

TERM, DAY, 4th DAY OF, January 20 10

Pledge 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 reminds the court that the next Fiscal Court meeting will be Wednesday, January 20th instead of Monday, January 18th because of Martin Luther King Jr. Day.

County Judge Jenkins announces that the overhead door at the recycling center has been damaged beyond repair. Two companies have been contacted, Action and Custom Overhead Doors. Action has a non-insulated door for \$1,150.00 and an insulated door for \$1,350.00. Custom Overhead Doors non-insulated door is \$950.00 and the insulated door is \$1,094.00.

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 spend up to \$1,250.00 to purchase an insulated overhead door for the recycling center through Custom Overhead Doors.

County Judge Jenkins informs the court that Darrell Herndon, transporter, has looked into a radio for the jailers van. He found three radios that differ only by the brand name and length of the warranty. Vertex with a 3 year warranty \$547.00, ICOM with a 2 year warranty \$549.00, and Kenwood with a 2 year warranty \$655.00. He also looked into having the windows tinted and found it would cost \$375.00 to tint all doors or \$325.00 to tint all but the front doors.

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 pay for a Vertex radio and tinting of the back windows for the jailers van.

County Judge Jenkins announced that Dwight Greenwell, Guy Shelburne, and Jim Naive have all completed their terms on the Ethics Committee and will need to be reappointed.

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 reappoint Dwight Greenwell for 4 years, Guy Shelburne for 3 years, and Jim Naive for 2 year to the Ethics Committee.

Reports from Members, Other Offices, and Committees:

Esq. Judd spoke for the Solid Waste Committee and reminded the court of the papers they distributed at the last Fiscal Court meeting. It is the committee's recommendation that the court support the five items in those papers and approve a resolution for the judge to sign.

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 support and approve the five items by SWaCK for the 'Waste Tire Trust Fund in 2010' for a resolution to be signed by the judge and forwarded.

Spencer County, Kentucky
Resolution No. 4
Fiscal Year 2010 Series

A Resolution in Support of the Waste Tire Trust Fund

Whereas, an estimated four million scrap tires are generated annually in Kentucky, many of which would have been discarded along roadways and in streams; and

Whereas, the Waste Tire Trust Fund established in 1998 gave counties the opportunity for managing scrap tires and provides an economic disposal of the environmental hazard that tires pose; and

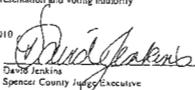
Whereas, it could be detrimental to the communities if the Waste Tire Trust Fund is allowed to sunset in 2010;

Now Therefore, Be It Resolved by the Fiscal Court of Spencer County, Commonwealth of Kentucky that the Court is in support of legislation for the continuation of the Waste Tire Trust Fund and

Be It Further Resolved that the Court support the incorporation of the following items into the Fund:

- Administer the Waste Tire Trust Fund utilizing the same formula as the Kentucky Pride Funds' Litter Abatement Fund with monies going directly to counties and cities based on population on an annual basis.
- Establish a cap on the Fund for Cabinet administration costs that tie directly to the Waste Tire Trust Fund
- Collect fees from wholesalers rather than retailers
- Establish a tire "core charges" mirroring the lead acid battery program
- Establish a legislative working group for ongoing work to determine effectiveness of the Waste Tire Trust Fund and its programming on which the Solid Waste Coordinators of Kentucky (SWaCK) would have representation and voting authority

So Resolved this 4th day of January, 2010


David Jenkins
Spencer County Judge Executive

County Attorney Ruth Hollan announced her findings on Esq. Drury's question of whether or not Fiscal Court funds could be used on food baskets, etc. She looked in the constitution and for a KRS and was unable to find anything to support the court using tax payers money on anything private. She also emailed other county attorney's who all agreed with her findings.

On motion of Esq. Riley, second by Esq. Judd, all members of the court present voting "Aye", except Esq. Drury who abstained from the vote, it is hereby ordered by the court that based on the county attorney's findings rescind a previous motion so Habitat for Humanity must pay their fees.

Communications from Citizens:

James Allen Tipton came before the court and reminded them of the Charter Government Petition so they will have enough time to put it on the ballot. He states that since the citizens had a petition for it, it's only fair to see it through.

Old Business:

1) Alcoholic Beverages Regulations, Ordinance No. 10(2010 series)

The county attorney, state police, county police, and city police all met with individuals from the Alcoholic Beverage Control who recommend some changes be made to the county's alcoholic beverage ordinance.

TERM, DAY, 4th DAY OF, January 20 10

COMMONWEALTH OF KENTUCKY
SPENCER COUNTY FISCAL COURT
ORDINANCE NO. 10, 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.

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 applications. 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 241.600. 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

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. 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

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

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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 printed, 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 licensee 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

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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 BLEND 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 license 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

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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 license applicant shall submit all required fees along with the application forms required for issuance of any alcoholic beverage license under this chapter. The required fee shall be paid by cash, certified check, or postal or express money order.
- B. All fees required to be paid upon submission of any original application or application for renewal of alcoholic beverage license under this ordinance shall be held on deposit by the County pending State license approval and issuance of the required State license. In the event that any requested State license is not issued for any reason, the applicant must submit a written request for a refund of all license fees paid in relation to the requested license 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 FEES 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 243.670 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 any 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 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, release 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 218A in the two (2) years immediately preceding the application;
 - c. has been convicted of any misdemeanor directly or indirectly attributable to the use of alcoholic beverages in the two (2) years immediately preceding the application;
 - d. has had any license issued under this ordinance relating to the registration or the manufacture, sale and transportation of alcoholic beverages revoked for cause. It 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/inns, convenient stores and grocery stores, such establishments may be kept open for business during such hours when alcoholic beverage sales are prohibited, but no alcoholic beverages may be sold to the public during such hours.

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

- 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/inns, such establishments may allow the consumption of alcoholic beverages during the hours allowable by law

Section 5.03 ADVERTISING RESTRICTIONS

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

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

Section 5.07 LICENSEE TO OBTAIN COPY OF ORDINANCE

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

Section 5.08 MANDATORY RESPONSIBLE BEVERAGE SERVICE TRAINING: STANDARDS FOR 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 at 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.

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

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

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

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

G. Penalties:

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

mandatory service training required in this section, to sell or serve any alcoholic beverages to 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 ordinances or any other ordinances of the County as may be amended or supplemented from time to time, and any license issued in violation of this section shall be null and void.

B. No license shall be issued under this ordinance unless the premises to be licensed conform 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 ____ DAY OF _____, 2009.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED, THIS ____ DAY OF _____, 2009.

APPROVED:

DAVID JENKINS
COUNTY JUDGE EXECUTIVE

ATTEST

Judy Puckett, County Clerk

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 approve the recommended changes as written for the alcohol ordinance.

TERM, DAY, 4th DAY OF, January 20 10

2) Bid process review

Discussion and concensus amongst the court to address the process when it's time to do the bids and if changes are necessary they will be made at that time.

New Business:

1) Zoning, Readings, and Recommendations

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 take the Ashes Creek zoning, Bland property, off the table.

Julie Sweazy, Planning and Zoning Administrator, read Charles and Cornelia Bland's zone change request from R-1, residential to RM-1 residential to the court.

Esq. Drury states that he feels the motion from Planning and Zoning has failed to recognize any significant changes in that area which is one of three requirements for a zone change.

On motion of Esq. Drury, second by Esq. Riley, with Esq. Drury voting "Aye" and Esquire's Henry, Judd, Goodlett, and Riley voting "Nay" the motion to deny change from R1 to RM-1 because significant changes in that area have not been met fails.

On motion of Esq. Drury, second by Esq. Riley, with Esq. Drury voting "Aye" and Esquire's Henry, Judd, Goodlett, and Riley voting "Nay" the motion to send the zone change back to Planning and Zoning to address the area of significant change fails.

PUBLIC NOTICE

Please take notice that the Spencer County Fiscal Court on the 4th day of January, 2010 passed the following ORDINANCES:

1. On motion of Esq. Goodlett, second by Esq. Judd with four members of the court voting "Aye", and Esq. Drury voting "Nay" it is hereby ordered by the Court to Approve the zone change request of Charles and Cornelia Bland on a 3.0019 acre tract of land located on Ashes Creek Lane from R-1, residential to RM-1, residential based on the recommendation of the planning and zoning commission.

Attest: Judy Pickett
Clerk Spencer County Fiscal Court

David Jenkins
Spencer County Judge/Executive

2) resolution for employee cafeteria plan

RESOLUTION OF THE SPENCER COUNTY FISCAL COURT BOARD OF DIRECTORS FOR THE ADOPTION OF THE SPENCER COUNTY FISCAL COURT CAFETERIA PLAN

On this date, the SPENCER COUNTY FISCAL COURT Board of Directors did meet to discuss the implementation of SPENCER COUNTY FISCAL COURT Flexible Benefits Plan to be effective January 01 2010. Let it be known that the following resolutions were duly adopted by the SPENCER COUNTY FISCAL COURT Board of Directors and that such resolutions have not been modified or rescinded as of the date hereof.

RESOLVED, that the form of Cafeteria Plan, as authorized under Section 125 of the Internal Revenue Code of 1986, presented to this meeting is hereby adopted and approved and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan

RESOLVED, that the Plan Year shall be for a period beginning on January 01st and ending December 31st

RESOLVED, that the Employer shall contribute to the Plan amounts sufficient to meet its obligation under the Cafeteria Plan, in accordance with the terms of the Plan Document and shall notify the Plan Administrator to which periods said contributions shall be applied

RESOLVED, that the proper officers of the Employer shall act as soon as possible to notify employees of the adoption of the Cafeteria Plan by delivering to each Employee a copy of the Summary Plan Description presented to this meeting, which form is hereby approved

The undersigned certifies that attached hereto as Exhibits A and B respectively are true copies of the Plan Document, and Summary Plan Description for SPENCER COUNTY FISCAL COURT's Flexible Benefits Plan approved and adopted in the foregoing resolutions.

The undersigned further certifies and attests that the above resolutions were made with the consent of the full Board of Directors, each of whom were in attendance on this date:

Signature/Title

Date

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 resolution and give County Judge Jenkins permission to sign.

3) Mt. Eden fire board appointment

County Judge Jenkins announced a member of the Mt. Eden Fire Protection District passed away so the position needs to be filled. The Mt. Eden Fire Protection District goes into Shelby County and there are more Spencer County members than Shelby County members, they're asking that June Lisby, a Shelby County resident, be considered for the position. County Judge Jenkins recommends to the court that June Lisby fill the open position with the Mt. Eden Fire Protection District

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 appoint June Lisby a member of the Mt. Eden Fire Protection District.

David Houghlin, Jailer, presented the court with copies of the December 2009 Transport Report.

SPENCER COUNTY TRANSPORT-MONTHLY REPORT

MONTH: Dec 2009

NUMBER OF TRIPS <u>90</u>	NUMBER OF TRIPS <u>90</u>
DH <u>74</u>	AMOUNT <u>3600.00</u>
BALANCE <u>76</u>	DAVID <u>360.00</u>
	Direkt <u>840.00</u>
GAS EXPENSES <u>566.02</u>	AMOUNT DUES <u>2200.00</u>
TOTAL MILEAGE <u>3988</u>	
VEHICLE REPAIRS	
MISC. EXPENSES <u>64.30</u>	Phone <u>49.00</u>
	Food <u>15.30</u>
COURT RUNS <u>48</u>	<u>64.30</u>
JAIL RUNS <u>42</u>	

TRANSPORT OFFICERS	RUNS	SITTING	TOTAL
SHARON COOK	<u>3</u>		<u>120.00</u>
MARLENE CRANMER	<u>12</u>	<u>3</u>	<u>510.00</u>
TADITHA KING			
DARRELL HERNDON	<u>37</u>	<u>33.04</u>	<u>673.09</u>
MIKE BLACKBURN	<u>8</u>	<u>16.50</u>	<u>376.50</u>
OBEN GORDELT		<u>4 hrs</u>	
ROB HANCE	<u>16</u>	<u>1</u>	<u>652.00</u>

TOTAL AMOUNT DUE \$ 2,395.89

SPENCER COUNTY JAILER David Houghlin
THE HONORABLE DAVID HOUGHLIN

DATE: 12-31-09

Law 4
Taxi 1
Rush 2
misc 2

Sharon 120
Marlene 794
Darrell 217.50
Mike 16.50
Rob 6.50
David 610

On motion of Esq. Drury, second by Esq. Judd, all members of the court present voting "Aye" it is hereby ordered by the court to approve the jailers report for December 2009.

4) Executive Session-personnel (KRS 61.810(1)(f) and 61.815)
On motion of Esq. Drury, second by Esq. Henry, all members of the court present voting "Aye" and pursuant KRS 61.810(1)(f) and 61.815 it is hereby ordered by the court to go into executive session.

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 go back into its regular session.

Esq. Judd announces to the court there will be a blood drive tomorrow, January 5th, from 2-7 at the First Baptist Church.

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

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Spencer County Fiscal Court
Open Invoice Report
As of December 30, 2009

General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: ASFGORD All-State Ford Truck Sales							
6035007	01/04/10	0151404130 med1 repairs	01/04/10	430.12	00	00	430.12
Vendor Total: ASFGORD				430.12	00	00	430.12
Vendor: AT&T A T & T							
114name1	01/04/10	0150885780 annex phones	01/04/10	448.71	00	00	448.71
114name2	01/04/10	0150863700 annex dist	01/04/10	161.17	00	00	161.17
114atty	01/04/10	0150205780 co-atty phones/mnt	01/04/10	116.06	00	00	116.06
114aggp9sp	01/04/10	0151154450 1kg msp phone	01/04/10	20.34	00	00	20.34
114clerk	01/04/10	0150105730 co-clerk phones	01/04/10	123.53	00	00	123.53
114clerk2	01/04/10	0150105730 clerk internet	01/04/10	54.97	00	00	54.97
114clerk3	01/04/10	0150805780 msc-clerk phones	01/04/10	830.31	00	00	830.31
114dscplch	01/04/10	0151453390 dsp-phones/mnt	01/04/10	243.90	00	00	243.90
114eq911	01/04/10	0151493150 4911 equipment	01/04/10	2,975.10	00	00	2,975.10
114eqd4	01/04/10	0150755780 cda-phones/mnt	01/04/10	116.61	00	00	116.61
114elevator	01/04/10	0150803570 elevator phone	01/04/10	54.29	00	00	54.29
114ems	01/04/10	0151405780 ems-phones/mnt	01/04/10	121.77	00	00	121.77
114humanc	01/04/10	0150705780 humane soc-phones	01/04/10	37.41	00	00	37.41
114occlax	01/04/10	0150475780 occlax-phones/mnt	01/04/10	136.57	00	00	136.57
114parks	01/04/10	0150105780 parks-phones	01/04/10	58.28	00	00	58.28
114pva	01/04/10	0150305780 pva-phones	01/04/10	74.30	00	00	74.30
114pva2	01/04/10	0150305780 pva-internet	01/04/10	54.98	00	00	54.98
114recycle	01/04/10	0152175780 recycle phone	01/04/10	25.67	00	00	25.67
114repar	01/04/10	0150155780 sher-phones/mnt	01/04/10	84.79	00	00	84.79
114zoning	01/04/10	0150705780 zoning-phones/mnt	01/04/10	78.58	00	00	78.58
Vendor Total: AT&T				5,817.36	00	00	5,817.36
Vendor: DICS Big Three Fractor Company							
114parks	01/04/10	015014670 parks supplies	01/04/10	20.75	00	00	20.75
Vendor Total: DICS				20.75	00	00	20.75
Vendor: C & H SEC C & H Security Inc							
22767-att	01/04/10	0150055780 Jan public alarm	01/04/10	19.99	00	00	19.99
22768-occlax	01/04/10	0150475780 Jan park alarm	01/04/10	19.99	00	00	19.99
22769-clerk	01/04/10	0150805780 Jan public alarm	01/04/10	19.99	00	00	19.99
Vendor Total: C & H SEC				59.97	00	00	59.97
Vendor: CARDINAL Cardinal Office Products							
90407213a	01/04/10	0151404460 xms supplies	01/04/10	25.31	00	00	25.31
90407213b	01/04/10	0150204450 incis supplies	01/04/10	3.97	00	00	3.97
90407213c	01/04/10	0150154450 xms supplies	01/04/10	51.53	00	00	51.53
90407213d	01/04/10	0150204450 zoning supplies	01/04/10	1.34	00	00	1.34
90407213e	01/04/10	0150804110 custodial supplies	01/04/10	121.85	00	00	121.85
Vendor Total: CARDINAL				209.71	00	00	209.71
Vendor: CITCO Smith's Service Station & Tire							
114ems	01/04/10	0151404430 ems tire repair	01/04/10	15.00	00	00	15.00
114humant	01/04/10	0150807210 maint tire repair	01/04/10	15.00	00	00	15.00
114recycle	01/04/10	0152174600 recycle tire	01/04/10	75.00	00	00	75.00
Vendor Total: CITCO				105.00	00	00	105.00

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Spencer County Fiscal Court
Open Invoice Report
As of December 30, 2009

General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining
Vendor: DMS Discount Mail Storage							
Jan2010-sher	01/04/10	0150154450 evidence storage	01/04/10	50.00	00	00	50.00
Vendor Total: DMS				50.00	00	00	50.00
Vendor: EDA Economic Development Authority							
Dec7009	01/04/10	0150730900 econ dev contrb	01/04/10	2,383.39	00	00	2,383.39
Vendor Total: EDA				2,383.39	00	00	2,383.39
Vendor: EMPHINC Emergency Medical Products Inc							
1237430	01/04/10	0151404450 ems supplies	01/04/10	449.95	00	00	449.95
Vendor Total: EMPHINC				449.95	00	00	449.95
Vendor: ETHINGTON Ethington Building Supply							
215635	01/04/10	0180097410 foodstorage mfg	01/04/10	48.12	00	00	48.12
Vendor Total: ETHINGTON				48.12	00	00	48.12
Vendor: FAULKNERS Faulkner's Meats							
166542	01/04/10	0151303480 foodstove	01/04/10	1,756.49	00	00	1,756.49
Vendor Total: FAULKNERS				1,756.49	00	00	1,756.49
Vendor: GRUBROS Greenwell Brothers Inc							
114clerk	01/04/10	0150805780 clerk util-ites	01/04/10	476.06	00	00	476.06
114occlax	01/04/10	0150475780 occlax util-ites	01/04/10	295.63	00	00	295.63
114zoning	01/04/10	0150705780 zoning util-ites	01/04/10	287.42	00	00	287.42
Vendor Total: GRUBROS				1,059.11	00	00	1,059.11
Vendor: HARDWARE Bennett Hardware							
114cust	01/04/10	0150804110 custodial supplies	01/04/10	9.25	00	00	9.25
114foodstorage	01/04/10	0180097410 foodstorage util-ites	01/04/10	18.64	00	00	18.64
114humanc	01/04/10	0150807210 humane supplies	01/04/10	19.98	00	00	19.98
114parks	01/04/10	0150805710 parks repairs	01/04/10	21.27	00	00	21.27
114sher	01/04/10	0150154430 sher supplies	01/04/10	12.03	00	00	12.03
114zoning	01/04/10	0261054470 msc parts	01/04/10	1,094.60	00	00	1,094.60
Vendor Total: HARDWARE				1,175.77	00	00	1,175.77
Vendor: HUMANE Kentucky Humane Society							
Jan7010	01/04/10	0152053190 animal contract	01/04/10	6,570.50	00	00	6,570.50
Vendor Total: HUMANE				6,570.50	00	00	6,570.50
Vendor: J&N J & N Electronics							
30355	01/04/10	0151404430 ems 12000 belts	01/04/10	208.00	00	00	208.00
Vendor Total: J&N				208.00	00	00	208.00
Vendor: KCJEA1 Ky Co Judge Exec Association							
B Duty	01/04/10	0191005590 conf registration	01/04/10	185.00	00	00	185.00
D Jones	01/04/10	0191005590 conf registration	01/04/10	185.00	00	00	185.00
J Macy	01/04/10	0191005590 conf registration	01/04/10	185.00	00	00	185.00
Vendor Total: KCJEA1				555.00	00	00	555.00
Vendor: LCH The Spencer Magnet							
114occlax	01/04/10	0191003990 comm chr jobs	01/04/10	93.00	00	00	93.00
Vendor Total: LCH				93.00	00	00	93.00

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Spencer County Fiscal Court
Open Invoice Report
As of December 30, 2009

General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
Vendor: ATRN	Aero-Tech Resources Inc.							
51766	01/04/10	0151404450 ems supplies	01/04/10	573.00	.00	.00	573.00	
Vendor Total ATRN				573.00	.00	.00	573.00	
Vendor: DTIS	City Electric Company							
01075500110	01/04/10	0150603520 electrical materials	01/04/10	3,241.97	.00	.00	3,241.97	
Vendor Total DTIS				3,241.97	.00	.00	3,241.97	
Vendor: PEOPLE	The Peoples Bank							
004780674	01/04/10	0150404450 safe box rental	01/04/10	15.00	.00	.00	15.00	
Vendor Total PEOPLE				15.00	.00	.00	15.00	
Vendor: RELIABLE	Reliable Office Supplies							
002761700a	01/04/10	0150014450 judge cartridges	01/04/10	26.70	.00	.00	26.70	
002761700b	01/04/10	0150704450 zoning cartridges	01/04/10	40.73	.00	.00	40.73	
Vendor Total RELIABLE				117.43	.00	.00	117.43	
Vendor: USBANK	U.S. Bank CT - Louisville, KY							
L16-Pa54	01/04/10	0177005860 ic/en bldg lease	01/04/10	708.84	.00	.00	708.84	
L8-Pa100	01/04/10	0177007420 c/hsr lease	01/04/10	54,980.20	.00	.00	54,980.20	
Vendor Total USBANK				55,689.04	.00	.00	55,689.04	
* These invoices are on hold							Report Total: Invoices	80,608.77
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	80,608.77

*** Report Options ***
 Vendors: ALL
 Invoice Dates: 01/01/2010 to 01/04/2010
 Status: All
 Accounts: ALL
 As Of: Current Date (12/30/2009)
 *** End of Report ***

Page 1 of 2

Spencer County Fiscal Court
Open Invoice Report
As of December 30, 2009

General Fund

Invoice Number	Invoice Date	Description	Due Date	Original Amount	Amount Paid	Discount Available	Balance Remaining	
Vendor: AHP	Air Hydro Power							
0103070	01/05/10	0261054470 valves parts	01/05/10	27.45	.00	.00	27.45	
Vendor Total: AHP				27.45	.00	.00	27.45	
Vendor: AT&T	A T & T							
141646	01/05/10	0261055180 land deal phone	01/05/10	20.07	.00	.00	20.07	
Vendor Total AT&T				20.07	.00	.00	20.07	
Vendor: BANKNY	Bank Of New York Trust Company							
L15-Pa16	01/05/10	0277007130 truck hr pymt	01/05/10	346.90	.00	.00	346.90	
Vendor Total: BANKNY				346.90	.00	.00	346.90	
Vendor: G & C	G & C Supply Co. Inc							
6364394	01/05/10	0261054470 stop signs	01/05/10	223.18	.00	.00	223.18	
Vendor Total: G & C				223.18	.00	.00	223.18	
Vendor: HUBER	Huber Inc Inc							
00-7170	01/05/10	0261054470 hr mgar	01/05/10	165.50	.00	.00	165.50	
Vendor Total HUBER				165.50	.00	.00	165.50	
Vendor: MHEQUIP	M H Equipment Company							
C16351	01/05/10	0261054470 window seal	01/05/10	80.36	.00	.00	80.36	
Vendor Total: MHEQUIP				80.36	.00	.00	80.36	
Vendor: ROGERS	Rogers Group Inc							
0066101470	01/05/10	0261054470 stone	01/05/10	785.43	.00	.00	785.43	
0066103062	01/05/10	0261054470 stone	01/05/10	467.87	.00	.00	467.87	
Vendor Total: ROGERS				1,253.30	.00	.00	1,253.30	
Vendor: TRASHIP	Tractor Supply							
Nov2009-10	01/05/10	0261054470 boots, gloves	01/05/10	515.13	.00	.00	515.13	
Vendor Total: TRASHIP				515.13	.00	.00	515.13	
Vendor: USBANK	U.S. Bank CT - Louisville, KY							
L11-Pa22	01/05/10	0277007130 totalpalcher pymt	01/05/10	413.75	.00	.00	413.75	
Vendor Total: USBANK				413.75	.00	.00	413.75	
Vendor: ZEE	Zee Medical Inc							
101-789075	01/05/10	0261054470 firstaid supplies	01/05/10	73.55	.00	.00	73.55	
Vendor Total: ZEE				73.55	.00	.00	73.55	
* These invoices are on hold							Report Total: Invoices	3,119.19
							Open Credits	.00
							Less Discounts Available	.00
							Net Balance Due	3,119.19

*** Report Options ***
 Vendors: ALL
 Invoice Dates: 01/01/2010 to 01/05/2010
 Status: All
 Accounts: ALL
 As Of: Current Date (12/30/2009)
 *** End of Report ***

TERM,

DAY,

4th

DAY OF, January

2010

ADDITIONAL INVOICES AND TRANSFERSGENERAL FUND INVOICES/TRANSFERS

Ike Irvine	board of adjustments mtg, 12/10/2009	60.00
Glen Goebel	board of adjustments mtg, 12/10/2009	60.00
Bruce Kapfhammer	board of adjustments mtg, 12/10/2009	60.00
James Tipton	board of adjustments mtg, 12/10/2009	60.00
Davis Lee Downs	board of adjustments mtg, 12/10/2009	60.00
GD Computers	sheriff fax machine	60.00
U.S. Postmaster	ucctax postage	143.00
City Waterworks	misc co bldgs utilities	176.00
A&M Oil Co	misc vehicles fluids	246.88
Rumpke	litter dumpster	64.56
DARS Inc.	carcass disposal, Dec 09	322.08
Dwight Greeuwel	ethics mtg, 12/29/2009	2005.80
Guy Shelburne	ethics mtg, 12/29/2009	60.00
Jim Naive	ethics mtg, 12/29/2009	60.00
Mid-State Exterminators	pest control, senior center	60.00
McBee Systems	laser checks	180.00
Fleetone	misc depts fuels	147.52
		3,986.87
Transfer \$2,000 to 0191003990 (miscellaneous) from 0192009990 (reserves)		

ROAD FUND INVOICES/TRANSFERS

City Waterworks	road dept utilities	16.61
Fleetone	road dept fuel	1,663.10

JAIL FUND INVOICES/TRANSFERS

Fleetone	transport fuel	546.11
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On motion of Esq. Riley, second by Esq. Drury, 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, SPENCER COUNTY JUDGE EXECUTIVE