

Regular TERM, DAY, 20th DAY OF, January 20 10

Pledge of Allegiance to the Flag.

Prayer by Esq. Judd before court begins.

Roll Call by the County Judge Executive—all present.

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 approve the previous Fiscal Court minutes.

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 amend the previous motion made to read Dwight Greenwell for 3 years, Guy Shelburne for 2 years & Jim Naive for 1 year to the Ethics Committee.

Communications from the County Judge Executive:

County Judge Jenkins notified that court that the ABC will review all the packaged license applications. He noted that four applications were for beer only and four applications were for packaged liquor. He said the process should take 60-90 days and that it has produced a revenue of about \$4800.00.

County Judge Jenkins advised Fiscal Court that on Sunday a 1 ton utility truck used to spread brine was stolen from the County Road Barn. He said that KSP is investigating the case and if the truck isn't recovered in the next few days they will file the claim.

County Judge Jenkins stated that he received a letter from Donald Prather requesting to annex part of Taylorsville Water-Little Beech & Mill Rd. They have 40 days to schedule a hearing, so he will let the court know when that is.

Reports from Members, Other Offices, and Committees:

Randy Wise, Parks Director, came before the court to ask permission to purchase baseball field supplies, such as bases, conditioner, etc. He said that the price is \$2068.70 and that the Baseball Association will pay for the supplies.

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 allow Randy Wise to purchase the baseball field supplies with monies provided by the Baseball Association.

Randy Wise also asked permission to order trophies for the Basketball League. He said that they will cost between \$4.00-\$5.00 each. The total is \$550.00 and will be covered by the registration fees.

On motion of Esq. Judd, second by Esq. Henry, all members of the court present voting "Aye" it is hereby ordered by the court to allow Randy Wise to order the trophies for the Basketball league.

Randy Wise notified the court that the Nations Baseball Tournament has been changed to the last weekend in June. The new dates are June 26th & 27th. He also notified the court that the baseball association has changed from the Cal Ripkin League to Little League. He noted that the difference was that the Cal Ripkin League is more of a "traveling" league and Little League is more locally oriented. Lastly, Randy said that they will be hosting the Jr & Sr Girls' Little League District Tournament this year. The date is to be set on March 15th, but hopefully the 2 day tournament will take place the 4th of July weekend.

Darrell Stevens with EMS notified the court that the contract with Stericycle was due for renewal. He stated the new cost would be \$154.00 per month and recommended that the court renew the contract.

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 renew the contract with Stericycle for EMS for removal of sharps, gauze etc.

Esq. Judd brought up the need for a new furnace at EMS. Darrell Stevens said that the last time Bennett's Gas came to repair the furnace, they said that the whole unit needed to be replaced. Judge Jenkins said that prices needed to be gathered from local businesses. Esq. Drury said he would like to get together with Esq. Henry to discuss the situation first and then make a recommendation to the court. Esq. Henry would rather let the contractors do it.

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 go ahead and take bids on a HVAC system for the EMS building from Bennett's Gas, Greenwell Brothers, Kerry Edwards & Dwight Martin.

Esq. Judd said that the Solid Waste resolution was completed and sent in to SWACK. He said that SWACK is going to use Spencer County as an example.

Esq. Riley asked Nathan Nation about the Emergency Services Committee. Nathan said they are just getting started and there wasn't anything to report.

Esq. Drury brought up the Humane Society building. Esq. Henry stated that a new building will cost too much but there was a \$3 million grant available statewide. Esq. Henry said that he will keep an eye on it because depending on how many counties apply for the grant will determine how much money is available to each.

There were no communications from citizens.

Old Business

Judge Jenkins shared with the court a letter sent from the Ethics Committee. The letter stated that a complaint has to be signed by a "person". The letter that was received was signed by Fiscal Court. Esq. Henry and Esq. Drury wants to look at the Ethics Ordinance to possibly amend it. The Ethics Ordinance will be on the agenda for the next meeting.

New Business-Zoning

Julie Sweazy, Planning & Zoning Administrator, did not have any zonings to report but did need a clarification on a previous motion. Julie stated that there is a discrepancy on Nevin Ln, which is located in Goebel Crossings. At the October 19th Fiscal Court meeting it is stated in the minutes that the bond be released on Goebel Crossings Phase 3, but Phase 1 is still bonded at 50% and Phase 2 is still bonded at 100%. Esq. Riley stated that he thought there was an error in the minutes. Esq. Henry said that he believes that phases 1 and 2 were left because they are construction entrances. Esq. Riley concurred. Esq. Riley will meet with Julie Sweazy and Glen Goebel to try to get the matter corrected.

Change orders for Phase IV water

The change order for water Phase IV pertains to Murray Rd. Steve with HMB Engineers stated that they were working with Taylorsville water on the Murray Rd project.

One of the main topics of discussion was the moving of a fire hydrant. The court discussed that the hydrant should probably stay where it is. Fire Chief Nathan Nation said that the hydrant was placed there by ordinance and that it should remain at its current location. Steve said he would talk to Kevin Sisler, Taylorsville water engineer, to find out what the intent was.

FAX 13/ 2010 FAX 07/30 AM 315/107 Puggara FAX 89/ 033 411 3010 1. UVE
SFC
SME: 08074

CHANGE ORDER

Order No. 1 (Orig) Revised
Date: January 12, 2010
Agreement Date: Oct. 23, 2009

NAME OF PROJECT: Contract No. 17 - Waterline Extensions
OWNER: City of Taylorsville
CONTRACTOR: Salmon Construction, Inc.

- The following changes are hereby made to the CONTRACT DOCUMENTS:
1. Murray Road Extension (see attachment) = +\$18,247.50
 2. Add cut in tees & accessories for 6" valves: 5 ea. @\$1,587.12 = +\$ 7,835.80 (see attachment)
 3. Add Kennedy F.H. for Shelby Co.: 3 ea. @\$49.82 = +\$ 149.46 (see attachment)
 4. Remove & Relocate F.H. on Murray Rd.: 1 ea. @\$2,000.00 = +\$ 2,000.00 (see attachment) \$28,232.56

Justification:
Requested by Owner
Change to CONTRACT PRICE:
Original CONTRACT PRICE \$ 416,600.00
Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 416,600.00
The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$ 28,232.56
The new CONTRACT PRICE including this CHANGE ORDER will be \$ 444,832.56
Change to CONTRACT TIME:
The CONTRACT TIME will be increased by 12 calendar days.
The date for completion of all work will be April 20, 2010 (Date).

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 approve the the change order, BUT not to move the fire hydrant, and to also authorize Judge Jenkins to sign. Ordinance No. 11 (2010) for Orchards of Plum Creek onto County Road System, second reading and/or adoption.

Spencer County, Kentucky
Ordinance No. 11
Fiscal Year 2010 Series

An Ordinance Relating to the Adoption of Road(s) onto the County Road System

Whereas, written request has been made to the Spencer County Fiscal Court to formally adopt the following road(s) within the Orchards of Plum Creek subdivision onto the Spencer County Road System; and

Whereas, the road(s) on the request have been inspected and found to meet all current road specifications;

Now Therefore, Be It Ordained by the Fiscal Court of Spencer County, Commonwealth of Kentucky that the Fiscal Court does hereby adopt onto the Spencer County Road System the following road(s) for limited maintenance, such as snow removal and right-of-way trimming, with official mileage and speed limit as designated:

- Peach Orchard Circle, 0.994 mile, 25mph speedlimit
- Grape Vineyard Way, 0.520 mile, 25mph speedlimit
- Cherry Orchard Lane, 0.092 mile, 25mph speedlimit

Be It Further Ordained by the Fiscal Court that the road bond on this road(s) may be reduced to 50% as of the date of this ordinance. This minimum bond shall be held by the Fiscal Court for at least one year after the adoptive date of this ordinance, or until such time as the Court determines. After a satisfactory final inspection report, the Court agrees to release the bond and accept full maintenance responsibility for these roads.

Given first reading and approval on December 21st, 2009.
Given second reading and adoption on January 28th, 2010.

David Jenkins
David Jenkins
Spencer County Judge Executive

Attest:
Judy Backzi
Judy Backzi
Spencer County Fiscal Court Clerk

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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 adopt Peach Orchard Circle, Grape Vineyard Way & Cherry Orchard Lane into the County Road System.

Ordinance No. 12 (2010) for alcoholic beverage sales, second reading and/or adoption. The court discussed the need to correct the wording on the size of signs on page 14 section 5.03. The wording should be that the sign is to be 2 feet by 2 feet, not 2 square feet.

On motion of Esq. Henry, second by Esq. Goodlett, all members of the court voting "Aye" EXCEPT Esq. Drury, due to the proximity to churches and schools, it is hereby ordered by the court to adopt Ordinance No. 12 (2010) with the correction being made to page 14 section 5.03 pertaining to the size of signs.

COMMONWEALTH OF KENTUCKY
SPENCER COUNTY FISCAL COURT
ORDINANCE NO. 12, SERIES 2010

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

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

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

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

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

ARTICLE ONE: GENERAL PROVISIONS

Section 1.01 TITLE

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

Section 1.02 INCORPORATION OF STATE LAW, DEFINITIONS, AND COMPLIANCE REQUIRED

A. Definitions. As used in this Chapter, unless the context clearly indicates a different meaning and specifies the language of a particular definition which shall apply, the words and terms as defined in Kentucky Revised Statute 241.010 (KRS 241.010) shall apply.

B. The provisions of the Kentucky Alcoholic Beverage Control laws contained in Kentucky Revised Statutes (KRS) Chapters 241, 242, 243, and 244, pertaining to licenses and regulations of the State Alcoholic Beverage Control Boards, including definitions contained therein, as well as amendments and supplements thereto, are hereby adopted as part of the Alcoholic Beverage Control law of Spencer County, except as otherwise lawfully provided herein. As used herein "State" means the Commonwealth of Kentucky and "County" means Spencer County, Kentucky.

the County ABC Administrator. The County ABC Administrator shall have the power and authority to promulgate such regulations as may be necessary to implement this chapter, pursuant to KRS 241.190 and KRS 241.060.

Section 2.02 FUNCTIONS, DUTIES AND POWERS

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

B. The County ABC Administrator shall have the same powers and duties with respect to suspension and revocation for cause of alcohol licenses issued by the County as the State Board has with respect to alcohol licenses issued by the State under KRS 241.110 and KRS 241.140.

Section 2.03 RIGHT OF INSPECTION

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

Section 2.04 APPEALS FROM COUNTY ABC ADMINISTRATOR

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

Section 2.05 OATH AND BOND OF LOCAL ABC ADMINISTRATOR EMPLOYEES

A. Each County ABC Administrator, before entering upon his duties as such, shall take the oath prescribed in Section 228 of the Constitution of the Commonwealth of Kentucky, and shall execute a bond with a good corporate surety in the penal sum of not less than One Thousand Dollars (\$1,000).

B. Each County ABC Administrator may require any County employee under his supervision to execute a similar bond in such penal sum as he deems necessary.

C. Any violation of State law relating to the sale, production, storing, or otherwise trafficking in alcoholic beverages shall also constitute a violation of this ordinance.

D. No person shall sell, deal in, barter or exchange or possess for sale, or for the purpose of evading any law or ordinance, give away any alcoholic beverage in any quantity whatever, or cause the same to be done, without complying with all of the provisions of this ordinance and all State statutes and regulations applicable thereto.

E. All prohibitions, restrictions and regulations pertaining to alcoholic beverages contained in KRS Chapter 244 shall apply to alcoholic beverage use in the County.

Section 1.03 SCOPE OF COVERAGE

A. This ordinance shall be construed to apply to the trafficking in all forms of "alcoholic beverages" as that term is defined by KRS 241.010(2), including malt beverages, distilled spirits, and wine where the context permits such application. Unless the context otherwise expressly states or requires, the term "alcoholic beverage" or "alcoholic beverages" shall have the same meaning as defined by KRS 241.010(2) and shall include distilled spirits, wine, and malt beverages.

B. Nothing contained in this ordinance shall excuse or relieve the owner, proprietor, employee or person in charge of any licensed premises in Spencer County where alcoholic beverages are sold from the restrictions, requirements and penalties of any other ordinance of Spencer County or any State and/or Federal statutes or regulations.

Section 1.04 DEPOSIT OF FEES, FINES TO GENERAL FUNDS

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

Section 1.05 NOTICE TO STATE ABC BOARD OF FEES LEVIED

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

ARTICLE TWO: ADMINISTRATION

Section 2.01 ALCOHOL BEVERAGE CONTROL ADMINISTRATOR

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

C. The cost of bonds given under this section shall be borne by the County, in accordance with KRS 241.110.

ARTICLE THREE: LICENSING REGULATIONS

Section 3.01 NUMBER AND TYPE OF LICENSES

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

Section 3.02 LICENSE REQUIRED FOR SALE

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

Section 3.03 TYPE OF LICENSES; FEES

1. With respect to restaurant wine licenses:

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

A. The term "restaurant" as used in this section shall have the same meaning as currently provided at KRS 241.010, to-wit: "a facility where the usual and customary business is the serving of meals to customers, that has a bona fide kitchen facility, and that receives at least fifty per cent (50%) of its gross receipts from the sale of food".

2. Types of License for Distilled Spirits and Wine; Annual Fees.

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

A. Types of Retail Licenses Defined

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

B. LICENSE FEES - DISTILLED SPIRITS AND WINE

	Type of License	Fee
A	Retail Package License (distilled spirits and wine)	\$400.00
B	Restaurant Wine License (wine consumption on premises)	\$600.00 new \$400.00 renewal
C	Special Temporary Wine License (per event)	\$50.00 per event

C. MALT BEVERAGE LICENSES; FEES

The County shall have the power and authority to issue the following types of licenses for the sale and trafficking of malt beverages upon proper application and the payment of prescribed fees as set forth below. All fees stated are on a per annum basis, unless otherwise expressly indicated.

	Type of License	Fee
A	Retail Malt Beverage License	\$400.00 new \$150.00 renewal
B	Special Temporary Retail Malt Beverage License (per event)	\$25.00 per event

D. SPECIAL TEMPORARY LICENSES

1. **Special Temporary Retail Malt Beverage License**
 - A. The County shall have the power and authority to issue a special temporary retail malt beverage license upon proper application and payment of the prescribed fee. This license shall authorize the retail sale and consumption of malt beverages on the premises of any approved and licensed special temporary occasion such as fairs, sporting events, entertainment events or other approved public events.
 - B. As indicated in Section 3.03(C)(2) above, the fee for this license shall be \$25.00 per event.

2. The County ABC Administrator shall have the power and authority to issue a caterer's license for the sale of alcoholic beverages upon proper application and payment of the prescribed fees. A caterer's license of the sale of alcoholic beverages may be issued as a supplementary license to a caterer that also holds a retail package license (distilled spirits and wine) or a hotel/motel/inn or restaurant retail drink license.
3. The caterer's license shall authorize the caterer to:
 - a. Purchase and store alcoholic beverages in the manner prescribed in KRS 243.250, 243.280 and 244.310.
 - b. Transport, sell, serve and deliver alcoholic beverages by the drink at locations in wet territory away from the licensed premises in conjunction with the catering of food and beverages for a customer and/or his guests. Wine may also be transported, sold, served or delivered.
 - c. Receive and fill telephone orders for alcoholic beverages in conjunction with the ordering of food for a function catered by the licensee; and
 - d. Receive payment for alcoholic beverages served at a function on a by the drink or by the function basis. A caterer may bill the host for by the function sales of alcoholic beverages in the usual course of the caterer's business.
4. The caterer licensee shall not cater alcoholic beverages at locations for which retail alcoholic beverages licenses or special temporary licenses have been issued.
5. The caterer licensee shall post a copy of the caterer's license at the location of the function for which alcoholic beverages are catered.
6. The name and license number of the caterer shall be painted, in a contrasting color, in a form prescribed by the Kentucky Administrative Regulations, upon all vehicles used by the caterer to transport alcoholic beverages.
7. All restrictions and prohibitions applying to a distilled spirits and wine retail drink license not inconsistent with this section shall apply to the caterer licensee.
8. The caterer licensee shall submit a list of functions catered or to be catered, including location, host, date and time upon request of the local ABC Administrator.
9. The fee for the caterer license shall be:

Type of License	Fee
Caterer License, per annum	\$800

2. Special Temporary Wine License

- A. The County shall have the power and authority to issue a special temporary wine license upon proper application and payment of the prescribed fee. This license shall authorize the retail sale and consumption of wine on the premises of any approved and licensed special temporary occasion such as fairs, sporting events, entertainment events or other approved public events.
- B. As indicated in Section 3.03(B)(3) above, the fee for this license shall be \$50.00 per event.

E. SPECIAL PRIVATE CLUB LICENSE FOR BEER ONLY; FEE REQUIRED

1. The County shall have the power and authority to issue a special private club license to any nonprofit social, fraternal, military or political organization or club which maintains or operates designated premises from which the general public is excluded. All restrictions and prohibitions otherwise applying to a malt beverage licensee shall apply to a special private club licensee.
2. In order to assure that the general public is excluded from the designated premises of a private club licensee holder, the following guidelines must be met:
 - A. Each private club member shall be issued a membership card which can be readily produced while visiting said club;
 - B. Each private club member shall be limited to no more than two (2) non-member guests at any club function or event; and
 - C. A written log shall be maintained of all non-member guests.
3. The fee for this category of license shall be:

Type of License	Fee
Special Private Club License, per annum	\$300.00

F. CATERER'S LICENSE; FEES

1. As used in this section, unless the context requires and expressly states otherwise the term "caterer" means a corporation, partnership or individual that operates the business of a food service professional by preparing food in a licensed and inspected commissary, transporting the food and alcoholic beverages to the caterer's designated and inspected banquet hall or to a location selected by the customer, and serving the food and alcoholic beverages to the customer's guests.

Section 3.04 LICENSES PERMITTED

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

Section 3.05 REGULATIONS TO CONFORM TO STATE LAW

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

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

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

Section 3.07 PRO-RATED LICENSE FEE

When any applicant makes application for a new license authorized to be issued under this chapter, he shall be charged the full fee for the respective license if six (6) months or more remain before the license is due to be renewed and one-half (1/2) the fee if less than six months

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remain before the license is due to be renewed. No abatement of license fee shall be permitted to any person who held a license of the same kind for the same premises in the preceding period and who was actually doing business under the license during the last month of the preceding license period.

Section 3.08 REFUNDS PROHIBITED

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

Section 3.09 ASSIGNMENT, TRANSFER OR LICENSE REPLACEMENT

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

B. In the event that an alcoholic beverage license has been lost or destroyed, the local ABC Administrator may issue a duplicate or replacement license upon payment of a fee of \$25.

Section 3.10 POSTING OF LICENSE

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

Section 3.11 WHOLESALE DISTRIBUTORS

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

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

ARTICLE FOUR: APPLICATION PROCESS AND ISSUANCE OF LICENSES

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B. VIOLATION OF COUNTY ORDINANCE

In addition to the above State law references, violation of any County ordinance concerning alcoholic beverage licensing, sales or the administration thereof shall also be grounds for refusal to issue or renew a license or suspension or revocation of a license.

C. DELINQUENT TAXES OR FEES

No license for the sale or trafficking of alcoholic beverages shall be granted or renewed to any person or entity that is delinquent in the payment of any taxes or fees due the County at the time of application for the license; nor shall any license be granted or renewed to sell alcoholic beverages upon any premises or property, owned and/or occupied by the licensee, for which there are any delinquent taxes or fees due the County. If the licensee becomes delinquent in the payment of any taxes due to the County at anytime during a license period, the license to sell alcoholic beverages shall be subject to revocation or suspension. The County ABC Administrator may, in his discretion, approve a license to sell alcoholic beverages after receiving from the Spencer County Attorney a written statement to the effect that the applicant for a license has paid or has made satisfactory arrangements with the Spencer County Attorney to pay any indebtedness represented by the unpaid and delinquent taxes or fees.

D. APPEALS

Appeals may be taken from any decision of the County ABC Administrator to the State Alcoholic Beverage Control Board, pursuant to the provisions of KRS 241.150 and 243.550, and all other applicable State law.

Section 4.05 APPROVAL OR DENIAL OF APPLICATION OR RENEWAL

A. If upon review of the license application, the County ABC Administrator determines that the applicant has complied with all requirements and regulatory provisions of this ordinance and applicable state law, that the premises sought to be licensed meets all requirements of this ordinance and applicable State law and that there are no causes for denial of a license, the County ABC Administrator shall approve that application.

B. If the County ABC Administrator has reasonable grounds to believe that an applicant has violated any law, rule or regulation relating to alcoholic beverages, he may issue to the applicant a written order setting forth such violations and requiring the applicant to show cause why the requested license should be issued. The County ABC Administrator shall have the right to order, and the applicant shall have the right to request, an evidentiary hearing to examine any violation set forth in the show cause order issued by the County ABC Administrator. Any decision by the ABC County Administrator on the application shall be subject to appeal as provided under this chapter and applicable State law.

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Section 4.01 APPLICATION FOR STATE LICENSE

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

Section 4.02 LOCAL ADMINISTRATOR TO APPROVE APPLICATION

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

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

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

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

A. STATE LAW REFERENCES

Causes for refusal to issue or renew a County license or for suspension or revocation of a County license shall be the same as provided for State licenses pursuant to KRS 243.450, 243.490, and 243.500.

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Section 4.06 ISSUANCE OF COUNTY LICENSE

Upon issuance of a State license, the requested County license shall be issued, subject to the provisions of this ordinance and State law concerning renewal, revocation and/or suspension. No license shall be issued by the clerk without the approval of the County ABC Administrator, which approval shall be granted only after the County receives an exact duplicate or facsimile copy of the State license issued to the applicant. The County license shall be in a form as prescribed by the County ABC Administrator and shall conform with the requirements of KRS 243.440.

Section 4.07 POSTING OF LICENSES

Each County license issued under this ordinance shall be a licensed premises in the same manner as prescribed by KRS 243.620 State licenses. An exact duplicate or facsimile of each County license issued under this chapter shall remain in the County Clerk's Office the public record.

Section 4.08 PERSONS WHO MAY NOT RECEIVE A LICENSE

A. PERSON AS APPLICANT

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

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been convicted of a violation of any such state statute, until the expiration of two (2) years from the date of the revocation or conviction.

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

No license shall be issued to a partnership, limited partnership, limited liability company or corporation if:

- i. any member of the partnership or limited liability company, or any of the directors, principal officers, shareholders and managers of the corporate entity do not qualify under subsection A of this section;
- ii. if the applicant has had any license issued under this ordinance relating to the regulation of the manufacture, sale or the transportation of alcoholic beverages revoked for cause or has been convicted of a violation of any criminal offense referenced as set forth above in subsection A(4) of this section, until the expiration of two (2) years from the date of the revocation or conviction; or
- iii. if any member of the partnership, limited partnership, limited liability company, or any director, officer, shareholder or manager of the corporate entity has had any license issued under any statute relating to the regulation of the manufacture, sale or transportation of alcoholic beverages revoked for cause or has been convicted of any criminal offense referenced as set forth above in subsection A(4) of this section, until expiration of the latter of two (2) years from the date of revocation or two (2) years from the date of conviction.

ARTICLE FIVE: PROHIBITIONS, RESTRICTIONS AND GENERAL REGULATIONS

Section 5.01 HOURS OF SALE

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

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restriction shall not prevent any licensee from placing in the window of the licensed premises menus or other price cards not larger than 11"x14" in size, setting forth the price at which the licensee offers items for sale, including alcoholic beverages.

- B. No flashing lights shall be used to illuminate the exterior of any premises licensed under this chapter.
- C. It shall be unlawful for a licensee under this chapter to distribute or cause to be distributed any handbills, circulars or cards as a medium for advertising alcoholic beverages.
- D. Any advertising by any licensee under this chapter shall be in compliance with KRS 244.130.

Section 5.04 LICENSE TO BECOME VOID IF BUSINESS DORMANT

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

Section 5.05 LICENSEE TO DISPLAY WARNING TO MINORS

It shall be the duty of every retail licensee to display at all times in a prominent place a printed card not smaller than 12" x 16" which shall read substantially as follows:

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

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

Section 5.06 ACCOUNTING REQUIREMENT

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

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C. It shall be unlawful to sell or offer to sell, at retail, in or upon any licensed premises, any alcoholic beverages on the day of any primary elections or general elections, during the hours in which the polls are open within the precincts in which such election is being held.

Section 5.02 GENERAL REGULATIONS AND RESTRICTIONS

- A. No gambling or game of chance, unless otherwise authorized by the Commonwealth of Kentucky, shall be permitted in any form on the licensed premises. Dice, slot machines, or any device of chance is prohibited and shall not be kept on the premises.
- B. It shall be unlawful for any licensee licensed under this chapter to have or maintain any radio receiving apparatus on the premises which is intentionally adjusted so as to receive police messages broadcast from any law enforcement agency in Spencer County, as it is now or may hereafter be operated. In addition to other penalties provided for the violation of this section, the Sheriff or the County ABC Administrator shall have the authority to confiscate any and all radio receiving apparatus.
- C. The licensee shall be responsible for maintaining security on his or her premises, including providing adequate outside lighting to permit customers to utilize the parking area, and to promote the safety, health and welfare of the general public utilizing the licensed premises. Security standards are further necessary to discourage unlawful activity in and around the licensed premises.
- D. Any off premises signage advertising the sale of alcoholic beverages is prohibited.
- E. No wholesaler or distributor shall sell any alcoholic beverages to any person in the County for any consideration except under the usual credit or cash terms of the wholesaler or distributor at or before the time of delivery. Nor shall any retail licensee sell to a purchaser for any consideration except for cash at time of purchase.
- F. All restaurants and dining shall distribute alcoholic beverages only during times in which their kitchen is open and their food staff is on duty.
- G. It shall be unlawful for any licensee licensed under this chapter to allow the consumption of any alcoholic beverages on their premises; provided however in the case of bona fide restaurants and hotels/motels/inn, such establishments may allow the consumption of alcoholic beverages during the hours allowable by law.

Section 5.03 ADVERTISING RESTRICTIONS

- A. **Signage.** Signage which refers directly or indirectly to alcoholic beverages will be limited to one (1) sign not over two (2) feet by two (2) feet but must be displayed from the inside window or interior of the business. No additional signs, banners, posters or other type of display advertising which refers either directly or indirectly to alcoholic beverages shall be displayed on or be visible from the exterior of any premises licensed for the sale of alcoholic beverages, except that reference to such may be included in the name of the business. This

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and records shall be made available at all reasonable times for inspection by the County ABC Administrator or his appointed designee.

Section 5.07 LICENSEE TO OBTAIN COPY OF ORDINANCE

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

Section 5.08 MANDATORY RESPONSIBLE BEVERAGE SERVICE TRAINING STANDARDS FOR CERTIFICATION

- A. All persons, corporations, associations, restaurants, businesses, clubs or other entities licensed or employed in the sales and service of alcoholic beverages, including the retail sale of alcoholic beverages by the package or drink, shall participate in and complete a mandatory responsible beverage service training program approved by the County ABC Administrator. Before approval is granted, the County ABC Administrator shall first be satisfied that the training program is genuine and effectively trains all participants in the recognition of false identification and age documents as well as the human characteristics of alcohol and/or drug intoxication. The County shall not require enrollment in any particular class or classes, but only require that the training be obtained from a recognized person, program or agency with a bona fide curriculum that meets the goals expressed herein.
- B. All persons, corporations, associations, restaurants, businesses, clubs or other entities licensed by Spencer County for the sale of alcoholic beverages shall require all their employees who are engaged in the selling or serving of alcoholic beverages or the managing of premises on which such sales are offered to complete a responsible beverage service training class approved by the County ABC Administrator.
- C. Subsections (a) and (b) above shall not apply to any Manufacturer of alcoholic beverages as this term is defined in KRS 241.010(29) or any other person, corporation, association, business or other entity licensed for the wholesale of alcoholic beverages.
- D. Standards for Certification. The training person or agency must reasonably instruct upon and certify the participant's competence in at least the following:
 1. Pertinent federal, state and local laws related to the sale of alcohol;

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Regular TERM, DAY, 20th DAY OF, January 20 10

- 2. Verification of age, forms of identification and usual methods of false or misleading age identification;
- 3. The effect of alcohol on humans and the physiology of alcohol intoxication, including the effect of alcohol on pregnant women, their fetuses and other situations involving the use of alcohol by persons vulnerable to its effects;
- 4. Recognition of the signs of intoxication;
- 5. Strategies for intervention and prevention of underage and intoxicated persons from consuming alcohol;
- 6. The licensee's policies and guidelines, including the employee's role in observing those policies; and
- 7. Potential liability of persons serving alcohol.

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

E. All persons required to undergo the training set forth in paragraph (e) above shall complete same within one hundred twenty (120) days of the effective date of this ordinance. New licensees, employees, officers and agents shall complete the mandatory responsible beverage service training within sixty (60) days from the date of employment. Licensees, employees, officers or agents who fail to complete the mandatory responsible beverage service training within the prescribed time shall not sell or serve alcoholic beverages on the licensed premises until they have successfully completed the required training. All persons completing the training requirements in this section shall be recertified in responsible beverage service training from a program approved by the County ABC Administrator under the foregoing criteria not less than once every three (3) years.

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

G. Penalties:

1. No person, corporation, association, restaurant, business, club or other entity holding a license for the sale of distilled spirits, wine and/or malt beverages by the package or drink shall intentionally, willfully, knowingly, or wantonly authorize, direct, permit, allow or cause any employee, officer or agent of the licensee who has not completed the

mandatory service training required in this section, to sell or serve any alcoholic beverages to anyone on the licensed premises.

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

ARTICLE SIX: CONDUCT, LOCATION, PREMISES AND STRUCTURE REQUIREMENTS

Section 6.01 CONDUCT REQUIREMENT

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

Section 6.02 ZONING RESTRICTIONS, LOCATION, PREMISES AND STRUCTURE REQUIREMENTS

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

B. No license shall be issued under this ordinance unless the premises to be licensed conforms to the sanitary, safety and building code requirements of the County and rules and regulations of the State and Local Board of Health applicable thereto. Further, the County ABC Administrator shall not grant any alcoholic beverage license until the license applicant and the intended licensed premises have been approved by the State Health Department and County Code Enforcement Officer with respect to all applicable building codes.

C. Any licensee holding a license which permits the sale and consumption of alcoholic beverages on the premises where sold shall maintain an easily discernible physical barrier between the general dining area and any bar area. The separate bar area shall be posted "Persons under Twenty One (21) years of age may not enter or remain in this area".

D. Any licensee holding a license which will be conducting sales through a drive thru window shall not locate that window in the rear of the premises. The drive thru window must be located in plain sight on either side of the premises or the front of the premises.

ARTICLE SEVEN: PENALTY FOR VIOLATIONS

Section 7.01 PENALTY FOR VIOLATIONS

A. Any person who violates any provision of this ordinance for which no specific penalty is otherwise provided shall be guilty of a misdemeanor and shall, in addition to other penalties provided by law, be subject to the following penalties:

- 1. For the first offense, a fine not to exceed Five Hundred Dollars (\$500); and
- 2. For any subsequent offense, a fine not to exceed Five Hundred Dollars (\$500) or confinement in jail not more than six (6) months, or both.

B. In addition to any other penalty provided for herein or as provided under any other applicable federal, state, or local law or regulation, any licensee violating any provision of this ordinance shall be subject to suspension or revocation of any and all licenses issued under this chapter.

PASSED AND APPROVED ON FIRST READING, THIS 14th DAY OF January, 2010.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED, THIS 20th DAY OF January, 2010.

APPROVED:

David Jenkins
DAVID JENKINS
COUNTY JUDGE EXECUTIVE

ATTEST:

Judy Pickett
Judy Pickett, County Clerk

Fee Office Budgets for 2010

The Spencer County Clerk's 2010 Budget was presented but Esq. Riley would like more time to review it.

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 the County Clerk's 2010 Budget.

The Spencer County Sheriff's 2010 Budget was presented to the court. Sheriff Steve Coulter notified the court that as of January 15th 2010, Deputy Russell Crammer was retired. The court discussed what kind of salary difference the retired deputy would make and the possibility of hiring a new deputy. Esq. Riley was concerned about over time and was told that the sheriff's office was pretty much on target.

On motion of Esq. Drury, second by Esq. Henry, all members of the court present voting "Aye", EXCEPT Esq. Riley, it is hereby ordered by the court to table the Sheriff's 2010 Budget.

Review and Approval of Bills and Transfers

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 all bills and transfers, noting that Doug Williams is looking into see if the water was paid.

Spencer County Fiscal Court Open Invoice Report As of January 18, 2010								Spencer County Fiscal Court Open Invoice Report As of January 18, 2010							
Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: ALERT Alert Inc.								Vendor: DETSET Del Sol Graphics							
002863	01/18/10	0150154450 radar calibration	01/18/10	175.00	.00	.00	175.00	Dec2009	01/18/10	0150803380 website maintain	01/18/10	290.00	.00	.00	290.00
Vendor Total: ALERT 175.00								Vendor Total: DETSET 290.00							
Vendor: BENGAS Ben's Office Company								Vendor: GOODYR Goodyear Auto Service Center							
1/18supach	01/18/10	0151483390 sharpshooting	01/18/10	182.05	.00	.00	182.05	155337	01/18/10	0151404430 med 3 tires	01/18/10	629.85	.00	.00	629.85
1/18ems	01/18/10	0151402780 ems supplies	01/18/10	423.74	.00	.00	423.74	Vendor Total: GOODYR 629.85							
1/18main	01/18/10	0150255780 humane soc	01/18/10	182.28	.00	.00	182.28	Vendor: GRBROS DreamWeb Brothers Inc.							
1/18main	01/18/10	0150855780 maintain bldg	01/18/10	182.28	.00	.00	182.28	1/18che	01/18/10	0150805780 chea utlities	01/18/10	807.70	.00	.00	807.70
1/18recycle	01/18/10	0182175780 recycling utlities	01/18/10	91.14	.00	.00	91.14	Vendor Total: GRBROS 807.70							
1/18sher	01/18/10	0150155780 sheriff utlities	01/18/10	182.04	.00	.00	182.04	Vendor: JPCOOKIE J.P. Cooke Company							
Vendor Total: BENGAS 1,243.54								Vendor Total: JPCOOKIE 85.16							
Vendor: CARDINAL Cardinal Office Products								Vendor: KCAA Ky County Attorneys Association							
9040858a	01/18/10	0150804110 caratolical supplies	01/18/10	113.32	.00	.00	113.32	Spencer 2010 01/18/10 0191005510 membership							
9040858b	01/18/10	0150474450 occ tax envelopes	01/18/10	66.74	.00	.00	66.74	Vendor Total: KCAA 600.00							
9040858c	01/18/10	0150014480 judge copy paper	01/18/10	83.81	.00	.00	83.81	D.Hwert 01/18/10 0191006510 2010 membership							
90410213	01/18/10	0150154450 shoe spring shoe	01/18/10	158.03	.00	.00	158.03	Vendor Total: KCAA 75.00							
90410313b	01/18/10	0150014480 judge supplies	01/18/10	4.78	.00	.00	4.78	Vendor: KSCA KY State Coroners Association							
90410838	01/18/10	0181154450 bldg insp files	01/18/10	11.13	.00	.00	11.13	D.Hwert 01/18/10 0191006510 2010 membership							
Vendor Total: CARDINAL 437.81								Vendor Total: KSCA 75.00							
Vendor: CHASE Chase Car Services								Vendor: KYTRESA Kentucky State Treasurer							
1/18occar	01/18/10	0150474450 occ tax comp program	01/18/10	287.50	.00	.00	287.50	58989 01/18/10 0150803380 elevator inspecton							
Vendor Total: CHASE 287.50								Vendor Total: KYTRESA 100.00							
Vendor: CITY Taylorsville Waterworks								Vendor: KYUNIF Kentucky Uniforms Inc.							
1/18psh	01/18/10	0134015780 walpark utlities	01/18/10	15.14	.00	.00	15.14	182689 01/18/10 0150154810 x.m. badges							
Vendor Total: CITY 15.14								Vendor Total: KYUNIF 153.76							
Vendor: CODOI Custom Overhead Door Svc. Inc								Vendor: LCHI The Spencer Magiel							
201079	01/18/10	0152174680 recycling door	01/18/10	1,100.00	.00	.00	1,100.00	1/18ca 01/18/10 0150803380 misc oc ads							
Vendor Total: CODOI 1,100.00								1/18camp 01/18/10 0160730020 misc racking ads							
Vendor: CONCORD Concord Roofing LLC								Vendor: LOGANS Logan's							
8c refund	01/18/10	0150475870 kemars refund	01/18/10	25.00	.00	.00	25.00	1/18ca 01/18/10 0150803380 misc oc ads							
Vendor Total: CONCORD 25.00								1/18camp 01/18/10 0160730020 misc racking ads							
Vendor: COUNTRY MT Taylorsville County Mart								Vendor: MHOWARD Megan Howard							
Dec09-recycle	01/18/10	0152174880 recycling fuel	01/18/10	55.45	.00	.00	55.45	pka refund 01/18/10 0134014970 ball refund							
Vendor Total: COUNTRY MT 55.45								Vendor Total: MHOWARD 50.00							
Vendor: DUPLICATOR Duplicator Sales & Service Inc								Vendor: MOHAWK Mohawk Medical							
991668	01/18/10	0150803380 senltythe maintain	01/18/10	54.58	.00	.00	54.58	289870 01/18/10 0151404450 ems pharmanec/alk							
Vendor Total: DUPLICATOR 54.58								Vendor Total: MOHAWK 800.50							
Vendor: FEBCO Febco Inc.								Vendor: MWE Marvin World Enterprises Inc.							
20100324	01/18/10	0191005210 benefits card	01/18/10	2,413.50	.00	.00	2,413.50								
Vendor Total: FEBCO 2,413.50															

Spencer County Fiscal Court Open Invoice Report As of January 18, 2010							
Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: NAPA NAPA dsa Ky Distribution Svcs							
1/18ems	01/18/10	0151404430 ems parts	01/18/10	51.55	.00	.00	51.55
1/18main	01/18/10	0180807210 maintain parts	01/18/10	87.85	.00	.00	87.85
Vendor Total: NAPA 139.50							
Vendor: NEXTEL Nextel Partners Inc.							
1/18okgshap	01/18/10	0151154450 bldg insp equip	01/18/10	33.28	.00	.00	33.28
1/18oc	01/18/10	0168805780 misc oc cellphones	01/18/10	69.85	.00	.00	69.85
1/18occar	01/18/10	0160204480 customer cellphones	01/18/10	33.48	.00	.00	33.48
1/18ocsm	01/18/10	0154015780 dem db cellphones	01/18/10	31.49	.00	.00	31.49
1/18ocsm	01/18/10	0134015780 parts cellphones	01/18/10	86.32	.00	.00	86.32
1/18sher	01/18/10	0180185780 sheriff cellphones	01/18/10	209.49	.00	.00	209.49
Vendor Total: NEXTEL 476.44							
Vendor: NIGHTINGAL Nightingale-Alan Medical Equip							
88979	01/18/10	0151404480 ems needles	01/18/10	324.87	.00	.00	324.87
Vendor Total: NIGHTINGAL 324.87							
Vendor: RCS COMM RCS Communications							
Jan2010-ams	01/18/10	0151404430 ems radio maintain	01/18/10	110.00	.00	.00	110.00
Vendor Total: RCS COMM 110.00							
Vendor: SCU16AS Spencer County U16 AS Sites							
1/18sher	01/18/10	0153404680 medicare cleanup	01/18/10	300.00	.00	.00	300.00
Vendor Total: SCU16AS 300.00							

Spencer County Fiscal Court Open Invoice Report As of January 18, 2010							
Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: SRECC Salt River Electric							
1/18ems	01/18/10	0151405780 ems utlities	01/18/10	224.03	.00	.00	224.03
1/18main	01/18/10	0182055780 humane soc utlity	01/18/10	63.54	.00	.00	63.54
1/18main	01/18/10	0150803380 maintain utlity	01/18/10	83.64	.00	.00	83.64
1/18recycle	01/18/10	0184015780 parts utlities	01/18/10	426.01	.00	.00	426.01
1/18recycle	01/18/10	0152175780 recycling utlities	01/18/10	28.18	.00	.00	28.18
Vendor Total: SRECC 805.38							
Vendor: SYNERGY The Synergy Group LLC							
4001379759	01/18/10	0151405780 ems hazmat disposal	01/18/10	242.35	.00	.00	242.35
Vendor Total: SYNERGY 242.35							
Vendor: LLS Universal Linen Service							
Dec2009	01/18/10	0151405780 ems main	01/18/10	137.13	.00	.00	137.13
Vendor Total: LLS 137.13							
Vendor: USBANK U.S. Bank CT - Louisville, KY							
L24-P228	01/18/10	0172007410 capital lease	01/18/10	1,055.38	.00	.00	1,055.38
Vendor Total: USBANK 1,055.38							

Report Options --
 Vendors: ALL
 Invoice Dates: 01/18/2010 to 01/18/2010
 Status: All
 Accounts: ALL
 As Of: Current Date (01/18/2010)
 -- End of Report --

Report Total: Invoices	14,016.25
Open Credits	.00
Less Discounts Available	.00
Net Balance Due	14,016.25

01/18/10 04:30PM Spencer County Fiscal Court Open Invoice Report As of January 18, 2010 Page 1 of 2

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: AAMOL A & M Oil Company							
1/18read	01/18/10	0261054470 road fuel	01/18/10	720.74	.00	.00	720.74
				Vendor Total: AAMOL			720.74
Vendor: AHP Ad Hydco Power							
P48000-0	01/18/10	0261054470 misc parts	01/18/10	86.95	.00	.00	86.95
				Vendor Total: AHP			86.95
Vendor: CCI Center Concepts							
20798	01/18/10	0261054470 drug testing	01/18/10	50.00	.00	.00	50.00
				Vendor Total: CCI			50.00
Vendor: FERCO Fabco Inc.							
20100324	01/18/10	0261054470 benefits card	01/18/10	333.89	.00	.00	333.89
				Vendor Total: FERCO			333.89
Vendor: HUBER Huber Tire Inc.							
30-2764	01/18/10	0261054470 repairs	01/18/10	286.44	.00	.00	286.44
				Vendor Total: HUBER			286.44
Vendor: LOGANS Logan's							
1/18read	01/18/10	0261054470 road uniforms	01/18/10	593.70	.00	.00	593.70
				Vendor Total: LOGANS			593.70
Vendor: NAPA NAPA aka Xy Distribution Svcs							
1/18read	01/18/10	0261054470 misc parts	01/18/10	271.79	.00	.00	271.79
				Vendor Total: NAPA			271.79
Vendor: NEXTEL Nextel Partners Inc.							
1/18read	01/18/10	0261054470 road cellphones	01/18/10	286.08	.00	.00	286.08
				Vendor Total: NEXTEL			286.08
Vendor: PTC Peterson Truck Center							
Dec2008-road	01/18/10	0261054470 misc parts	01/18/10	54.70	.00	.00	54.70
				Vendor Total: PTC			54.70
Vendor: ROGERS Rogers Group Inc.							
0085102318	01/18/10	0261054470 stone	01/18/10	1,437.99	.00	.00	1,437.99
0086102487	01/18/10	0261054470 stone	01/18/10	245.63	.00	.00	245.63
				Vendor Total: ROGERS			1,683.62
Vendor: SH WELDING Shady Welding Service							
842267	01/18/10	0261054470 torch/weld	01/18/10	62.25	.00	.00	62.25
				Vendor Total: SH WELDING			62.25
Vendor: SHCROAD Shelby County Road Department							
10	01/18/10	0261054470 salt/srvc	01/18/10	689.00	.00	.00	689.00
				Vendor Total: SHCROAD			689.00
Vendor: SRECC Salt River Electric							
1/18read	01/18/10	0261054470 road stickers	01/18/10	314.39	.00	.00	314.39
				Vendor Total: SRECC			314.39

01/18/10 04:30PM Spencer County Fiscal Court Open Invoice Report As of January 18, 2010 Page 2 of 2

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: TRASUP Tractor Supply							
Dec08-road	01/18/10	0261054470 misc parts	01/18/10	757.91	.00	.00	757.91
				Vendor Total: TRASUP			757.91
Vendor: TRUCKPRO TruckPro, Inc.							
Dec2008-road	01/18/10	0261054470 misc parts	01/18/10	197.71	.00	.00	197.71
				Vendor Total: TRUCKPRO			197.71

* These invoices are on hold.

Report Total: Invoices 8,673.34
 Open Credits .00
 Less Discounts Available .00
 Net Balance Due 8,673.34

*** Report Options ***
 Vendors: ALL
 Invoice Dates: 01/18/2010 to 01/18/2010
 Status: All
 Accounts: ALL
 As Of: Current Date (01/18/2010)
 *** End of Report ***

ADDITIONAL INVOICES AND TRANSFERS

GENERAL FUND INVOICES/TRANSFERS

Jade Neal	basketball referee, 1/9/10 & 1/17/10	80.00
Chad Spence	basketball referee, 1/9/10 & 1/17/10	80.00
Whitney Thomas	basketball referee, 1/9/10 & 1/17/10	72.00
John Thomas	basketball referee, 1/9/10 & 1/17/10	72.00
U.S. Postmaster	ems, treasurer postage	88.00
Troy Valley	sheriff bldg, roof repair	150.00
Ruth Hollan	legal services	3,500.00
Shelby Welding Service	ems oxygen	181.00
Kentucky Utilities	misc bldg utilities	2,453.57
QuandMed Inc.	ems supplies	283.20
Bluegrass Rental & Sales	bulldozer rental, Brushcreek Crk Rd cleanup	1,331.51
U.S. Postmaster	sheriff, judge postage	88.00
Phase IV water, payable upon receipt of funds:		
HMB Engineers		9,345.00
Sister-Maggard Engineers		10,079.96
Salmon Construction		32,484.44
GWC Inc.		12,437.99
North Nelson Water District		1,686.13
Transfer \$600 to 0151404460 (ems supplies) from 0192009990 (reserves for transfer)		
Transfer \$50 to 0191003990 (miscellaneous) from 0192009990 (reserves for transfer)		
Transfer \$40,000 from General Fund to Jail Fund		

JAIL FUND INVOICES/TRANSFERS

Shelby Co Detention Center	Dec 09 housing	15,180.00
Clinical Solutions	medicals	39.73

Dep. Balance:	General Fund	Road Fund	Jail Fund
3/6/2009	\$ 871,492.36	\$ 297,538.70	\$10,493.33
3/6/2009	\$ 775,792.36	\$ 440,408.59	\$34,356.37
4/7/2009	\$ 399,383.16	\$ 316,084.27	\$15,284.36
5/1/2009	\$ 754,471.83	\$ 332,474.76	\$29,632.48
6/23/2009	\$ 416,722.01	\$ 216,896.01	\$12,271.04
7/21/2009	\$ 354,881.73	\$ 174,763.34	\$ 9,899.84
8/14/2009	\$ 328,806.10	\$ 178,816.43	\$22,188.57
9/1/2009	\$ 831,600.35	\$ 704,316.37	\$20,722.15
10/1/2009	\$238,681.46	\$1,090,096.94	\$ 9,330.77
11/1/2009	\$291,854.71	\$486,665.51	\$ 9,639.35
12/4/2009	\$332,711.30	\$431,420.84	\$13,074.98
1/15/2010	\$986,334.41	\$247,339.34	\$71,829.77

Steve Goodlett	co atty bldg rent	650.00
Robert Judd	conf registration	185.00

Transfer \$300 to 0150154450 (sheriff supplies) from 0192009990 (reserves for transfer)
 Transfer \$1000 to 0151404460 (ems supplies) from 0192009990 (reserves for transfer)

ORDERS

SPENCER COUNTY FISCAL COURT

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Regular TERM, DAY, 20th DAY OF, January 20 10

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 Fiscal Court be adjourned.

SPENCER COUNTY JUDGE EXECUTIVE, DAVID JENKINS