereby ordered by the Court to Approve the zone change request of Vurgial R. Smith from AG-1, agricultural to R-1, residential on two separate tracts of land located at 866 Shelbyville Road, Hwy. 55N based on the findings of fact and recommendation of the planning and zoning commission.

Attest: Judy Puckett Clerk Spencer County Fiscal Court

David Jenkins Spencer County Judge/Executive

3) Ordinance No. 14 (2010series) for road construction and bonding, second reading and/or adoption

Spencer County, Kentucky Ordinance No. 14 Fiscal Year 2010 Series An Ordinance Related to Road Construction Phasing and Bonding Requirements. Whereas, the Fiscal Court of Spencer County, Commonwealth of Kentucky has established regulations regarding the construction and bonding of subdivision streets and right-of-ways; and Whereas, the Court has determined it necessary to revise the development regulations, Now Therefore, Be It Ordained by the Fiscal Court of Spencer County, Commonwealth of Kentucky that subdivision development regulations shall read as follows: Section One Subdivision development regulations shall allow for dedication of the streets and right-of-ways to the Spencer County Fiscal Court after completion of the bonding period, Phase V, and does not require a minimal amount of sold houses; however, no lots can be sold nor building permits can be issued until Phases I thru V are complete and all work has been inspected and approved in accordance with the Spencer County Fiscal Court rules and regulations. The subdivision construction process and bonding requirement is as follows: Phase I, Drainage: This phase shall consist of construction of all underground structures and miscellaneous appurtenances including but not limited to bridges, reinforced box culverts, pipe culverts, drop box inlets, and headwalls. Phase II, Grading: This phase shall consist of grading of the roadway, fill slopes, cut slopes and drainage ditches within the proposed right-of-way. Phase III Utilities: This phase shall consist of placement of all underground utilities including service laterals and encasements within the proposed right-of-way. All underground utility pads/boxes will be screened with appropriate plantings for beautification. There are distance requirements depending on the type of box. It is the responsibility of the developer to coordinate this with the appropriate utility companies, Spencer County Planning & Zoning, County Road Superintendent and County Engineer. The plan for plantings/screening will be provided during the design phase and be a condition of approval of the subdivision plat. Phase IV, Paving: All paving shall be completed in this phase. All right-of-way areas will be seeded at this point.

Phase V, Bonding: The developer will provide the Spencer County Fiscal Court with a bond in the amount of \$160,000.00 per mile of subdivision streets for a minimum period of 12 months. If any of the said streets are to be utilized for future construction phases of the subdivision the bond will not be released until their completion.

Phase VI Building Permits: Placement of a 12' wide, 4" deep stone construction access pad from the edge of pavement to the edge of proposed right-of-way, including placement of an 18" entrance pipe where applicable is required before any incidental lot grading or a construction permit is issued. It shall be the responsibility of the owner to maintain the construction entrance until the final entrance is complete.

Section Two It is the responsibility of the developer to widen the existing county roads that provide access to the development along its boundary with said development. This work will be phased as outlined above and include, at the owners expense, the relocation/reconstruction of any utilities, drainage structures, entrances and miscellaneous appurtenances disturbed by said construction. The existing county road will be widened from centerline of said road to provide a 20' (minimum) paved width with 2' shoulders. The road widening shall be constructed as follows:

- 1) A 12' wide, 1" milled depth edge key will be constructed along the existing pavement edges
2) The widened paved roadway shall consist of 8" compacted depth dense graded aggregate base (applied in 4" lifts) and 3" compacted depth bituminous base.
3) A tack coat and a 1 1/2" compacted depth bituminous surface shall thence be applied over the entire roadway.
4) The new pavement section shall thence be tapered back to the existing pavement and shoulder width 50' from the terminus of the widened areas. 8" compacted depth dense graded aggregate base will be used in construction of the taper.

Maintenance of traffic during widening of said road shall be the responsibility of the developer. The plans for existing county road widening including maintenance of traffic plan will be provided during the design phase and be a condition of approval of the subdivision plat. All plans will be designed to meet Kentucky Transportation Cabinet (KYTC) Standards and Specifications. Additionally the developer will provide the Spencer County Fiscal Court with a bond for this work as previously discussed in Phase V, Bonding.

Section Three This regulation will be used in concert with and as an addendum to the following:

- Revised Zoning Ordinance and Subdivision Regulations (Dated May 1992)
Procedure for Building of Subdivision Roads in Spencer County (Dated July 1999)
Kentucky Transportation Cabinet (KYTC) Standards and Specifications for the design and construction of streets and bridges (Current Edition)
Subdivision Storm Drain Requirements (Dated August 2005)
Revised Roadway Typical Section (Dated August 2006)
Specifications for the use of HDPE pipe (Dated December 2008)

Given first reading and approval on March 15th, 2010

Given second reading and adopted on

Attest: David Jenkins Spencer County Judge Executive

Judy Puckett Spencer Fiscal Court Clerk

Old Business:  
1) Schultz Lane Request Letter

March 15, 2010

Spencer County Fiscal Court  
David Jenkins, County Judge Executive  
Box 397  
Taylorsville, KY 40071

Dear Judge Jenkins and Members of Fiscal Court;

Please let this letter serve as my request to take Schultz Lane, extended, Fisherville,  
Spencer County, KY into our county road system.

Thank you for your time and consideration.

Sincerely,  
*Cara Lewis*  
Cara Lewis  
541 Schultz Lane  
Fisherville, KY 40023

On motion of Esq. Riley, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court to bring that section of Schultz Lane into the county road system subject to the county road inspectors approval.

New Business:  
1) HMB, agreement amendment and revised project cost

AMENDMENT No. 4  
to the  
AGREEMENT FOR ENGINEERING SERVICES  
between  
THE SPENCER COUNTY FISCAL COURT  
and  
HMB PROFESSIONAL ENGINEERS, INC.

This AMENDMENT No. 4 to the AGREEMENT FOR ENGINEERING SERVICES made and entered into between The Spencer County Fiscal Court, (hereinafter referred to as the OWNER) and HMB Professional Engineers, Inc. of Frankfort, Kentucky (hereinafter referred to as the ENGINEER).

I. This AMENDMENT No. 4 shall amend the original AGREEMENT dated October 22, 2008, Amendment No. 1 dated April 20, 2009, Amendment No. 2 dated November 2, 2009 and Amendment No. 3 dated December 21, 2009 as follows:

The ENGINEER shall provide the following services:

HMB Project No. 4143.01 - Phase IV Water Project Management

- Advertising and bidding services, engineering during construction, resident construction observation, construction administration, shop drawing review, KIA pay request preparation and submittal, meetings with North Nelson Water District, Bloomfield Water and Sewer, US 60 Water District, the City of Taylorsville and/or the Spencer County Fiscal Court and project closeout documentation. Fees shall be paid based on current hourly rates.

- II. Total compensation to the ENGINEER is revised to a not to exceed amount of \$50,000.00.
- III. All other sections of the basic AGREEMENT as AMENDED shall remain in force except those modified by this AMENDMENT.

IN WITNESS WHEREOF the parties have made and executed this AMENDMENT this 15 day of March, 2010.

ENGINEER:  
HMB PROFESSIONAL ENGINEERS, INC.

*Karen Wood*  
Karen Wood, CFO.

OWNER:  
SPENCER COUNTY FISCAL COURT

David Jenkins  
Judge/Executive

Project	Original Estimated Project Cost			As Bid Project Cost			Projected Project Cost (1)			Total Project
	Construction Cost	Engineering Fees	Admin/Other	As Bid	Engineering Fees	Admin/Other	Construction	Engineering	Admin/Other	
Bloomfield and North Nelson	\$97,000	\$12,500	\$1,000	\$218,000	\$68,781	\$12,500	\$190,581	\$17,000	\$1,000	\$218,000
Taylorsville	\$475,300	\$65,400	\$4,200	\$562,050	\$416,610	\$41,790	\$501,290	\$475,000	\$27,500	\$552,550
US 60	\$350,000	\$40,800	\$16,122	\$260,721	\$200,000	\$45,890	\$278,721	\$285,940	\$51,803	\$429,811
KIA Administrative Fee	\$0	\$0	\$5,850	\$5,850	\$0	\$0	\$5,850	\$0	\$0	\$5,850
HMB Hourly	\$0	\$0	\$40,000	\$40,000	\$0	\$0	\$40,000	\$0	\$0	\$40,000
Total Funds				\$1,076,051	\$104,391	\$58,590	\$1,239,032	\$192,500	\$51,803	\$1,483,335

(1) The projected project costs include the construction overrun for the US 60 portion of the project, the additional cost to extend a 4-inch water line down Channing Lane to the delivery of Emma Crowder, extending the 6-inch water line on North Lane approximately 1,200 LF to Robert Lawson and 1,725 LF of 6 inch water line on Murray Road.  
Taylorsville has requested to be allowed to include a casing pipe to go under the proposed KY 96 bridge alignment for future use. A cost has not been provided for this casing pipe and therefore is not included in the projected project cost for Taylorsville. Additionally, Taylorsville's engineer has contacted the KY Transportation Cabinet (KYTC) to determine if the cost of the casing pipe will be included to and paid for by KYTC project. We are awaiting a response.

County Judge Jenkins points out the amendment is due to the extra projects being added on.

On motion of Esq. Goodlett, second by Esq. Judd, all members of the court present voting "Aye" it is hereby ordered by the court to approve the contract amendment.

James Allen tipton came before the court to express concerns with portions of the ordinance. Consensus amongst the court that Paul Cameron will work on the wording in the 'Phase III, utilities' section and change the end of that section from 'subdivision plat' to 'final plat'.

County Judge Jenkins announced there were advertising issues with this ordinance and requests that it be tabled.

On motion of Esq. Drury, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court to table this until the next Fiscal Court meeting.

4) Ordinance No. 13 (2010 series) budget amendment #2, second reading and/or adoption

Spencer County, Kentucky  
Ordinance No. 13  
Fiscal Year 2010 Series  
Budget Amendment #2

An Ordinance Relating to the Annual Budget and Amendment Thereof

Whereas, the County of Spencer has realized unbudgeted receipts from the General and Road Funds;

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

Section One. The budget for fiscal year 2009/2010 is amended to:

C. Increase/Decrease the receipts of the General and Road Funds by \$522,900.00 to include unanticipated receipts from:

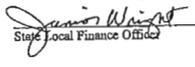
Account Code	Description	by	Amount
01-4401 ✓	Net Profits		\$ 8,200.00 ✓
01-4402 ✓	Alcoholic Licenses		\$ 4,800.00 ✓
01-4541 ✓	Disaster & Emergency Management		\$ 6,400.00 ✓
01-4558 ✓	Litter Abatement		\$ 7,000.00 ✓
01-4727 ✓	Reimbursement		\$ 12,400.00 ✓
01-4901 ✓	Prior Year Carryover		\$160,000.00 ✓
01-4911 ✓	Borrowed Monies		\$ 12,500.00 ✓
01-4909 ✓	Transfers Out		\$-90,170.00 ✓
02-4516 ✓	Truck Licenses		\$ 38,900.00 ✓
02-4731 ✓	Miscellaneous		\$ 96,000.00 ✓
02-4901 ✓	Prior Year Carryover		\$166,000.00 ✓
02-4910 ✓	Transfers In		\$ 90,170.00 ✓
03-4534 ✓	Jail Medicals		\$ 1,500.00 ✓
03-4901 ✓	Prior Year Carryover		\$ 9,200.00 ✓

D. Increase/Decrease expenditure account(s):

Account Code	Description	by	Amount
0192009990 ✓	Reserves for Transfer		\$121,130.00
0261054470 ✓	Materials & Supplies		\$300,070.00
0261057410 ✓	Road Bond Credits		\$ 91,000.00
0351013140 ✓	Housing		\$ 10,700.00

Section Two. The amounts adjusting the receipt and expenditure accounts in Section One are for governmental purposes.

Approved by the Fiscal Court of Spencer County, Kentucky this 17<sup>th</sup> day of February, 2010.  
  
 Spencer County Judge Executive

Approved as to form and classification this 25<sup>th</sup> day of February, 2010.  
  
 State Local Finance Officer

The budget ordinance amendment was duly adopted by the Fiscal Court of Spencer County, Kentucky, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.  
 \_\_\_\_\_  
 Spencer County Judge Executive

On motion of Esq. Henry, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court to approve Ordinance No. 13 (2010 series).

5) 2010/2011 proposed jail fund budget

0351011010	JAILER SALARY		\$20,000.00
0351013140	HOUSING CONTRACTS		\$175,000.00
0351013160	PRISONER TRANSPORT CONTRACT		\$60,000.00
0351013900	TRANSPORT COSTS		\$13,000.00
0351016400	MEDICAL COSTS		\$20,000.00
		Subtotal	\$288,000.00
0351023140	JUVENILE HOUSING CONTRACTS		\$2,000.00
		Subtotal	\$2,000.00
0311004100	MISCELLANEOUS		\$500.00
0311006030	BANK CHARGES		\$200.00
0311006010	ASSOCIATION DUES		\$300.00
		Subtotal	\$900.00
034002010	SOCIAL SECURITY MATCH		\$4,000.00
034002020	RETIREMENT MATCH		\$8,000.00
034002030	HEALTH INSURANCE-EMPLOYER MATCH		\$3,600.00
034002120	HB 810 TRAINING ALLOWANCE		\$3,900.00
		Subtotal	\$19,500.00
			\$310,400.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky  
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2011

Printed on 3/26/2010

Source	Code	GENERAL	ROAD	JAIL	Totals
REAL PROPERTY	4101	\$760,000.00	\$0.00	\$0.00	\$760,000.00
PERSONAL PROPERTY	4102	\$20,000.00	\$0.00	\$0.00	\$20,000.00
MOTOR VEHICLE	4103	\$105,000.00	\$0.00	\$0.00	\$105,000.00
DELINQUENT PROPERTY TA	4104	\$8,000.00	\$0.00	\$0.00	\$8,000.00
BANK FRANCHISE	4130	\$19,000.00	\$0.00	\$0.00	\$19,000.00
OCCUPATIONAL LICENSE FE	4134	\$420,000.00	\$0.00	\$0.00	\$420,000.00
DEED TRANSFERS	4135	\$50,000.00	\$0.00	\$0.00	\$50,000.00
INSURANCE PREMIUMS TAX	4137	\$420,000.00	\$0.00	\$0.00	\$420,000.00
TRANSIENT ROOM TAX	4138	\$10,000.00	\$0.00	\$0.00	\$10,000.00
911 TELEPHONE	4140	\$120,000.00	\$0.00	\$0.00	\$120,000.00
LIEU OF TAXES	4210	\$10,700.00	\$0.00	\$0.00	\$10,700.00
EXCESS FEES-CLERK	4302	\$10,000.00	\$0.00	\$0.00	\$10,000.00
BUSINESS NET PROFITS	4401	\$20,000.00	\$0.00	\$0.00	\$20,000.00
PLANNING & ZONING	4407	\$50,000.00	\$0.00	\$0.00	\$50,000.00
IMPACT FEES	4411	\$5,000.00	\$0.00	\$0.00	\$5,000.00
INSPECTION FEES	4416	\$40,000.00	\$0.00	\$0.00	\$40,000.00
CABLE TV FRANCHISE	4417	\$16,000.00	\$0.00	\$0.00	\$16,000.00
SOLID WASTE FRANCHISE	4418	\$90,000.00	\$0.00	\$0.00	\$90,000.00
MOTAX-OTHER COUNTIES	4505	\$13,000.00	\$0.00	\$0.00	\$13,000.00
STATE GRANTS	4510	\$10,000.00	\$50,000.00	\$0.00	\$60,000.00
TRUCK LICENSES	4516	\$0.00	\$132,166.00	\$0.00	\$132,166.00
DRIVERS LICENSES	4517	\$0.00	\$1,500.00	\$0.00	\$1,500.00
COUNTY ROAD AID	4518	\$0.00	\$498,000.00	\$0.00	\$498,000.00
ELECTION EXPENSES	4520	\$4,400.00	\$0.00	\$0.00	\$4,400.00
BOARD OF ASSESSMENTS	4521	\$200.00	\$0.00	\$0.00	\$200.00
LEGAL PROCESS	4522	\$78.00	\$0.00	\$0.00	\$78.00
ADG SPACE RENTAL	4532	\$60,000.00	\$0.00	\$0.00	\$60,000.00
JAIL ALLOTMENT	4533	\$0.00	\$0.00	\$90,000.00	\$90,000.00

Friday, March 26, 2010

Page 1 of 4

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky  
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2011

Printed on 3/26/2010

Source	Code	GENERAL	ROAD	JAIL	Totals
JAIL-MEDICAL	4534	\$0.00	\$0.00	\$3,900.00	\$3,900.00
COURT COSTS	4535	\$0.00	\$0.00	\$16,800.00	\$16,800.00
DUI FEES	4538	\$0.00	\$0.00	\$4,100.00	\$4,100.00
DEM REIMBURSEMENT	4541	\$12,000.00	\$0.00	\$0.00	\$12,000.00
SHERIFF FEE POOLING	4549	\$430,000.00	\$0.00	\$0.00	\$430,000.00
LITTER ABATEMENT PROG	4558	\$20,000.00	\$0.00	\$0.00	\$20,000.00
COURT FEES	4561	\$28,000.00	\$0.00	\$0.00	\$28,000.00
AMBULANCE	4608	\$530,000.00	\$0.00	\$0.00	\$530,000.00
DISPATCH	4610	\$35,000.00	\$0.00	\$0.00	\$35,000.00
DEAD ANIMAL REMOVAL	4680	\$5,000.00	\$0.00	\$0.00	\$5,000.00
SALE OF ROAD MATERIALS	4705	\$0.00	\$500.00	\$0.00	\$500.00
FARM INCOME	4707	\$1,500.00	\$0.00	\$0.00	\$1,500.00
PARK SALES	4710	\$30,000.00	\$0.00	\$0.00	\$30,000.00
RENTALS	4711	\$27,000.00	\$0.00	\$0.00	\$27,000.00
RECYCLING	4713	\$30,000.00	\$0.00	\$0.00	\$30,000.00
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
SHERIFF ACQUISITION FUND	4780	\$800.00	\$0.00	\$0.00	\$800.00
INTEREST	4901	\$4,000.00	\$3,600.00	\$100.00	\$7,600.00

Local Finance Form 1001

Budget Detail of Spencer County, Kentucky  
Detail Analysis of Revenue

Fiscal Year Ending June 30, 2011

Printed on 3/26/2010

Source	Code	GENERAL	ROAD	JAIL	Totals
<b>Total Revenues</b>		\$3,928,175.00	\$1,055,660.00	\$65,100.00	\$5,048,935.00
PRIOR YEAR CARRYOVER	4901	\$250,000.00	\$50,000.00	\$3,000.00	\$303,000.00
ADJUST PRIOR YEAR	4903	\$0.00	\$0.00	\$0.00	\$0.00
TRANSFER OUT	4909	\$248,700.00	\$0.00	\$0.00	\$248,700.00
TRANSFER IN	4910	\$0.00	\$0.00	\$222,300.00	\$222,300.00
BORROWED MONEY	4911	\$0.00	\$0.00	\$0.00	\$0.00
KARP	4912	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Available</b>		\$3,924,875.00	\$1,050,000.00	\$310,400.00	\$5,285,275.00

Total of all Funds: \$4,981,841.00

		2010-11	Jul. Fund Budget	
034533	St. Althelm	2000.00	2000.00	2000.00
034534	St. Althelm	60000.00	60000.00	60000.00
034535	St. Althelm	800.00	800.00	800.00
034538	St. Althelm	20200.00	20200.00	20200.00
034771	St. Althelm	4600.00	4600.00	4600.00
034801	St. Althelm	300.00	300.00	300.00
034901	St. Althelm	200.00	200.00	200.00
034980	St. Althelm	3000.00	3000.00	3000.00
	Totals	248700.00	248700.00	248700.00
		327800.00	327800.00	327800.00
		205100.00	205100.00	205100.00
035101010	Travel Salary	4000.00	4000.00	4000.00
035103140	Housing Contracts	189000.00	189000.00	189000.00
035103150	Prisoner Transport	35000.00	35000.00	35000.00
035103190	Travel Costs	12000.00	12000.00	12000.00
035105190	Medical Costs	38000.00	38000.00	38000.00
035107210	Travel Allowance	3000.00	3000.00	3000.00
0391004990	Miscellaneous	500.00	500.00	500.00
0391005030	Bank Charges	200.00	200.00	200.00
0391005510	Assoc. Dues	100.00	100.00	100.00
039400210	Spec. Serv. Mch.	4000.00	4000.00	4000.00
039400220	Travel Mch.	8000.00	8000.00	8000.00
039400250	Health Ins. Mch.	3500.00	3500.00	3500.00
039400270	HB 810 Training	3700.00	3700.00	3700.00
	Totals	237400.00	237400.00	237400.00

Discussion, no action taken.

6) Set Salaries for new administration, pursuant KRS 64.530 on motion of Esq. Drury, second by Esq. Riley, all members of the court present voting "Aye" it is hereby ordered by the court to table new administration salaries.

County Judge Jenkins announced the deputy judge's computer isn't working properly, GD Computers suggested purchasing a Dell computer for \$847.50.

On motion of Esq. Riley, second by Esq. Goodlett, all members of the court present voting "Aye" it is hereby ordered by the court to approve up to \$900.00 for a new computer and external hard drive for the deputy judge.

Winford Sweazy came before the court to announce he has a new website for county information: [www.spencernews.org](http://www.spencernews.org)

Esq. Drury announced the Foreclosure Intervention Committee is requesting a link on the county's website.

On motion of Esq. Drury, second by Esq. Riley, all members of the court present voting "Aye" it is hereby ordered by the court to speak with the county web master and request she put a link to the Spencer County Foreclosure Program.

Richard Travelstead came before the court to give an update on the community center.

On motion of Esq. Goodlett, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court to pay all bills and make all transfers.

Spencer County Fiscal Court  
Open Invoice Report  
As of April 02, 2010

Page 1 of 5  
*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
<b>Vendor: AAMOL A &amp; M Oil Company</b>							
45mainst	04/05/10	0150807210 mainst fuels	04/05/10	712.90	.00	.00	712.90
45recycle	04/05/10	0152174680 recycle fuels	04/05/10	27.78	.00	.00	27.78
Vendor Total: AAMOL				740.77	.00	.00	740.77
<b>Vendor: ASFORD All-State Ford Truck Sales</b>							
March2010	04/05/10	0150807210 misc parts	04/05/10	46.54	.00	.00	46.54
March2010	04/05/10	0161404430 mod4 repairs	04/05/10	244.78	.00	.00	244.78
Vendor Total: ASFORD				291.32	.00	.00	291.32
<b>Vendor: AT&amp;T A T &amp; T</b>							
45annex	04/05/10	0150805780 annex dal	04/05/10	161.34	.00	.00	161.34
45annex	04/05/10	0150805780 annex phones	04/05/10	476.14	.00	.00	476.14
45atty	04/05/10	0150058780 co atty phones/net	04/05/10	128.38	.00	.00	128.38
45blg/loop	04/05/10	0161164450 blg loop phone	04/05/10	21.35	.00	.00	21.35
45clerk	04/05/10	0150105730 clerk internet	04/05/10	54.88	.00	.00	54.88
45clerk	04/05/10	0150105730 co clerk phones	04/05/10	127.00	.00	.00	127.00
45clerk	04/05/10	0150805780 clms phones/net	04/05/10	825.45	.00	.00	825.45
45clerk	04/05/10	0151453390 dispatch phones/net	04/05/10	271.16	.00	.00	271.16
45el11	04/05/10	0151453390 el11 equipment	04/05/10	2,975.10	.00	.00	2,975.10
45eda	04/05/10	0150758780 eda phones/net	04/05/10	108.68	.00	.00	108.68
45elevator	04/05/10	0150803520 elevator phone	04/05/10	54.45	.00	.00	54.45
45ems	04/05/10	0151405780 ems phones/net	04/05/10	122.66	.00	.00	122.66
45humans	04/05/10	0162058780 humane soc phones	04/05/10	37.45	.00	.00	37.45
45socfax	04/05/10	0150478780 socfax phones/net	04/05/10	149.31	.00	.00	149.31
45sparks	04/05/10	0154015780 parks phones	04/05/10	58.32	.00	.00	58.32
45pwa	04/05/10	0150335780 pwa internet	04/05/10	54.07	.00	.00	54.07
45pwa	04/05/10	0152305780 pwa phones	04/05/10	89.25	.00	.00	89.25
45recycle	04/05/10	0152176780 recycling phone	04/05/10	20.06	.00	.00	20.06
45sher	04/05/10	0150158780 sher phones/net	04/05/10	81.40	.00	.00	81.40
45zoning	04/05/10	0150705780 zoning phones/net	04/05/10	80.44	.00	.00	80.44
Vendor Total: AT&T				6,907.72	.00	.00	6,907.72
<b>Vendor: BENGAS Bennett's Gas Company</b>							
45dispatch	04/05/10	0151453390 dispatch utilities	04/05/10	154.87	.00	.00	154.87
45sher	04/05/10	0180160780 sheriff utilities	04/05/10	154.86	.00	.00	154.86
Vendor Total: BENGAS				309.73	.00	.00	309.73
<b>Vendor: BLUE UNIF Bluegrass Uniforms</b>							
68023-01	04/05/10	0151404810 lens uniform J.Yates	04/05/10	136.28	.00	.00	136.28
Vendor Total: BLUE UNIF				136.28	.00	.00	136.28
<b>Vendor: C &amp; H SEC C &amp; H Security Inc.</b>							
23862-atty	04/05/10	0150058780 April panic alarm	04/05/10	19.99	.00	.00	19.99
23863-occtz	04/05/10	0150478780 April panic alarm	04/05/10	19.99	.00	.00	19.99
23864-occtz	04/05/10	0150305780 April panic alarm	04/05/10	19.99	.00	.00	19.99
Vendor Total: C & H SEC				69.97	.00	.00	69.97
<b>Vendor: CARDINAL Cardinal Office Products</b>							
90433398a	04/05/10	0150164450 sher cartidgegas	04/05/10	81.04	.00	.00	81.04
90433398b	04/05/10	0154014970 parks supplies	04/05/10	62.70	.00	.00	62.70

Spencer County Fiscal Court  
Open Invoice Report  
As of April 02, 2010

Page 2 of 5  
*General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
90433398c	04/05/10	0150474450 occtax files	04/05/10	8.06	.00	.00	8.06
90433398d	04/05/10	0150804110 custodial supplies	04/05/10	11.99	.00	.00	11.99
90433398e	04/05/10	0150014450 copier paper	04/05/10	81.71	.00	.00	81.71
90433398f	04/05/10	0153404680 sol waste supplies	04/05/10	8.78	.00	.00	8.78
Vendor Total: CARDINAL				290.28	.00	.00	290.28
<b>Vendor: CITY Taylorsville Waterworks</b>							
45annex	04/05/10	0150805780 annex utilities	04/05/10	23.62	.00	.00	23.62
45clerk	04/05/10	0160805780 clms utilities	04/05/10	34.57	.00	.00	34.57
45dispatch	04/05/10	0151453390 dispatch utilities	04/05/10	12.06	.00	.00	12.06
45ems	04/05/10	0151405780 ems utilities	04/05/10	143.75	.00	.00	143.75
45occtax	04/05/10	0150478780 occtax utilities	04/05/10	19.18	.00	.00	19.18
45parks	04/05/10	0154015780 parks utilities	04/05/10	32.61	.00	.00	32.61
45recycle	04/05/10	0152178780 recycling utilities	04/05/10	36.18	.00	.00	36.18
45sher	04/05/10	0150158780 sheriff utilities	04/05/10	12.06	.00	.00	12.06
45zoning	04/05/10	0150705780 zoning utilities	04/05/10	12.06	.00	.00	12.06
Vendor Total: CITY				326.09	.00	.00	326.09
<b>Vendor: CNA CNA Surety</b>							
0601 14708192	04/05/10	0181002310 sheriff bond	04/05/10	127.25	.00	.00	127.25
Vendor Total: CNA				127.25	.00	.00	127.25
<b>Vendor: CROUCH Crouch's Garage</b>							
45sher	04/05/10	0150158780 sheriff rotor repair	04/05/10	40.00	.00	.00	40.00
Vendor Total: CROUCH				40.00	.00	.00	40.00
<b>Vendor: DALE John D. Dale Jr.</b>							
45sawyers	04/05/10	0150703320 zoning litigation	04/05/10	113.75	.00	.00	113.75
Vendor Total: DALE				113.75	.00	.00	113.75
<b>Vendor: DARS INC DARS Inc.</b>							
March2010	04/05/10	0182054030 carcass disposal	04/05/10	2,015.78	.00	.00	2,015.78
Vendor Total: DARS INC				2,015.78	.00	.00	2,015.78
<b>Vendor: DMS Discount Mini Storage</b>							
Apr2010-sher	04/05/10	0150164450 sher/min storage	04/05/10	50.00	.00	.00	50.00
Vendor Total: DMS				50.00	.00	.00	50.00
<b>Vendor: EDA Economic Development Authority</b>							
March2010	04/05/10	0150753090 econ dev contrib	04/05/10	2,391.02	.00	.00	2,391.02
Vendor Total: EDA				2,391.02	.00	.00	2,391.02
<b>Vendor: FEBCO Febco Inc.</b>							
20101268	04/05/10	0181000210 benefa cards	04/05/10	2,365.83	.00	.00	2,365.83
Vendor Total: FEBCO				2,365.83	.00	.00	2,365.83
<b>Vendor: FLEET1 Fleet One</b>							
45blg/loop	04/05/10	0151164450 blg loop fuels	04/05/10	215.30	.00	.00	215.30
45ems	04/05/10	0161404650 ems fuels	04/05/10	1,251.41	.00	.00	1,251.41
45mainst	04/05/10	0150807210 mainst fuels	04/05/10	46.83	.00	.00	46.83
45parks	04/05/10	0154014550 parks fuels	04/05/10	187.38	.00	.00	187.38
45recycle	04/05/10	0152174680 recycling fuels	04/05/10	155.83	.00	.00	155.83

04/02/10 08:45AM Spencer County Fiscal Court Open Invoice Report As of April 02, 2010 Page 3 of 5 *General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
4/Sher	04/05/10	0150154550 sheriff fuels	04/05/10	2,022.80	.00	.00	2,022.80
Vendor: FLEET1				3,979.35	.00	.00	3,979.35
Vendor: GDCOMP				GDC Computer SpadeRate			
201001	04/05/10	0150704450 pc computer work	04/05/10	162.50	.00	.00	162.50
201001	04/05/10	0151404430 ema computer work	04/05/10	162.50	.00	.00	162.50
201001	04/05/10	0150154450 sher computer work	04/05/10	130.00	.00	.00	130.00
201001	04/05/10	0150014450 judg computer work	04/05/10	130.00	.00	.00	130.00
201001	04/05/10	0150807210 maine computer work	04/05/10	320.00	.00	.00	320.00
Vendor Total: GDCOMP				805.00	.00	.00	805.00
Vendor: GRBROS				Greenwell Brothers Inc.			
4/Socotax	04/05/10	0150475780 cocatx utilities	04/05/10	299.02	.00	.00	299.02
Vendor Total: GRBROS				299.02	.00	.00	299.02
Vendor: HILL				Hill Manufacturing Company			
820148-133	04/05/10	0150804110 cocatxof supplies bags	04/05/10	550.60	.00	.00	550.60
Vendor Total: HILL				550.60	.00	.00	550.60
Vendor: HUMANE				Kentucky Humane Society			
Apr12010	04/05/10	0152053150 animal contract	04/05/10	8,570.50	.00	.00	8,570.50
Vendor Total: HUMANE				8,570.50	.00	.00	8,570.50
Vendor: KMCA				KY Magistrates/Comm. Assn			
H.Judd	04/05/10	0181005690 conf registration	04/05/10	250.00	.00	.00	250.00
J.Riley	04/05/10	0181005690 conf registration	04/05/10	250.00	.00	.00	250.00
Vendor Total: KMCA				500.00	.00	.00	500.00
Vendor: KSCA				KY State Corporate Association			
J.Oliver	04/05/10	0181005510 2010 membership	04/05/10	75.00	.00	.00	75.00
Vendor Total: KSCA				75.00	.00	.00	75.00
Vendor: LOGANS				Logan's			
4/Spe	04/05/10	0150305780 pva floor mats	04/05/10	60.00	.00	.00	60.00
Vendor Total: LOGANS				60.00	.00	.00	60.00
Vendor: MARINE CL				Marine Corp League			
4/Sitter	04/05/10	0153404680 roadside cleanup	04/05/10	280.00	.00	.00	280.00
Vendor Total: MARINE CL				280.00	.00	.00	280.00
Vendor: MCBEE				McBee Systems Inc.			
0008758285	04/05/10	0181005030 laser checks	04/05/10	174.50	.00	.00	174.50
Vendor Total: MCBEE				174.50	.00	.00	174.50
Vendor: MCRANMER				Marlene Cranmer			
3/31training	04/05/10	0151453220 inservice training	04/05/10	80.00	.00	.00	80.00
Vendor Total: MCRANMER				80.00	.00	.00	80.00
Vendor: MID-ST				Mid-State Estimators			
4/Sannex	04/05/10	0150605780 annex pest control	04/05/10	38.00	.00	.00	38.00
4/Scolts	04/05/10	0150605780 colts pest control	04/05/10	48.00	.00	.00	48.00
4/Sema	04/05/10	0151405780 ema pest control	04/05/10	28.00	.00	.00	28.00
4/Socotax	04/05/10	0150475780 cocatx pest control	04/05/10	28.00	.00	.00	28.00

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Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
4/Sanr/c	04/05/10	0150605780 sanr/c pest control	04/05/10	45.00	.00	.00	45.00
Vendor Total: MID-ST				187.00	.00	.00	187.00
Vendor: MTH				Med-Tech Resources Inc.			
54233	04/05/10	0151404480 ema supplies	04/05/10	90.74	.00	.00	90.74
Vendor Total: MTH				90.74	.00	.00	90.74
Vendor: QUADMED				Quad Med Inc.			
45202	04/05/10	0151404480 ema supplies	04/05/10	334.40	.00	.00	334.40
Vendor Total: QUADMED				334.40	.00	.00	334.40
Vendor: RWILLIAMS				Russell H. Williams Payd			
K.McGrughey	04/05/10	0153105070 court-ordered fee	04/05/10	690.00	.00	.00	690.00
Vendor Total: RWILLIAMS				690.00	.00	.00	690.00
Vendor: SCBE				Spencer Co Board of Education			
63	04/05/10	0154014670 b-ball league space	04/05/10	1,584.00	.00	.00	1,584.00
Vendor Total: SCBE				1,584.00	.00	.00	1,584.00
Vendor: SCLBS				Spencer Co Lady Beare Softball			
4/Sitter	04/05/10	0153404680 roadside cleanup	04/05/10	480.00	.00	.00	480.00
Vendor Total: SCLBS				480.00	.00	.00	480.00
Vendor: SCMSF				SCMS Grizzly Football Club			
4/Sitter	04/05/10	0153404680 roadside cleanup	04/05/10	640.00	.00	.00	640.00
Vendor Total: SCMSF				640.00	.00	.00	640.00
Vendor: SHELBYWIRE				Shelby Broadband			
Nov09-Apr12010	04/05/10	0154015740 parka internet	04/05/10	239.70	.00	.00	239.70
Vendor Total: SHELBYWIRE				239.70	.00	.00	239.70
Vendor: SHREDIT				Shred-R			
43405420	04/05/10	0151404480 ema file disposal	04/05/10	63.50	.00	.00	63.50
Vendor Total: SHREDIT				63.50	.00	.00	63.50
Vendor: STRYKER				Stryker Medical Sales Corp.			
693467M	04/05/10	0161404480 ambulance cot	04/05/10	3,800.00	.00	.00	3,800.00
Vendor Total: STRYKER				3,800.00	.00	.00	3,800.00
Vendor: ULINE				Uline			
31547325	04/05/10	0153404680 3liter bags	04/05/10	152.08	.00	.00	152.08
31584108	04/05/10	0153404680 5liter bags	04/05/10	199.75	.00	.00	199.75
Vendor Total: ULINE				351.83	.00	.00	351.83
Vendor: UNITED LAB				United Laboratories			
07900	04/05/10	0154014670 parka supplies	04/05/10	195.60	.00	.00	195.60
Vendor Total: UNITED LAB				195.60	.00	.00	195.60
Vendor: USPOST				U.S. Postmaster			
4/Socotax	04/05/10	0150474480 cocatx postage	04/05/10	220.00	.00	.00	220.00
Vendor Total: USPOST				220.00	.00	.00	220.00
Vendor: WISE				Randy Wise			

04/02/10 08:45AM Spencer County Fiscal Court Open Invoice Report As of April 02, 2010 Page 5 of 6 *General Fund*

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
4/Sreimb	04/05/10	0154014250 reimb concessions	04/05/10	78.63	.00	.00	78.63
Vendor Total: WISE				78.63	.00	.00	78.63

\* These invoices are on hold.

Report Total: Invoices	37,531.14
Open Credits	.00
Less Discounts Available	.00
<b>Net Balance Due</b>	<b>37,531.14</b>

\*\*\* Report Options \*\*\*  
 Vendors: ALL  
 Invoice Dates: 04/05/2010 to 04/05/2010  
 Status: All  
 Accounts: ALL  
 As Of: Current Date (04/02/2010)  
 \*\*\* End of Report \*\*\*

04/02/10 06:47:44 Spencer County Fiscal Court  
Open Invoice Report  
As of April 02, 2010 *Road Fund* Page 1 of 2

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: AM INC Asphalt Materials, Inc.							
40476266	04/06/10	0281054470 aa-90	04/06/10	7,750.80	.00	.00	7,750.80
				Vendor Total: AM INC	7,750.80	.00	7,750.80
Vendor: AT&T A T & T							
48road	04/06/10	0281055780 road utilities	04/06/10	22.59	.00	.00	22.59
				Vendor Total: AT&T	22.59	.00	22.59
Vendor: CEDARCRK Cedar Creek Quarry LLC							
125653	04/06/10	0281054470 stone	04/06/10	579.68	.00	.00	579.68
				Vendor Total: CEDARCRK	579.68	.00	579.68
Vendor: CITY Taylorsville Waterworks							
46road	04/06/10	0281055780 road utilities	04/06/10	20.04	.00	.00	20.04
				Vendor Total: CITY	20.04	.00	20.04
Vendor: FEBCO Fabco Inc.							
20101288	04/06/10	0291005210 benefits cards	04/06/10	333.69	.00	.00	333.69
				Vendor Total: FEBCO	333.69	.00	333.69
Vendor: FLEET1 Fleet One							
48road	04/06/10	0281054350 road fuels	04/06/10	4,372.94	.00	.00	4,372.94
				Vendor Total: FLEET1	4,372.94	.00	4,372.94
Vendor: G & C G & C Supply Co. Inc.							
6370099	04/06/10	0281054470 18" sign blanks	04/06/10	164.73	.00	.00	164.73
6370714	04/06/10	0281054470 24" sign blanks	04/06/10	244.01	.00	.00	244.01
6373418	04/06/10	0281054470 sign blanks	04/06/10	87.62	.00	.00	87.62
				Vendor Total: G & C	506.36	.00	506.36
Vendor: HARDWARE Bennett Hardware							
46	04/06/10	0281054470 misc parts	04/06/10	272.69	.00	.00	272.69
				Vendor Total: HARDWARE	272.69	.00	272.69
Vendor: MHEQUIP M.H. Equipment Company							
L30166	04/06/10	0281054470 misc repairs	04/06/10	225.67	.00	.00	225.67
				Vendor Total: MHEQUIP	225.67	.00	225.67
Vendor: PETTTT Pettt Environmental							
10-183-01	04/06/10	0281054470 od waste removal	04/06/10	1,659.00	.00	.00	1,659.00
				Vendor Total: PETTTT	1,659.00	.00	1,659.00
Vendor: ROGERS Rogers Group Inc.							
0086103783	04/06/10	0281054470 stone	04/06/10	171.01	.00	.00	171.01
0086103784	04/06/10	0281054470 stone	04/06/10	2,265.04	.00	.00	2,265.04
0086104100	04/06/10	0281054470 stone	04/06/10	1,763.38	.00	.00	1,763.38
0086104403	04/06/10	0281054470 stone	04/06/10	879.47	.00	.00	879.47
				Vendor Total: ROGERS	5,178.90	.00	5,178.90
Vendor: SHCROAD Shelby County Road Department							
15	04/06/10	0281054470 6850gal salt brine	04/06/10	903.50	.00	.00	903.50
				Vendor Total: SHCROAD	903.50	.00	903.50

04/02/10 06:47:44 Spencer County Fiscal Court  
Open Invoice Report  
As of April 02, 2010 *Road Fund* Page 2 of 2

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
* These Invoices are on hold.							Report Total: Invoices	21,831.88
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	21,831.88
*** Report Options ***								
Vendors: ALL								
Invoice Dates: 04/02/2010 to 04/06/2010								
Status: All								
Accounts: ALL								
As Of: Current Date (04/02/2010)								
*** End of Report ***								

04/02/10 09:45:44 Spencer County Fiscal Court  
Open Invoice Report  
As of April 02, 2010 *Jail Fund* Page 1 of 1

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
Vendor: BCCDET Buitt County Fiscal Court								
Feb2010	04/07/10	0351013140 inmate housing	04/07/10	700.00	.00	.00	700.00	
				Vendor Total: BCCDET	700.00	.00	700.00	
Vendor: FLEET1 Fleet One								
47Jail	04/07/10	0351013990 transport fuel	04/07/10	490.20	.00	.00	490.20	
				Vendor Total: FLEET1	490.20	.00	490.20	
* These Invoices are on hold.							Report Total: Invoices	1,190.20
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	1,190.20
*** Report Options ***								
Vendors: ALL								
Invoice Dates: 04/07/2010 to 04/07/2010								
Status: All								
Accounts: ALL								
As Of: Current Date (04/02/2010)								
*** End of Report ***								

ADDITIONAL INVOICES AND TRANSFERS

GENERAL FUND INVOICES/TRANSFERS

U.S. Postmaster	misc postage	240.00
Kentucky Utilities	co bldgs utilities	2,623.69
Spencer County Clerk	deed filing fee	130.50
KVIP	community service insurance	13.00
Get Set	March website maintenance	290.00
Bennetts Hardware	parks, maint, ems, sher supplies	366.49
RCS Communications	ems-radio, April maintenance contract	110.00
Ky Occupational License Assoc.	2010 memberships	90.00
Logans	chse/annex floor mats	353.14
	pva floor mats	60.90

Transfer \$10,000 to 019200990 (reserves for transfer) from 0194002090 (workers comp insur)  
 Transfer \$200 to 0150105730 (co clerk telephone) from 0192009990 (reserves)  
 Transfer \$1,000 to 0150154550 (sheriff fuel) from 0192009990 (reserves)  
 Transfer \$500 to 0151404430 (ems parts/repairs) from 0151404550 (ems fuel)  
 Transfer \$4,000 to 0151404460 (ems supplies) from 0151404550 (ems fuel)  
 Transfer \$1,200 to 0153404680 (litter programs) from 0192009990 (reserves)

ROAD FUND INVOICES/TRANSFERS

Logans	uniforms rental	588.62
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Transfer \$1000 to 0261054470 (materials/supplies) from 0261055780 (road utilities)  
 Transfer \$5,000 to 0261054550 (road fuels) from 0294002020 (retirement)

JAIL FUND INVOICES/TRANSFERS

March 2010 transports: 68 runs

Sharon Cook	280.00
Mariene Cranner	460.00
Darrell Herndon	640.00 + 6.13 meals
Mike Blackburn	180.00
Rob Hanes	620.00
David Houghlin	69.50 expenses
	2255.63 total

Transfer \$300 to 0391005510 (membership dues) from 0391004990 (miscellaneous)

3/8	4/1
Gordon	Joval
Paul	Clara
Caro	John
Darwyn	Steve
Steve	Gordon
Gary	Darwyn
Alfreda	Gary
	Alfreda

Planning & zoning meetings  
 \$100.00 each for each meeting

On motion of Esq. Henry, second by Esq. Judd, all members of the court present voting "Aye" it is hereby ordered by the court that this meeting of this Fiscal Court be adjourned.

*David Jenkins*  
 DAVID JENKINS, SPENCER COUNTY JUDGE EXECUTIVE