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March 19, 2009

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40602-0615

RECEIVED

MAR 23 2009

PUBLIC SERVICE
COMMISSION

Hon. Gerald E. Wuetcher
Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40602-0615

Hon. Sandy Gruzesk
Division of Water
Energy & Environment Cabinet
200 Fair Oaks Lane, 4th Floor
Frankfort, KY 40601

Randall Hardin
Magoffin County Water District
P. O. Box 490
Salyersville, KY 41465

Hon. David Edward Spenard
Utility & Rate Intervention Division
1024 Capitol Center Drive, Suite 200
Frankfort, KY 40601-8204

Hon. Mary Stephens
Office of General Counsel and
Energy & Environment Cabinet
200 Fair Oaks Lane, 1st Floor
Frankfort, KY 40601

Judy Jackson
Salyersville Water Works
401 College Street
Salyersville, KY 41465

Billy J. Rowe, Sr.
HC 60, Box 255
Salyersville, KY 41465

Re: Before the Public Service Commission
Magoffin County Water District
Case No. 2008-00443

RECEIVED

MAR 23 2009

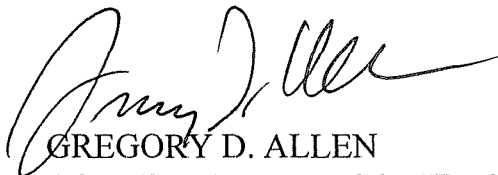
PUBLIC SERVICE
COMMISSION

Ladies & Gentlemen:

Pursuant to request dated March 16, 2009, please find enclosed copies of the minutes of the Magoffin County Fiscal Court held between January 1, 2007 to December 31, 2008 pursuant to the Open Records Act request made by Hon. Gerald E. Wuetcher on behalf of the Public Service Commission, which request was made upon the Hon. Charles Hardin, Magoffin County Judge Executive by cover letter dated March 16, 2009.

Respectfully submitted,

COLLINS & ALLEN



GREGORY D. ALLEN
COUNSEL FOR MAGOFFIN COUNTY WATER DISTRICT

GDA:sgb

ORDERS

Magoffin Co Fiscal

COURT

Term, Special

Day 1

Day of, January 18 07

97-303

Magoffin County Fiscal Court
Special Meeting
January 1, 2007

The fiscal court met in special session on Monday, January 1, 2007, at 2:00 PM in the Magoffin County Courthouse. The meeting was called to order and the roll was called with the following present:

- County Judge/Executive.....Charles E. Hardin
Magistrates.....Kelly Lee Miller
Pernell Lemaster
Stanley Holbrook
County Clerk.....Renee Arnett-Shepherd
County Attorney.....Gregory D. Allen
County Treasure.....Mary Miller

Charles Hardin began the meeting by introducing his self as the County Judge, Greg Allen as the County Attorney, the Magistrates District #1 Stanley Holbrook, District #2, Pernell "Buck" Lemaster, District #3 Kelly Lee Miller, the County Court Clerk, Renee Arnett- Shepherd and the County Treasurer Mary Lee Miller.

The regular meeting time of the Magoffin County Fiscal Court was established to be as the second Thursday of each month at 4:00 PM. He added whether if any of the public had anything to put on the agenda and could not make it to the meeting to let him know in advance so as to delay the meeting to later time.

Judge Hardin in compliance with KRS 67.720 ask for a motion to accept the bond of Magoffin County Judge Executive, the bond being \$50,000 dollars and the minimum being \$10,000 dollars with a difference in covering the county for an additional \$40,000. The difference was a price of \$100.00 to \$150.00 and he felt the \$50 00 was worth the investment for the county. A motion was made by Pernell Lemaster and seconded by Kellie Miller to accept the bond of the Magoffin County Judge Executive. All voted yea, motion carried.

Judge Hardin in compliance with KRS 71.010 bond and oath of jailer made motion to accept the bond and was seconded by Kellie Miller. All voted yea, motion carried.

Judge Hardin in compliance with KRS 72.010 bond and oath of Coroner made a motion to accept the bond and was seconded by Stanley Holbrook. All voted yea, motion carried.

Judge Hardin in compliance with KRS 70.020 general bond of sheriff made motion to accept the bond and was seconded by Kellie Miller. All voted yea, motion carried.

Judge Hardin in compliance with KRS 70.310 bond of constables all was in order. Mr. Howard Constable District #2 his bond being good until the 26th of January and would be continued after that. Judge Hardin made a motion to

ORDERS

} *Magoffin Co Fiscal*

COURT

Term, *Special* Day *1* Day of, *Jan* 1007

97-303

accept the bonds of constable and was seconded by Kellie Miller. All voted yea, motion carried.

Judge Hardin made a motion to accept the bond of County Court clerk motion and was seconded by Kellie Miller. All voted yea, motion carried.

Judge Hardin discussed the employee benefits stating currently the employees received 24 days a year and that he did not think the county could afford that. He made the recommendation that each employee receive one day for every month worked. He further added he did not care how they were taken accept if there were more than two in a six month period or more than three in a year and they are taken without notifying him ahead of time he would have the right to decide if that would be an excused absence. A motion was made by Judge Hardin and seconded by Pernell Lemaster. Stanley Holbrook ask if the days could carry over to the next year. Judge Hardin added that he did not have a problem with it. Stanley Holbrook made the motion that those days would carry over to the next year; this was accepted as an amendment to Judge Hardin's motion and was seconded by Kellie Miller. All voted yea, motion carried.

Hiring of the employees: 911 Department, it was Judge Hardin's recommendation that Jerry Scott Jenkins continue as Supervisor with a current salary of \$23152.00 per year. The dispatchers continue their pay of \$9.00/hr those dispatchers being: Kellie Dotson Brown, William Bill O'Bryan, Leslie Dawn Helton and Una Salyer. Motion was made by Judge Hardin to accept the 911 Department employees and seconded by Kellie Miller. All voted yea, motion carried.

In respect to the road department, one employee chose not to return and one employee does not have an operator's license. Regarding the office of County Road foreman, according to the manager of G.O.L.D. Mr. Lonnie Campbell, the current road foreman will continue until January 15, 2007. At the beginning of that date if the current road foreman does not continue to serve out his position, the person to take over will be Gerald Salyer as the Magoffin County Road Foreman with a salary of \$28224.00 per year. Motion was made by Judge Hardin to accept and seconded by Kellie Miller. All voted yea, motion made.

Judge Hardin recommended that Johnny Arnett be hired as a labor/ operator and a night call person if the road foreman is not available. The jobs is to be payable at \$10.00/hr. The remaining employees to continue at \$9.00/ hr ... Eddie Wayne Bailey, William Bailey, Johnny Harry Brown, James R. Robert Hall, Charles Howard, Clifford Miller, Ricky Mullins, Andy Rowe, Ricky Williams, Steven Caldwell, Eric Trusty, Carson Montgomery, Robert Russell, Ronnie Lee Caldwell, Anthony Lynn Williams all hired as labors/operators with the condition that William Bailey and Ricky Williams are also mechanics and Steven Caldwell will be paid and additional \$2100.00/yr for duties as Dog Warden. Motion was made by Judge Hardin and seconded by Pernell Lemaster to accept

A discussion then was made by Stanley Holbrook if the salaries were the same as before, Judge Hardin explained that the only changes were Johnny

ORDERS

} *Magoffin Co Fiscal*

COURT

Term, *Special* Day *1* Day of, *January* 1907

97-303

Arnett because he was assigned additional duties and Carson Montgomery was hired as a labor/operator putting him with same salary as the other operators. Motion was made and with no further discussion all voted yea, motion carried.

Judge Hardin then discussed the personnel and their salaries for the Deputy Judge it being 1/2 of the salary of the County Judge \$34,923.00 per year, secretary \$23,700.00 Personnel officer/ administrative assistant \$23,700. Finance officer \$23,700 Ecology/solid waste coordinator \$28,182.00 Administrative assistant for recreation of community center and horse arena \$22,061. He further added that a salary adjustment of \$47000 had been reduced and deputy judge had been raised from \$29000 to \$34000. Motion was made by Judge Hardin to accept and seconded by Stanley Holbrook. All voted yea, motion carried.

Judge Hardin then explained who would occupy those positions, Deputy Judge will be occupied until January 15, 2007 unless he decides to take the job of Road Foreman by Gerald Salyer, Secretary will be Treva Howard, Personnel officer/ administrative assistant will be Walter Hardin, Finance Office, Susie Salyer, Administrative assistant for recreation Edith Hensley. He further explained that the office of ecology officer/solid waste coordinator was still in the interview process. The courthouse custodian will be assigned to Chris Lemaster with a salary of \$20,639 and the A.O.C. custodian will be Jimmy Fletcher with a salary of \$20,639. Judge Hardin then made a motion to accept and was seconded by Kellie Miller. All voted yea, motion carried.

Judge Hardin then noted that Randall Hardin would be Chief Assistant to the County Judge and would be a volunteer on a non- paid basis. He further added that he would be working only two days a week. Judge Hardin made a motion to except and was seconded by Kellie Miller. Stanley Holbrook then asked if the court could pay a volunteer at least \$1.00 to be covered and Judge Hardin explained that could not be done since he was receiving money from another agency. All voted yea, motion carried.

A motion was made by Stanley Holbrook and seconded by Kellie Miller to adjourn. All voted yea.

Signed: Charles E. Hardin
Stanley Holbrook
Pernell Lemaster
Kellie L. Miller

ORDERS

Magoffin Co. Fiscal

COURT

Term, *Regular* Day *11* Day of, *January* 19 *07*

97-903

Magoffin County Fiscal Court
Regular Meeting
January 11, 2007

The fiscal court met in regular session on Thursday January 11, 2007 at 4:00 PM in the Magoffin County Courthouse. The meeting began with prayer and the pledge of allegiance and was called to order, with the following present:

- Magoffin County Judge Executive.....Charles E. Hardin
- Magistrates..... Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook
- County Clerk..... Renee Arnett-Shepherd
- County Attorney..... Gregory D. Allen
- County Treasure..... Mary Miller

Clerk Renee Shepherd began the meeting by reading the minutes from the previous meeting on December 19, 2007. A motion was made by Pernell Lemaster to accept the minutes of the previous meeting and seconded by Stanley Holbrook. All voted yea, motion carried.

Judge Hardin began the meeting by introducing Jim Dotson with a presentadon from Worldwide Equipment. Mr. Dotson offered a program, which involved several counties and cites which included giving the county a written guarantee on a tandem axle dump truck for 90% net of the purchase price and on the tri-axle dump truck 91%. He explained that this had been used by several counties with great success. He further explained that the county would not pay federal excise tax and that Mack trucks gives a discount to municipalities that they do not give to a retail customer. They also work with KACO and Ross Saint Claire financial institutions in Frankfort. Judge Hardin explained that he would like to develop a committee to look into this and report back by the next fiscal court meeting. The committee would consist of Kellie Lee Miller, Gerald Salyer and Randall Hardin.

Ms. Salyer and Jo Ann Arnett brought some new information concerning the new health department. Ms. Salyer respectfully requested the fiscal court's consideration in matching the money received through the state to build the new facility

County Treasurs, Mary Miller explained that money needed to be transferred into other funds those funds being General to Road Fund \$165,000.00 General to Jail Fund \$100,000.00 General to Sinking Fund \$7500.00 General to 911 Fund \$7500.00 a motion was made by Judge Hardin and Seconded by Kellie Lee Miller to accept said transfers. All voted yea, motion carried.

A motion was made by Pernell Lemaster and seconded by Kellie Lee Miller to pay all bills. All voted yea, motion carried.

ORDERS

} *Magoffin Co. Fiscal*

COURT

Term,

Regular

Day

11

Day of,

January

1807

97-303

Judge Hardin made a motion to accept the Order of Affiliation of Magoffin County Rescue Squad and the Salyersville Fire Department. This would recognize the Rescue Squad as the primary responder in an emergency; Kellie Lee Miller seconded the motion. All voted yea, motion carried. See attachment.

Judge Hardin ask the court for a special budget workshop meeting to help understand the budget of the County Court Clerk and the Sheriff, the meeting to be scheduled on January 13, 2007 at 10:00 AM.

Kevin Howard from Summit Engineering gave a presentation on the projects ongoing in the county and the progress of each. The new horse arena is 35% complete with a completion date of May 3, 2007. The Ramey Memorial Park walking bridge should be ready by July 2007. The Jane Arnett Bridge at Jane Arnett road is being handled by PBTHNOJJ with Kenneth Gambill contractor is being held up because of rain and high water. The Community Center was finished on December 1, 2006 and has a warranty of one year. The Magoffin County Courthouse Annex is 15% complete with a target date of December 2007.

A motion was made by Judge Hardin and seconded by Stanley Holbrook to hire Anthony Murrell as a labor to start Friday January 12, 2007. All voted yea, motion carried.

A motion was made by Judge Hardin and seconded by Kellie Lee Miller to appoint a road foreman with a four-year term, this could have been two year or four year but the four- year term was chose. All voted yea, motion carried.

A motion was made by Judge Hardin and seconded by Kellie Lee Miller to appoint Tammy Hardin to the Health Department Board. All voted yea, motion carried.

A motion was made by Kellie Lee Miller and seconded by Stanley Holbrook to reappoint Mike Prater as the Republican and Michelle Hardin as the democrat to the Housing Board this being a two-year term. All voted yea, motion carried.

Kellie Miller ask about maybe tearing down the trestle on Oakley since it had been the cause of many accidents and was no longer in use. Judge Hardin made a motion that the Fiscal Court submit a request to remove the trestle to Corman and was seconded by Stanley Holbrook. All voted yea, motion carried.

Judge Hardin discussed the previous administration not paying in unemployment and the electric bills and the financial shape the county was currently in. He ask the county to bear with him in the funding of all projects until he knew what would be available and when.

Pernell Lemaster asked when the road crew would begin working again. Judge Hardin stated he would like to get a small emergency crew working first. He further added we could then get the crews out to work the county in a circular motion or a planned way so a person would no when to expect work on his/her road and they would not have to make calls to the Judge's office to fix their road.

A motion was made by Judge Hardin and seconded by Kellie Lee Miller to adjourn. All voted yea, motion carried.

ORDERS

} Magoffin Co Fiscal

COURT

Term, Regular

Day

11

Day of,

Jan.

1907

97-903

Signed: Charles E. Hardin
Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook

ORDERS

} *Magoffin Co Fiscal*

COURT

Term, *Special* Day *13* Day of, *Jan* 18*07*

97-303

Magoffin County Fiscal Court
Special Meeting
January 13, 2007

The Magoffin County Fiscal Court meet in Special Session on Saturday January 13, 2007 at the Magoffin County Court house. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- County Judge Executive.....Charles E. Hardin
 - Magistrates.....Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook
 - County Court Clerk.....Renee Arnett- Shepherd
 - County Treasure.....Mary Miller
- The County Attorney Gregory D. Allen was absent.

The meeting began with the County Clerk's budget for 2007; Kellie Miller made a motion to except the budget and was seconded by Stanley Holbrook. All voted yea, motion carried.

Travis Joseph began by explaining the increase in the sheriff's budget from the following year. He explained that 2007 would have two years of tax collections due to the bills being mailed out late for 2006. He further added that the budget for 2008 would show a decrease because it would only show one year of collections.

Sheriff Jordan made the comment that there was an added expense of insurance because he had to carry a separate insurance plan on the sheriff's cars and that if they were on the county's plan insurance would be cheaper. He stated he would put the cars in the fiscal court's name if they would pay for the insurance.

Sheriff Jordan explained that in April or May with funds available he would be able to hire two full time deputies and one part time deputy.

Judge Hardin made a motion to approve the Sheriffs Budget and was seconded by Stanley Holbrook. All voted yea, motion carried.

Kellie Miller made a motion to adjourn, motion was seconded by Stanley Holbrook. All voted yea, motion carried.

Signed: Charles E. Hardin
Kellie Lee Miller
Stanley Holbrook
Pernell Lemaster

ORDERS } Magoffin Co Fiscal COURT

Term, Special Day 20 Day of, Jan 1807

Magoffin County Fiscal Court

Special Meeting
January 20, 2007

97-303

The Magoffin County Fiscal Court met in Special Session on Saturday, January 20, 2007 at the Magoffin County Court House.

The meeting opened with prayer and the pledge of Allegiance followed by the roll call with the following present:

- Magoffin County Judge Executive.....Charles E. Hardin
- Magistrates.....Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Attorney.....Gregory D. Allen
- Magoffin County Treasure..... Mary Miller

Judge Hardin began the meeting with Jail Board having two vacancies, and not currently a staggered term. Judge Hardin made a motion to appoint Jerry Helton and Scottie McCarty to serve on the jail board and was seconded by Kellie Miller. Three voted yea, with Stanley Holbrook voting nay, motion carried.

Judge Hardin made a motion to set the salary of the Solid Waste Coordinator at \$23,700.00 per year; Stanley Holbrook seconded motion. All voted yea, motion carried.

Judge Hardin made a motion to hire a new courthouse custodian since Mr. Lemaster was moved to County Garage. The new Custodian would be Jeremy Scott Arnett motion was seconded by Kellie Lee Miller. All voted yea, motion carried.

Judge Hardin made a motion to appoint Gwen Lemaster as the FEMA applicant Agent replacing Walter Hardin with Randall Hardin being the alternate; Kellie Lee Miller seconded motion. Pernell Lemaster abstained from voting, motion carried.

Kellie Lee Miller made a motion to adjourn motion, and was seconded by Stanley Holbrook. All voted yea, meeting adjourned.

Signed: Charles E. Hardin
Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook

ORDERS } Magoffin Co Fiscal COURT

Term, Regular Day 8 Day of, Feb. 18 07

97-303

**Magoffin County Fiscal Court
Regular Meeting
February 8, 2007**

The Magoffin County Fiscal Court met in regular session Thursday, February 8, 2007 at 4:00 PM at the Magoffin Court House. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- County Judge Executive.....Charles E. Hardin M.D.
- Magistrates.....Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook
- County Court Clerk.....Renee Arnett-Shepherd
- County Attorney.....Gregory D. Allen
- County Treasure.....Mary Miller

Clerk Renee Shepherd read the minutes from the previous meeting with Judge Hardin making a motion to except the previous meetings with corrections and seconded by Kellie Lee Miller. All voted yea.

A motion was made by Kellie Lee Miller and seconded by Pernell Lemaster to pay all bills; all voted yea, motion carried. (See attachment)

County Treasure, Mary Miller explained that budget transfers needed to be made to balance the budget due to it being in deficit and to amend the interfund transfers. Judge Hardin made a motion to accept the transfers and was seconded by Pernell Lemaster. All voted yea.

Judge Hardin made a motion to approve the bond of Walter Hardin in the amount of \$10,000; motion was seconded by Kellie Lee Miller. All voted yea.

Magoffin County Jailer, Tim Watkins gave a monthly report on the county jail expense. He stated that for the month of January 2007 he transported 120 prisoners to and from jail. He explained that the cost for housing inmates is \$19.00/day. He further stated that as of February 7, 2007 there were 56 inmates in the Big Sandy Regional Detention Center. Jailer Watkins had spoken to Judge Prater about collecting certain bond fees for warrants then after four hours releasing prisoners without going to jail, however the problem with this was no location to hold prisoners in. Pernell Lemaster ask Jailer Watkins if he had looked into a location in the new facility being built. A motion was made by Stanley Holbrook and seconded by Kellie Lee Miller to accept the report. All voted yea.

Jailer Watkins asked the court for a sixty day continuation to have his policy and procedure plan in place. A motion was made by Kellie Lee Miller and seconded by Stanley Holbrook to allow the sixty day continuation. All voted yea.

Deputy Judge Walter Hardin and Jailer Tim Watkins presented the court with the County Jail expense report. This report outlined the revenues and expenditures faced by the county in comparison to other counties. In the report it was found that Magoffin County was in the top 23

ORDERS

Magoffin Co. Fiscal

COURT

Term,

Regular

Day

8

Day of,

Feb.

1807

97-303

in inmate population. Stanley Holbrook asked the court where the revenues from the state came from. Judge Hardin explained that this was mostly determined by county population. Judge Hardin made a motion to allow Jailer Watkins to accept credit card as form of payment for bonds; motion was seconded by Pernell Lemaster. All voted yea.

Judge Hardin asked the court for a motion to accept the Kentucky Interagency Agreement: City of Salyersville and Commonwealth of Kentucky (See Attachment). This would allow for trade services with the city, motion was made Stanley Holbrook and seconded by Pernell Lemaster to accept the agreement. All voted yea.

Kellie Lee Miller presented the court with a deed for the Willie Wireman cemetery. In this deed was the exception of road. Judge Hardin made the motion to accept this as a county road; motion was seconded by Pernell Lemaster. All voted yea.

Kevin Howard of Summit Engineering gave a report on the four projects ongoing in the county. On the Courthouse there was no update, the horse arena was 60% complete with a completion date of next month if weather permits, the Jane Arnett Bridge was partially completed, and the Pedway for Ramey Park would be ready to bid by next meeting.

Randall Hardin explained to the court that Jerry Adams with RJ Corman would be letting him know of the options involved in the removal of the Oakley trussell. Judge Hardin made a motion to get an easement for the removal and was seconded by Pernell Lemaster. All voted yea.

Walter Hardin explained to the court that three letters had been sent out to Mifinca, Mountain Liquor and Magoffin County Discount Liquors regarding the ABC taxes, of the three Mountain Liquor had paid, Mifinca had referred the court to their bookkeeper and Magoffin Discount Liquors had not responded. The total taxes collected for January was \$7220.72.

Former, County Clerk, Haden B. Arnett presented the court with a check for \$36838.85 in excess fees for the year 2006, he also asked for a budget amendment due to surplus fees. A motion was made by Kellie Lee Miller and seconded by Pernell Lemaster to accept the check. All voted yea. (See attachment)

Jeff Sizemore of Big Sandy Area Development ask the court to approve two resolutions (see attachments) the first resolution would approve a grant to serve ten houses the second resolution would grant the city to go ahead and do all bids through completion. A motion was made by Kelly Lee Miller and seconded by Pernell Lemaster to accept the reading of resolution one, all voted yea, motion carried. A motion was made by Kellie Lee Miller and seconded by Pernell Lemaster to accept the reading of the second resolution all voted yea, motion carried.

A motion was made by Judge Hardin and seconded by Pernell Lemaster to accept the contract with the Lawrence County Humane Society which would charge the county \$400.00/month and \$7.50/dog a

ORDERS

} Magoffin Co Fiscal COURT

Term, Regular Day 8 Day of, Feb. 2007

97-303

decrease from before which was \$400.00/month and \$15.00/ dog. All voted yea. (See attachment)

Deputy Judge Hardin explained that in order to fix the slip on Lacy Creek, the Fiscal Court must have a pre-bid meeting, posting in paper for two weeks then give a set to the companies. Judge Hardin made a motion and was seconded by Kellie Lee Miller to set a meeting for two weeks from today at 4:00 PM. All voted yea.

Judge Hardin explained to the court the need for more money for the 911 fund. He stated that the additional money was needed for maintenance and operations. He stated that Powell and Elliott both of which had similar populations had a fee of \$4.00. He proposed that the raise would be done in two increments the first beginning on March 1, 2007 with \$1.25 and the second to begin on January 1, 2008 with \$1.25. Judge Hardin read the first reading of the ordinance relating to the adjustment of the 911 emergency telephone service fees (see attachment). Judge Hardin made a motion to accept the first reading of the ordinance and was seconded by Kellie Lee Miller. All voted yea. Stanley Holbrook stated that this was the first increase in thirteen years.

Judge Hardin then made a motion to go into Executive Session and was seconded by Kellie Lee Miller.

Judge Hardin then made a motion to return to regular session, motion was seconded by Kellie Lee Miller. All voted yea.

Judge Hardin made a motion asking the county attorney to prepare a hearing for the removal of the water board; motion was seconded by Kellie Lee Miller. All voted yea.

Judge Hardin announced the hours of the Magoffin County Judge's office, the office will be open the 1st and 3rd Saturday of every month form 8:00 AM to 1:00 PM

Pernell Lemaster inquired if the court could develop an ordinance requiring heavy trucks to repair the damage they caused to county roads. Judge Hardin suggested looking into getting a fee from companies for using roads. A general contract stating if the road was used then the company must pay for it. Judge Hardin instructed the county attorney to look into various fees as to be fair. Damage above and beyond repair would be paid by the entity that did the damage; motion was made by Judge Hardin to accept and seconded by Pernell Lemaster. All voted yea.

Gordon Long made the comment that he would be representing all water board members in meetings.

Kellie Lee Miller made the comment that there was not any water in the biggest part of his district. Bill Rowe explained that projects were ongoing and that requests needed to be sent in.

An individual in the audience asked about a road on Route 40 which went through the creek if maybe it could be repaired. Pernell Lemaster stated that they would get someone out to look at it.

Stanley Holbrook asked for an inventory for 2007 of the counties assets. Judge Hardin said he would prepare one as soon as possible.

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ORDERS

} Magoffin Co Fiscal

Term, Special Day 22 Day of, Feb

97-303

**Magoffin County Fiscal Court
Special Meeting
February 22, 2007**

The Magoffin County Fiscal Court met in Special session February 22, 2007, at 4:00 PM at the Magoffin County Courthouse. The meeting was opened with the prayer followed by the Pledge of Allegiance. The roll was called with the following people present:

**Magistrates.....Stanley Holbrook
Pernell Lemaster
Kelly Lee Miller**

**Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasure.....Mary Miller**

County Attorney Greg Allen and County Judge Dr. Charles Hardin were absent.

Pernell Lemaster began the meeting with making apology for Judge Hardin's absence.

Kellie Lee Miller made the motion to release the pre-bid packets for the Lacy Creek slip, motion was seconded by Stanley Holbrook. All voted yea.

Pernell Lemaster made a motion to adjourn; motion was seconded by Kellie Lee Miller. All voted yea.

**Signed: Pernell Lemaster
Stanley Holbrook
Kellie Lee Miller**

ORDERS

} *Magoffin Co. Fiscal*

Term, *Special* Day *27* Day of, *Febru*

97-303

**Magoffin County Fiscal Court
Special Meeting
February 27, 2007**

The fiscal court met in special session on Thursday, February 27, 2007, at 4:00 PM at the Magoffin County Courthouse. The meeting opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

County Judge/Executive.....**Charles Hardin M.D.**
Magistrates..... **Stanley Holbrook**
Pernell Lemaster
Kellie Lee Miller

County Attorney..... **Greg Allen**
County Court Clerk.....**Renee Arnett Shepherd**

Absent was County Treasure, Mary Lee Miller who was attending a training session in Louisville.

Judge Hardin began the meeting by discussing item number one on the agenda which was to reimburse the corner for money spent and item two to pay the Salyersville Funeral home for autopsies. Kellie Miller made a motion to pay all bills. Pernell Lemaster asked if the corner needed a receipt for every purchase made. Judge Hardin stated that receipts were necessary for purchases made by the coroner. Motion was seconded by Pernell Lemaster, all voted yea.

A motion was made by Judge Hardin and seconded by Kellie Miller to approve the second reading of the 911 ordinance. All voted yea.

A motion was made by Judge Hardin and seconded by Kellie Miller to adjourn, all voted yea.

Signed: **Charles E. Hardin M.D.**
Stanley Holbrook
Pernell Lemaster
Kellie Lee. Miller

ORDERS

} Magoffin Co Fiscal

Term, Regular Day 8 Day of, Ma

97-303

Magoffin County Fiscal Court
Regular Meeting
March 8, 2007

The Magoffin County Fiscal Court met in regular session today Thursday, March 8, 2007 at 4:00 PM at the Magoffin county court house. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following being present:

- County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Lee Miller
- County Attorney.....Greg Allen
- County Court Clerk.....Renee Arnett-Shepherd
- County Treasure.....Mary Miller

The minutes from the previous meeting of February 8, 2007 were read and a motion was by Kellie Miller and seconded by Stanley Holbrook to approve the minutes as read. All voted yea.

The minutes from meeting dated February 22, 2007 were read and a motion was made by Stanley Holbrook and seconded by Kellie Miller to approve the minutes as read. All voted yea.

The minutes from meeting dated February 27, 2007 were read and a motion was made by Judge Hardin to approve minutes with corrections and seconded by Kellie Miller. All voted yea.

The bills were presented to the court for payment with an additional bill being for Big Sandy A.O.C. in the amount of \$3000.00 this bill would normally have cost \$7500.00 but was decreased by Big Sandy to \$3000.00. There were two bills which were not presented for payment that were made known to the Fiscal court the first one in the amount of \$1600.00 for bottled water. This bill was for the previous administration the Judge's office and 911. The second bill being for the gas bill on the Justice Center, the bond payment for the Justice Center is paid by the A.O.C. for twenty years after which the building itself becomes the property of the county, however until that time the maintenance, utilities are paid for by the county and then the county is reimbursed by the A.O.C. Each year the county and A.O.C. prepares a budget together. Judge Hardin was told by Tim Christopher that the previous administration had justified and paid a previous bill of \$20,000 and that he felt that this bill was unacceptable and would not reimburse the county. He further stated that this was a bill that would have been for the whole year based on other counties. Mr. Christopher stated that by his calculations with the system running "full blast" it could have only used 1/3 of the amount of gas that was in question. Judge Hardin stated that the current bill was in the amount of \$22429.99 from BTU Gas Company and it would not be presented for payment. A motion was made by Kellie Miller to pay all other bills and table the gas bill when further information was gathered

Term,

Regular

Day

8

Day of,

M

97-303

ie motion was seconded by Pernell Lemaster. All voted yea. (See attachment)

A representative for Codell Construction explained to the court t eed to remove two light poles, by moving these two poles the court e saving \$2200.00. He further stated that the Masons were interest lacing a plaque on the building, and that he needed to know the size ie plaque to continue. Judge Hardin added that there was also an ncrease for a water meter that had to be moved the price going forn 29.00 to \$2075.00. He stated that he would like Gerald Salyer a for lumber to go out and look at this to see if the price was justifiable. ardin made a motion to accept this change and to accept changes eter up to \$2075.00 and to get with the Masonic lodge to see what l f plaque they needed, motion was seconded by Pernell Lemaster. A oted yea.

Randall Hardin stated that the plaque had already been order at they would have it by the middle of next month.

Judge Hardin made a motion to accept all budget transfers an econded by Kellie Miller. All voted yea. (See attachment)

Pernell Lemaster asked the court if there was need for all of th aining. County treasure Mary Miller explained that the budget tran ere needed to keep the budget balanced. Stanley Holbrook asked ayment for overtime. Judge Hardin stated that all over time must b pproved by him. He further stated that all overtime must be approv head of time which he was in the process of amending in the dministrative Code of the county.

A motion was made by Pernell Lemaster and seconded by Kel iller to approve interfund transfers of \$25000 from the General fun GA and \$40000 from General to Jail fund. All voted yea.

The bids for the Lacy Creek slip removal were as follows;

- a) Hinkle \$23,495.00
- b) Hennecke Drilling \$20,800.00
- c) Pet Wood Products \$39,080.00
- d) Hays Inc. \$23,705.00

All bids included signs, removal of old guardrail and replacement o uardrail. A Motion was made by Pernell Lemaster and seconded b ellie Miller to accept the bid of Hennecke Drilling of \$20,800.00 wh ncluded all content of bid packet plus replacement of guardrails. A oted yea.

Craig Lindon from the district highway office explained that ir esponse to KRS 177.330 the district highway department is requir nspect secondary and rural roads. The allotment for Magoffin Cou ear is \$836,874.00; Magoffin County has 113.808 miles of seconda ural roads, which in turn cost \$3010.34 per mile to maintain. This ncludes snow removal, salt, etc. The recommendations of roads tr esurfaces are as follows:

ORDERS

} Magoffin Co Fiscal

Term,

Regular

Day

8

Day of,

Ma

97-303

- a) KY route 3334 to begin at mile marker 1.406 and marker 5.037 which includes 3.631 miles
- b) KY route 3336 straight fork road
- c) KY route 867 which begins at 5.715 7.383 1.666
- d) KY route 378 0 ends at

The total amount of resurfacing for Magoffin County miles. A total cost of \$483,572.00. Pernell Lemaster asked All recommendations must be prioritized and must be on presented by the District. Judge Hardin made a motion a seconded by Kellie Miller that they concurred with the rec presented by the District Highway. All voted ye.

Summit Engineering gave their report on the ongoing county.

- 1) Jane Arnett Bridge ready for back filling.
- 2) Horse Shoe arena, lacking in gates, and lights for May deadline should be on target.
- 3) Annex building is on schedule with 80% to 90% of studs and 20% on the second floor.
- 4) Ramey park pedestrian resolution, which will all turn bids into Frankfort.

Judge Hardin made a motion to accept the first resolution of the Ramey Park pedestrian bridge and was seconded by Kellie Miller. All voted ye.

Jailer Tim Watkins gave his report of the prior month of inmates. Motion was made by Stanley Holbrook and seconded by Kellie Miller to accept Jailer Watkins report. All voted ye.

Judge Hardin reported on the hearing of the removal of Board Commissioners held on March 6, 2007 at 1:30 PM at the County court house. With the testimonies given, along with the resolutions provided there was a vote of 3 to 1 to uphold changes as follows:

- a) Christmas bonus violation
- b) Sending of retirement gift
- c) Paying for retirement gift
- d) No supervision
- e) Receiving of financial benefits

Judge Hardin then made a motion to accept this in the report to remove the water board motion was seconded by Pernell Lemaster no, motion carried 3 to 1. All board members to appeal to Circuit court. The members being:

Chester Howard term expiring 2/2008 completing
 Randall Hardin term expiring 2/2009 completing
 Mellow Dean McCarty term expiring 8/2009 completing
 Kenneth Auxier term expiring 6/2010 completing

ORDERS

} Maguffin Co. Fiscal

Term, Regular

Day 8

Day of, Ma

97-303

Randall Salyer term expiring 9/2010 completing Bill

A motion was made by Judge Hardin to accept the new repl; seconded by Kellie Miller, Pernell Lemaster abstaining moti

Judge Hardin made a motion to hire two part time em; These employees would work on a file in basis only those be Wireman and 2) Veronica Little both are qualified and have These employees would work to prevent overtime.

Kellie Miller asked for a motion to adopt Dosie Bailey William Jackson JR easement into the county road system, seconded by Judge Hardin. All voted yea. (See attachment

Sheriff Bob Jordan then addressed the court explaini of arrests made. He asked the court if needed to transport, did not do the arrest. Co. Attorney Greg Allen said that he w the legal options on hauling juveniles. Judge Hardin stated the opinion of the District and Circuit Judge.

Judge Hardin then made a motion to go into executiv; was seconded by Kellie Miller. All voted yea.

Judge Hardin then made a motion to come back out c session and was seconded by Stanley Holbrook, All voted y There were no actions taken in executive session.

Pernell Lemaster asked the court about gravel and d roads. Stanley Holbrook also asked if there was a plan of s Judge Hardin explained that to get by until July 2007 with tl year and then he would have something with maybe a targ

Pernell Lemaster asked about the status of the liquor Hardin state that the county was working with Mifinca and l liquors had worked out a payment plan with the city.

Judge Hardin mad a motion to adjourn and was seco Miller. All voted yea.

Signed: Charles E. Hardin MD
Kellie Lee Miller
Pernell Lemaster
Stanley Holbrook

Term, Special Day 19 Day of, Mar 2007

97-303

Magoffin County Fiscal Court
Special Meeting
March 19, 2007

The Fiscal Court met in Special session March 19, 2007 at 8:30 AM at the Magoffin County Courthouse. The meeting was opened with Prayer and the Pledge of Allegiance. The roll was call with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magoffin County Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasure.....Mary Miller

County attorney Greg Allen was absent.

Judge Hardin announced that Henneck needed to change their proposal to include guardrail and that with the change the bid would still be the lowest with the guardrail costing only \$2400.00 more. Motion was made by Judge Hardin to accept the change and seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to buy a grader in the amount of \$3500.00 and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to scrap out the old voting machines and sell as surplus property, and seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to accept the first reading of the Ordinance changing the Administrative Code for the county and was seconded by Kellie Miller with second reading being on 5th of April, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

ORDERS

} *Magoffin Co. Fiscal*

COURT

Term, *Special* Day *22* Day of, *Mar.* 2007

97-303

**Magoffin County Fiscal Court
Special Meeting
March 22, 2007**

The Magoffin County Fiscal court met in Special Session March 22, 2007 at 4:00 PM at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magoffin County Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasure..... Mary Miller
- Magoffin County Attorney.....Greg Allen

Judge Hardin began the meeting by explaining the resolution to apply for a grant to purchase the First Baptist Church as the new home for the Magoffin County Library and a Welcome Center. The grant would require a 20% match with 30% from the library and 70% thru the grant. At the present time the Church would need renovations totaling \$150000.00. The total project would run \$630000.00 with the grant and the asking price for the church at \$695000.00. The work would require in-kind contributions and donations. Kellie Miller made a motion to accept the resolution and was seconded by Stanley Holbrook, all vote yea. (See Attachment).

Judge Hardin read the resolution to make application for the 2007 Kentucky Recycling Grant Program with Pike County Fiscal Court. Judge Hardin made a motion to accept the resolution and was seconded by Kellie Miller, all voted yea.

Judge Hardin read the resolution to form a group to work to plan activities for visitors during the 2010 Equestrian Games. A motion was made by Stanley Holbrook and seconded by Pernell Lemaster to accept the resolution, all voted yea.

A motion was made by Stanley Holbrook and seconded by Judge Hardin to adjourn, all voted yea.

Signed:

- Charles E. Hardin MD
- Stanley Holbrook
- Pernell Lemaster
- Kellie Miller

Term,

Special

Day

30

Day of,

Mar

2007

97-303

Magoffin County Fiscal Court
Special Meeting
March 30, 2007

The Magoffin County Fiscal Court met in Special session March 30, 2007 at 4:00 PM at the Magoffin County Courthouse. The meeting was opened with Prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magoffin Magistrates.....Stanley Holbrook
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasure..... Mary Miller
- Magoffin County Attorney.....Greg Allen

Pernell Lemaster was absent.

A motion was made by Kellie Miller and seconded by Stanley Holbrook to accept the jail budget; all voted yea (See Attachment).

Judge Hardin made a motion to purchase a dump truck from a government agency and was seconded by Stanley Holbrook, all voted yea.

The annual spring clean up dates were established as follows:

- District 1 April 9 thru 13
- District 2 April 16 thru 20
- District 3 April 23 thru 27

Jonny Arnett was checking to see which roads needed handled first. The appliance buy was scheduled for April 26, 27 and 28. All appliances would be bought back for \$5.00 each.

Stanley Holbrook made a motion to adjourn and was seconded by Judge Hardin, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Kellie Miller

ORDERS

Magoffin Co Fiscal

COURT

Term, *Special* Day *5* Day of, *April* 20 *07*

97-303

**Magoffin County Fiscal Court
Special Meeting
April 5, 2007**

The Magoffin County Fiscal Court met in Special session April 5, 2007 at 4:00 PM at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

Magoffin County Judge/Executive.....Charles E. Hardin
Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller

Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Attorney.....Greg Allen

County Treasure Mary Miller was absent.

Judge Hardin made a motion to pay for a car purchased for the Jailer in the amount of \$6000.00 the car was needed when the Circuit Judge ordered the Jailer to go to Indiana to pick up a prisoner; motion was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to accept the second reading of the Administrative code for the county and seconded by Kellie Miller, all voted yea.

County Attorney Greg Allen explained that he had looked into utility companies using the county roads for their benefit. He stated the county obtains a road two ways one by deed (fee simple title) or an easement. The county has rights the same as a land owner if obtained by a deed. Judge Hardin stated that all utilities need to come in to office and ask for a license and get permission to use the road. The license would include the term of use, rate of license, footage and width, and limitations (restrictions). Greg Allen also explained that adjoining land owners must comply also. Judge Hardin stated that if the utilities did not apply for license then they would reimburse the county for all fees required to fix the road back. Judge Hardin asked for a list of contractors who are using the roads and ditch lines, with a goal to have something in effect by July 1, 2007. Stanley Holbrook made a motion and was seconded by Judge Hardin to submit notices to all utilities to discuss use with Fiscal court, all voted yea.

Judge Hardin made a motion to go into executive session to discuss the audit and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to come out of executive session and was seconded by Kellie Miller, all voted yea. No action was taken in executive session.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular Day 12 Day of, April 2007

97-303

Magoffin County Fiscal Court
Regular Meeting
April 12, 2007

The Magoffin County Fiscal court met in regular session today April 12, 2007 at 4:00 PM at the Magoffin County courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called wit the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk.....Renee Shepherd
- Magoffin County Attorney.....Gregory Allen
- Magoffin County Treasure.....Mary Miller

Judge Hardin announced that the agenda was to be changed to include one item and to withhold paying bills until April 17, 2007 at 1:00 PM.

Judge Hardin made a motion to accept the reading of the Proclamation honoring Paul Hudson Salyer dated April 13, 2007 and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin announced that the office would be closed in honor of Paul Salyer.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller. All voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Special

Day April

Day of, 17

2007

97-303

Magoffin County Fiscal Court
Special Meeting
April 17, 2007

The Magoffin County Fiscal court met today April 17, 2007 in special session at 1:00 Pm at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/ Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Attorney.....Greg Allen
- Magoffin County Treasure.....Mary Miller

The minutes from the previous meetings were read a motion was made by Judge Hardin and seconded by Kellie Miller to approve the minutes as read. All voted yea.

A bill was presented by Summit Engineering for a stream negation agreement in the amount of \$50460.0 this bill was made by the previous fiscal court for a culvert that the new administration building is built upon. Judge Hardin asked that it be noted in the minutes that Judge May was aware of the bill and had refused to make payment. A motion was made by Stanley Holbrook and seconded Kellie Lee Miller to pay all bills including this particular bill. All voted yea. (See Attachment)

County Treasure Mary Miller announced the budget transfers those being:

- \$60,000.00 from General to LGEA
- \$45,000.00 from General to Jail

A motion was made by Judge Hardin and seconded by Kellie Miller to approve transfers. All voted yea. (See Attachment)

A motion was made by Judge Hardin and seconded by Kellie Miller to approve the first reading of budget amendment number 4. All voted yea. (See Attachment)

A motion was made by Kellie Miller and seconded by Stanley Holbrook to approve the second reading of budget amendment number 3. All voted yea. (See Attachment)

Summit and Codell announced that they had seven change orders totaling \$15,404.07. Stanley Holbrook stated that he thought that the county should not pay for items which the Fiscal court did not change. Judge Hardin stated that he felt that a meeting should be held with the architect.

ORDERS*Maguffin Co Fiscal***COURT**

Term,

Special

Day

17

Day of,

*April*20 *07*

97-303

Stanley Holbrook ask for a motion to meet with architect on the 24th of April 2007 at 9:30 AM and accept the change order and if there was not enough room at the office the meeting would be moved to the County Judge's office motion was seconded by Kellie Miller. All voted yea.

Kellie Miller made a motion for a resolution to preserve the tunnel located on Tip Top and was seconded by Judge Hardin. All voted yea.

Judge Hardin made a motion to appoint Randall Salyer to the Property tax appeal board and was seconded by Stanley Holbrook. All voted yea.

Judge Hardin made a motion for the Magistrates and the Road Foreman to check out the Francis Road and make a recommendation back to the Fiscal Court and was seconded by Kellie Miller. All voted yea.

Chris Slone from O and G Energy asked the Fiscal court for permission to move a gas line on Will May Branch. Judge Hardin asked County attorney Greg Allen to check and see if the county owned this property by deed or an easement. A motion was made by Judge Hardin and seconded by Kellie Miller to check on ownership on property if it was an easement adjoining land owners would have to sign and if it was a deed the county would sign. All voted yea.

Judge Hardin made a motion to declare as surplus property a backhoe, Constable Car, Deputy Judge Car, and Service truck and seconded by Kellie Miller. All voted yea.

Kellie Miller made a motion to purchase a 1993 one ton flat bed for 3500.00, a tool truck for 4500.00, and a grader for 3500.00 total package being 11500.00 and was seconded Stanley Holbrook. Judge Hardin added that Kellie Miller and County worker Ricky Williams had checked everything out and it was fine. All voted yea.

Judge Hardin explained that there was a bill for \$3000.00 for a feasibility study of the Rails to Trails program however there was no documentation on the study. Judge Hardin made a motion for a resolution opposing the Rails to Trails under its current proposal that it would only be considered if it did not interfere with affected peoples property and that it would only be accepted with the approval of all affected parties and was seconded by Kellie Miller.

Kevin Howard from Summit Engineering gave a report on all ongoing projects; Jane Arnett bridge complete. Horse arena inspected sinks were wrong and will be usable by May, the ped-way is waiting on Transportation Cabinet to bid; the entrance for the horse arena is dangerous and may need to used transfer station entrance.

A motion was made by Kellie Miller and seconded by Judge Hardin to adjourn. All voted yea.

Signed:

Charles E. Hardin MD
Stanley Holbrook
Kellie Miller

Pernell Lemaster

Term, Special Day 20 Day of, April 20 07

97-303

Magoffin County Fiscal Court
Special Meeting
April 20, 2007

The Magoffin County Fiscal Court met in Special session today at the Magoffin County Courthouse at 4:00 PM the meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Lee Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Attorney.....Gregory Allen
- Magoffin County Treasure.....Mary Miller

Judge Hardin began the meeting by reading a proclamation setting resolution honoring Constable District Three Hershell "Dick" Bailey. A motion was made by Judge Hardin to accept the resolution and seconded by Kellie Miller, all voted yea.

A copy of the budget was presented for suggestions.

Judge Hardin made a motion to go into executive session and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to come out of executive session and was seconded by Stanley Holbrook. All voted yea.

Judge Hardin asked County Attorney Greg Allen to check the case of Tommy and Wanda Arnett vs. Magoffin County Fiscal court regarding a road. Judge Hardin made a motion for the County Attorney Greg Allen to pursue and was seconded by Kellie Miller. All voted yea.

A motion was made by Judge Hardin and seconded by Kellie Miller to adjourn All voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, *Special*

Day *24*

Day of, *May*

20*07*

97-303

**Magoffin County Fiscal Court
Special Meeting
May 24, 2007**

The Magoffin County Fiscal court met in Special Session today Thursday May 24, 2007 at the Magoffin County Court house. The meeting was called opened with prayer and the Pledge of Allegiance and the roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Lee Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Attorney.....Gregory Allen
- Magoffin County Treasurer.....Mary Miller

A motion was made by Kellie Miller and seconded by Stanley Holbrook to pay all bills. All voted yea.

A motion was made by Judge Hardin and seconded by Kellie Miller to pay a Codell payment request in the amount of \$225757.43. All voted yea.

A motion was made by Judge Hardin to accept Budget Amendment A into Section B and seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to accept the first reading of the Budget Amendment to change the salary of the Finance Officer to \$30000.00 and the salary of the Magoffin County Treasure to \$23700.00 and the FEMA agent to \$23700.00 motion was seconded by Kellie Miller. Pernell Lemaster voted no, with Stanley Holbrook and Kellie Miller voting yea.

A report was given by Kevin Howard of Summit Engineering in regards to the ongoing projects in the county:

Administration building is on schedule

Ramey Park Bridge is ready to be released to bid pre-bid will be May 29, 2007 and bid packages to be picked up May 30, 2007 at 2:00 PM.

Judge Hardin announced he would like all members of the Fiscal court to look at the Horse arena before final payment is made.

ORDERS

} Maguffin Co Fiscal

COURT

Term,

Special

Day

24

Day of,

May

2007

97-303

Judge Hardin made a motion to accept the insurance rates which would guarantee a rate from July 1, 2007 until July 1, 2010, and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to adopt an order to pre-approve certain recurring expenses related to salaries, health insurance, and utility payments this order is required by KRS 68:275 motion was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to adopt as a resolution relating to emergency road work on Jellico. This resolution would allow for county workers to repair road. Motion was seconded by Kellie Miller. All voted yea.

Motion was made by Judge Hardin to adjourn and seconded by Kellie Miller. All voted yea.

Signed,

Charles E. Hardin MD

Pernell Lemaster

Kellie Miller

Stanley Holbrook

Term, *Special* Day *12* Day of, *June* 20 *07*

97-303

**Magoffin County Fiscal Court
Special Meeting
June 12, 2007**

The Magoffin County Fiscal court met in Special session today June 12, 2007 at 4:00 PM at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present.

Magoffin County Judge/Executive.....Charles E. Hardin MD
Magistrates..... Stanley Holbrook
Pernell Lemaster
Kellie Miller
Magoffin County Clerk..... Renee Shepherd
Magoffin County Attorney..... Gregory Allen

Mary Miller the County Treasure was absent.

Judge Hardin made a motion to close the administration building fund certificate of deposit and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to transfer the remaining balance of the certificate of deposit to a checking account. Motion was seconded by Kellie Miller, all voted yea.

Judge Hardin announced the right of way ordinance and the adoption of an ordinance creating and establishing a non-exclusive gas franchise. Tommy Jayne from J.D. Carty Resources requested extra time in reviewing the ordinance before the Fiscal Court votes on it. Judge Hardin made a motion to wait until July 19, 2007 at 4:00 PM before voting on the ordinance and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller. All voted yea.

Signed:

Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, *Regular*

Day

14th

Day of,

June

20 *07*

97-303

**Magoffin County Fiscal Court
Regular Meeting
June 14, 2007**

The Magoffin County Fiscal Court met in regular session today June 14, 2007 at 4:00 PM at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Attorney.....Greg Allen
- Magoffin County Treasure.....Mary Miller

Judge Hardin made a motion to approve the reading of the minutes of the previous meetings and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to approve payment of the bills and was seconded by Kellie Miller. All voted yea. (See attachment)

Pernell Lemaster asked if the Fiscal Court if the Corners budget could be amended to pay for mileage and body bags. Judge Hardin stated that once the budget came back from G.O.L.D. he would look into what could be done at that time.

Kellie Miller made a motion to pay the Salyersville National Bank sanitation debt that was owed by the county and was seconded by Stanley Holbrook. All voted yea.

County Treasure made announced the interfund transfers as the following:

- for May 2007
- General to Sanitation \$30,000.00

- For June 2007
- General to Road \$5000.00
- LGEA to Jail \$15,000.00

ORDERS

Magoffin Co Fiscal

COURT

Term,

Regular

Day

14

Day of,

June

2007

97-303

General to Jail \$15,000.00

June 14, 2007

General to Road \$68,000.00

LGEA to Jail \$35,000.00

General to Sinking \$1,100.00

A motion was made by Judge Hardin and seconded by Kellie Miller to accept the interfund transfers. All voted yea. (See Attachment)

Stanley Holbrook made a motion to accept the budget amendments and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to pay Codell Construction based on availability of funds and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to accept the Resolution authorizing the county in cooperation with the Governor's Office for Local Development to execute any documents necessary to apply for coal severance money for the Magoffin County Administration Building; motion was seconded by Kellie Miller. All voted yea. (See Attachment)

Judge Hardin made a motion to dedicate the Administration Building to all the coal miners of the county by placing a plaque in the new building and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to accept the \$300,000.00 line of credit for the Dixie Walk way bridge and was seconded by Kellie Miller. All voted yea.

Kellie Miller made a motion to approve the grant for the purchase of a 911 generator and seconded by Pernell Lemaster. All voted yea. (See Attachment)

Judge Hardin made a motion to sale the sheriff's car and was seconded by Kellie Miller, all voted yea. Pernell Lemaster asked if maybe the car could be given to the constable. Judge Hardin stated the car was too expensive and would look into getting a car as soon as possible.

ORDERS

050

Magoffin Co Fiscal

COURT

Term, *Regular*

Day

14

Day of,

June

2007

97-303

Judge Hardin made a motion not to accept the bid for the wrecked Ford crown Victoria in the amount of \$200.00 and was seconded by Kellie Miller. All voted yea.

The bid for the backhoe was awarded to Kenneth Gambill in the amount of \$7,100.00. Judge Hardin made a motion to accept this bid and was seconded by Kellie Miller. All voted yea.

The bid for the service truck was rejected due to only one bid being received was from a county employee and they are not allowed to bid.

Judge Hardin made a motion to accept the resolution disapproving the rails to trails and was seconded by Kellie Miller. All voted yea.

Judge Hardin read the resolution to issue notices of award for the Ramey Park Pedestrian Bridge as follows:

Contech Bridge Solutions Inc.

a) Bow truss Bridge bid for \$173,268.00 is accepted
PBTHNOJJ Construction Company Inc.

a) Bridge End Bents and Pier \$78,189.00 is accepted

b) Install Pre-manufactured Bridge for \$16,000.00 is accepted.

c) Owner will demolish and remove the existing bridge and support structure and reseed and mulch the project area upon completion Contract 2. A change order will be negotiated between the Owner and Contractor to add to the scope of work the concrete sidewalk approaches, handrail, and any remaining work necessary to provide a complete and functional project. (See attachment)

A motion was made by Kellie Miller and seconded by Stanley Holbrook to accept the bids. All voted yea.

Judge Hardin made a motion to appoint Kila Keeton to County Treasure and seconded by Kellie Miller. All voted yea.

Mary Miller will now be the Finance Officer; Devon Allen will be the Solid Waster Coordinator and Susie Salyer being the FEMA agent and assistant to the County Judge.

ORDERS

} Magoffin Co Fiscal

COURT

Term,

Regular

Day

14

Day of,

June

2007

97-303

Judge Hardin made a motion to negotiate a lease for a truck upon consultation of the road foramen and seconded by Kellie Miller. All voted yea.

Stanley Holbrook made a motion to recess to the park, horse arena and the Administration building to inspect and close meeting.

Pernell Lemaster made a motion to adjourn and was seconded by Stanley Holbrook. All voted yea.

**Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller**

ORDERS

} Magoffin Co. Fiscal

COURT

Term, Special

Day 20

Day of, June

20 07

97-303

Stanley Holbrook made a motion to remove, replace or get the current repeater operational and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to adjourn and was seconded Kellie Miller. All voted yea.

Signed: Charles E. Hardin MD

Stanley Holbrook

Pernell Lemaster

Kellie Miller

Term, Special

Day 28

Day of, June

20 07

97-303

Judge Hardin announced that the old Ramey swinging bridge had been taken down due to present danger that would prove to be costly and to the city and the county.

Judge Hardin made a motion to approve change order number one and was seconded by Stanley Holbrook. All voted yea.

Stanley Holbrook made a motion to approve the final payment of the horse arena with the stipulation that the water faucets need to be installed and water lines fixed to water horses and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to approve the CAP budget and was seconded by Kellie Miller. All voted yea.

Judge Hardin announced that the tractor was torn up and needed fixing and would cost \$1800.00 to repair. He made a motion and was seconded by Kellie Miller to purchase a grader in the amount of \$5000.00. All vote yea.

Kellie Miller made a motion and was seconded by Stanley Holbrook to accept the county road aid from March 8, 2007. All voted yea.

Judge Hardin suggested that since the Magoffin County Health Dept. had not taken the CDBG grant to check with Big Sandy and see if there were any other projects that may be worthwhile. He further stated that until this grant was used no other grant could be accessed.

Kellie Miller made a motion to approve conference expenses incurred by Walter Hardin and was seconded by Stanley Holbrook. All voted yea.

Judge Hardin stated that he would like to apologize for any miscommunication that he may have made in stating the way the fire and rescue used money. He proposed that there would be \$10,000.00 to be used in 6 months and to be distributed in the following ways:

- 750.00.....Senior citizens
- 750.00.....Veterans
- 1000.00.....Fire Depts. And Salyersville Fire Dept.
- 2000.00.....Rescue Squad
- 1500.00..... Reserve in emergency and to be determined by Judge or Fiscal Court.

He further recommended that run sheets would be reviewed and signed by the Fire Chief and submitted as a bill to Fiscal Court starting July 2007 motion was seconded by Kellie Miller. All voted yea.

Stanley Holbrook made a motion to adjourn and was seconded by Kellie Miller. All voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Kellie Miller

Term, Special Day 19 Day of, July 2007

97-303

Magoffin County Fiscal Court
Special Meeting
July 19, 2007

The Magoffin County Fiscal Court met in special session today Thursday, July 19 at 4:00 PM. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/ Executive.....Charles E. Hardin MD
Magistrates..... Stanley Holbrook
Pernell Lemaster
Kellie Miller
Magoffin County Attorney.....Greg Allen
Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasure.....Kila Keeton

A motion was made by Stanley Holbrook and seconded by Kellie Miller to approve the reading of the previous meetings with corrections, all voted yea.

The bills were presented for payment with Pernell Lemaster requesting letting other garages do repair on the county vehicles. Judge Hardin stated he would accept other garage offers with references. Motion was made by Kellie Miller to pay bills and seconded by Pernell Lemaster, all voted yea. (See Attachment)

Interfund transfers were as follows:
General to Jail \$32,000.00
General to Road \$31,000.00

County Treasure Kila Keeton announced that the General to Road was temporary until the road aid came in. A motion was made by Judge Hardin and seconded by Kellie Miller to accept the interfund transfers. All voted yea. (See Attachment)

On the Codell payment request, Judge Hardin made a motion to pay bill based on the availability of funds and to accept change orders and was seconded by Kellie Miller. All voted yea. Pernell Lemaster asked about the ice guards located on top of the administration building had been resolved.

A motion was made by Judge Hardin to accept the second reading of the Proclamation honoring Sheriff Chalmer Wireman with corrections on the years of service from 12 to 13 and was seconded by Stanley Holbrook all voted yea. (See Attachment)

A motion was made by Stanley Holbrook and seconded by Charles Hardin to accept the County Clerk's interfund transfers. All voted yea. (See Attachment)

A motion was made by Kellie Miller to advertise for bids for lumber, tile, pipe and gravel and seconded by Pernell Lemaster. All voted yea.

Term, *Special* Day *19* Day of, *July*, 20 *07*

97-303

Stanley Holbrook made a motion to table the total county assessment and was seconded by Kellie Miller all voted yea.

Judge Hardin made a motion to table the CBDG grant for a community facility project in amounts up to \$500,000.00 until other proposals are met. This type of grant must be completed before the county could apply for any another CDBG grant. Motion was seconded by Stanley Holbrook. All voted yea.

Judge Hardin announced the following appointments to the Local Economic Development Board the following people:

Brad Lyon term 7-1-06 to 6-30-2010

Paul Howard term 7-1-06 to 6-30-2010

Walter Hardin term 7-1-05 to 6-30-2009

Don Cecil term 7-1-04 to 7-30-2008

Kellie Miller made a motion to accept the appointments and was seconded by Stanley Holbrook. All voted yea.

Teresa Joseph asked about county regulatory tax. She stated that the county charged 6% and the city charged 5% and that the county must accept the 5% and let her pay the 1% only. She further asked for a refund from 2005 to current for fees paid.

County Attorney Greg Allen stated that she was entitled to a refund. Stanley Holbrook made a motion to table until regulatory board met and was seconded by Kellie Miller all voted yea.

Judge Hardin announced that this was a talking or working session with the gas companies. He further added that the problem started with pipelines laid by companies and not fixing the damages that were caused by the laying of said lines. He also stated that these companies were going on county land without requesting permission from the Fiscal court.

Interstate Oil and Gas had been the only company that came prior and ask permission from the prior Fiscal court.

Questions were taking from the audience on how each company could work with the Fiscal court on how t develops an agreement which would work for everyone. The gas companies stated the problem they felt which was excessive was the 3% charge. Judge Hardin scheduled a meeting for the September regular meeting to further discuss and establish said ordinance.

A motion was made by Judge Hardin and seconded by Kellie Miller to adjourn all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, *Regular* Day *9* Day of, *August* 2007

97-303

Magoffin County Fiscal Court
Regular Meeting
August 9, 2007

The Magoffin County Fiscal court met today August 9, 2007 in regular session at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present

- Magoffin County Judge/Executive Charles E. Hardin MD
- Magistrates Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney Greg Allen
- Magoffin County Clerk Renee Arnett Shepherd
- Magoffin County Treasure Kila Keeton

Judge Hardin made a motion to approve the minutes from the previous meeting with corrections and was seconded by Kellie Miller, all voted yea

Kellie Miller made a motion to pay all bills and was seconded by Pernell Lemaster, all voted yea, (no attachment)

Kellie Miller made a motion to approve the interfund transfers and was seconded by Judge Hardin, all voted yea

Judge Hardin made a motion to consider paying the Codell payment request and was seconded by Kellie Miller, all voted yea

Judge Hardin made a motion for Mike Prater to do the Sheriff's tax settlement for 2006 with a completion date of September 1, 2007 motion was seconded by Kellie Miller all voted yea

Jane Arnett, Bertie Salyer and Brenda Powers were present for questions relating to the need of a new Health Department. Judge Hardin announced that he would like to be informed on a quarterly basis as to the progress and sent letters in-between quarters providing these factors he would give his support through the end of the year. Stanley Holbrook made a motion to approve letting the Health Department go ahead with the CDBG grant and seconded by Kellie Miller, all voted yea

Kevin Howard of Summitt Engineering gave a progress report as to the ongoing projects in the county. Stanley Holbrook asked about down spouts on Administration building. Judge Hardin stated that the county had torn down the walk bridge before July 4th due to safety concerns. The bridge could have been repaired for the holiday however, the cost of repairing for one weekend was not feasible. The Administration building has a target date of mid September for the punch list and being finalized by the second week of October, which would be ahead of scheduled date. Kellie Miller stated that the horse arena concession stand had a busted floor along the drain and that only one water spout had been installed and that the contractor was paid for two

Judge Hardin made a motion to re-advertise bids for bridge timber, gravel, fuel and pipe due to not getting ran for two weeks and was seconded by Kellie Miller. All voted yea

Pernell Lemaster made a motion for County Attorney Greg Allen to prepare a deed of correction, correcting a deed which deeded a tract instead of a fifteen foot right of way and was seconded by Stanley Holbrook, all voted yea

Term, *Regular*

Day

9

Day of,

August

2007

97-303

Judge Hardin made a motion to accept the easement from Ramey and Inez Montgomery and was seconded by Kellie Miller. All voted yea.

Judge Hardin made a motion to refinance the sanitation loan and try to pay off by the end of this year and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to reimburse Marcella Salyer for \$50.00/month for providing electricity to the relays instead of setting a new meter and was seconded by Kellie Miller, all voted yea.

Gerald Salyer county road foreman announced that brick was falling at the community center and if not fixed soon, it could fall and injure someone. Judge Hardin announced he would look into it and inform the Fiscal court of cost.

Judge Hardin made a motion to go into executive session was seconded by Pernell Lemaster. All voted yea.

Kellie Miller made a motion was seconded by Stanley Holbrook to return from executive session all voted yea. Judge Hardin announced that no action was taken pending litigation.

Judge Hardin asked the Fiscal court for permission to enforce ordinances on damage done to roads and was seconded by Kellie Miller, all voted yea.

Judge Hardin asked Valerie Montgomery to meet with the county attorney to check on a county road.

Judge Hardin gave a report on money to fix roads in the county. Judge Hardin stated he would like to see all roads black topped in the county. The work to be done would be located as follows:

District 2 primarily

District 1

District 3

Judge Hardin read the resolution adopting county road aid with attached agreement with \$400,000.00 provided now. Pernell Lemaster made a motion to accept and was voted on unanimously with Stanley Holbrook voting yea, Pernell Lemaster voting yea, Kellie Miller voting yea, and Judge Hardin voting yea.

Stanley Holbrook made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed

Charles E. Hardin MD

Stanley Holbrook

Pernell Lemaster

Kellie Miller

Term, Special

Day 22

Day of, September

2007

97-303

Magoffin County Fiscal Court
Special Meeting
September 22, 2007

The Magoffin County Fiscal court met in special session today September 22, 2007 at 11:30 AM at the Lloyd M. Hall Community Center. The meeting was opened with prayer and the Pledge of Allegiance. The roll was call with the following present:

- County Judge/Executive.....Charles E. Hardin MD
Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie L. Miller
Magoffin County Attorney.....Gregory Allen
Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasurer.....Kila Keeton

A motion was made by Kellie Miller and seconded by Pernell Lemaster to pay all bills, all voted yea. Stanley Holbrook made a motion and was seconded by Kellie Miller to approve budget transfers all voted yea.

General fund to Jail Fund \$35,000.00
General fund to Solid Waste Fund \$51,000.00

Judge Hardin made a motion to pay administration building bill based on availability of funds and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made the recommendation of going with the compensating rate with the real property tax rates. This rate will generate the same revenue except \$1.00 more for the entire county, motion was seconded by Kellie Miller, all voted yea.

Mike Prater presented the sheriff's tax settlement for year ending 2006. This includes real property, oil and gas, tangible, and franchise taxes. He stated the current tax collection for the county was 95%. A motion was made by Stanley Holbrook and seconded by Kellie Miller to accept the report, all voted yea.

Judge Hardin stated he would like thank everyone that contributed to the Horse arena either by work or design, especially Randy Adams. He further proposed that he, Randy, and Stanley work together to get the arena up and operational. Pernell Lemaster stated he would like everyone to be able to use the arena for all horse types. Motion was made by Stanley Holbrook and seconded by Kellie Miller, all voted yea.

J.D. Carty of J.D. Carty Resources offered a car for the coroner to use. Judge Hardin made a motion to accept the car with the

Term,

Special

Day

22

Day of,

September

20 07

97-303

understanding that vehicle goes into the Fiscal court's name and will be assigned to the coroner and unless a problem develops later. Motion was seconded by Kellie Miller, all voted yea.

Josie Bailey from the sheriff's office requested that the Fiscal court re-submit a check which has been issued by the county clerk in 2006 but that had not been cashed. Pernell Lemaster made a motion to re-issue the check and was seconded by Kellie Miller, all voted yea.

Jeff Sizemore from Big Sandy ADD presented the Fiscal court with the recycling grant which would involve Pike and Magoffin County. With this grant, Pike county being the lead applicant would be given \$361,321.08 and Magoffin would be given \$30,000.00. The difference in money received was determined due to Pike county already having a larger recycling facility all materials can be housed at their site. Judge Hardin made a motion to table until the Solid Waste coordinator could be present to better explain this grant; motion was seconded by Kellie Miller, all voted yea.

Rumpke presented a fee increase of 7% due to fuel increase, and cost of healthcare, which would raise the current bill from \$15.49 to an extra \$1.08/month with seniors seeing an increase from \$11.74 with an extra \$2.50/month. Rumpke's contract will stay into effect until 9-30-09. Judge Hardin made a motion to honor only with the CPI which would be a 2.5% increase, thereby increasing the current bills to \$15.87 and \$12.04, motion was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to give the city money for concrete in exchange for additional parking; motion was seconded by Stanley Holbrook, because of the support received from the city, all voted yea.

Stanley Holbrook made a motion to accept the \$3000.00 from the contractors building the Administration Building to buy benches for the administration building, motion was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion was to accept the easement from Melvin Cole on Green Whitaker Branch located on Meat Skin and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to accept the easement from Mike King and Kenneth Poe providing no disagreement from neighbors and was seconded by Kellie Miller, all voted yea.

The bids were opened for bridge lumber and gravel with the award going to:

Judge Hardin instructed the County attorney to prepare a letter for everyone to sign to the Masonic Lodge thanking them for the ceremony on the corner stone for the administration building.

Term, *Special* Day *22* Day of, *Sept.* 20*07*

97-303

Judge Hardin stated the Robert Felber ,of Paintsville, gave the Fiscal court a \$500.00 discount on 50 tables of the fifty 40 were given to the community center, 5 to senior citizens and to the veterans. Judge Hardin asked Greg Allen to write a letter thanking Mr. Felber for the Fiscal Court.

Judge Hardin announced to recess to the park for the dedication of the pedway bridge.

Judge Hardin made a motion to return from recess and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin announced that the name for the new bridge would be the Magoffin County Historical Society Bridge and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to remove from tabling the recycling grant issue and was seconded by Stanley Holbrook, all voted yea.

Kellie Miller made a motion to accept the recycling grant and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular

Day 11

Day of, October

2007

97-303

Magoffin County Fiscal Court
Regular Meeting
October 11, 2007

The Magoffin County Fiscal court met in regular session today October 11, 2007 at 4:00PM at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance the roll was called to order with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates..... Stanley Holbrook
Pernell Lemaster
Kellie Lee Miller
- Magoffin County Clerk..... Renee Arnett Shepherd
- Magoffin County Attorney..... Gregory Allen
- Magoffin County Treasurer..... Kila Keeton

A motion was made by Judge Hardin and seconded by Kellie Miller to accept the minutes from the previous meeting, all voted yea.

A motion was made by Kellie Miller and seconded by Pernell Lemaster to pay all bills, all voted yea.

Kellie Miller made a motion and was seconded by Stanley Holbrook to approve the budget transfers, all voted yea.

Judge Hardin made a motion to approve the budget amendments and was seconded by Kellie Miller, all voted yea.

County Treasurer Kila Keeton gave a report on the un-mined coal tax settlement Judge Hardin made a motion and was seconded by Pernell Lemaster to accept the report, all voted yea.

Kellie Miller made a motion to approve the payment to district 3 fire department for a wreck that occurred on Community day July 2007. The damage being under \$2000.00 was not required to release for bid. KACO made the payment to county and the county now had to give to the fire department. Judge Hardin seconded the motion, all voted yea.

County attorney Greg Allen is checking the amount that the county would settle for on the grader with KACO.

Judge Hardin announced that the county offices would move into the Administration building in mid-November and also be dedicated in mid-November providing the election had no recanvass.

Judge Hardin congratulated the schools on the CATS tests and proposed that the Fiscal court take out an add in the paper congratulating the school and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin also made a motion to thank Excel Energy in the paper for their help in working on the cut-through and for also removing the sandbar at sand bottom and was seconded by Kellie Miller, all voted yea.

ORDERS

Magoffin Co. Fiscal

COURT

Term,

Regular

Day

11

Day of,

Oct

20*07*

97-303

Clarence Arnett from Tackett Bottom asked the county about the sewer for Tackett Bottom. He stated that the city was now not going to allow the sewer in the Tackett bottom. Mr. Arnett stated that he had contacted Ancil Smith and was told that the Fiscal court had to okay such changes. Mr. Arnett said this was the second time that the sewer project had been re-directed. Judge Hardin asked County attorney to look up and see what was allowed legally to do. Brenda Powers stated that the only way the city could re-direct the grant was to show an emergency for water supply. Pernell Lemaster stated that there was once a problem getting an easement and that the problem was now corrected.

Pernell Lemaster asked about black top and Judge Hardin told him it should be in the next two weeks.

Judge Hardin stated that the Magistrates should bring in lists on roads and then they would discuss which was worst and fix most cost effectively.

Stanley Holbrook said that he had received complaints on officers and the lack thereof helping social services, he stated that the money had been set up to provide for state police to assist social workers. Judge Hardin ask county attorney Greg Allen to look into it.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed:

Charles E. Hardin MD
 Stanley Holbrook
 Pernell Lemaster
 Kellie Miller

113

ORDERS

} *Magoffin County Fiscal*

COURT

Term, *Regular*

Day *8*

Day of, *Nov*

20 *07*

97-303

**Magoffin County Fiscal Court
Regular Meeting
November 8, 2007**

The Magoffin County Fiscal court met in regular session today November 8, 2007 at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney.....Gregory D. Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasure.....Kila Keeton

The minutes from the previous meeting were read and a motion was made by Stanley Holbrook and seconded by Kellie Miller to approve the minutes, all voted yea.

Stanley Holbrook announced that he would like to commend all the churches for the garbage pickup. Judge Hardin stated that the funeral bill would be deleted and to add on the election worker's pay totaling \$9024.00. A motion was made by Stanley Holbrook and seconded by Judge Hardin to approve payment of bills, all voted yea.

Judge Hardin made a motion to approve the budget transfers and seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to enter into an interagency agreement with the Kentucky Transportation Cabinet and seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion recommending Tammy Hardin to the Magoffin County Health Department board and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion approving the proposal for a new computer system for the County Judge's office and a new computer for the County Attorney and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin announced that moving date into the Administration building would be November 12, 2007 through November 16, 2007 and the dedication of the building would be November 17, 2007 at 12:00 PM. He further stated he realized there would be a parking problem but asked for cooperation and that he was looking into purchasing some safety railing around the stream or maybe seeking help from the state for a culvert.

Judge Hardin made a motion to pay for the installation of the drains for the gutters in the amount of \$4000.00 and Summitt Engineering would pick up the remainder of the bill, motion was seconded by Pernell Lemaster, all voted yea.

114

Term,

Regular

Day

8

Day of,

Nov

20 07

97-303

Judge Hardin discussed taking out a line of credit or a short term loan to help pay the remaining \$600,000.00 for the Administration building, he further stated that Senator Stivers would work to acquire more money in the next session. Judge Hardin proposed a line of credit with Salyersville National Bank with an interest rate of 6.5% and trying to pay off within a year. County Treasure Kila Keeton stated that she had checked with KACO who had a rate of 4.95% and felt that Salyersville National would be the most convenient at 6.5%. She further stated that this money had already been approved. A motion was made by Kellie Miller and seconded by Stanley Holbrook to approve the line of credit, all voted yea.

A motion was made by Kellie Miller and seconded by Pernell Lemaster to rent the 911 office in the Administration building to the Magoffin County Water District for \$850.00/ month, all voted yea.

Merlean Howard from the Magoffin County Senior Citizens asked the Fiscal Court for a 25% matching for a new van for the senior citizens. Questions were raised as to the need of van as to another vehicle. Lula Reed stated that they must have a vehicle with sliding doors due to accessing the meals and coolers that they provide. Kellie Miller asked if the city had been asked for matching. Kellie Miller mad a motion to table the issue and motion died for lack of a second. Mrs. Howard told him that the grant was on a first come, first serve basis. Pernell Lemaster made a motion to allow the Senior Citizens to go through with the grant with a limit of \$20,000.00 and the Fiscal Court paying \$5000.00 Stanley Holbrook seconded, all voted yea. Judge Hardin made a motion to amend the Pernell Lemaster's motion that had passed and was seconded by Pernell Lemaster, all voted yea. Judge Hardin then made a motion for the Fiscal Court to pay up to \$6000.00 and was seconded by Pernell Lemaster, all voted yea. Judge Hardin stated that they would need a purchase order.

Judge Hardin made a motion to accept the resolution recognizing the Magoffin County Health Department as a taxing entity and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin announced that the Magoffin County Judge's office and the County Garage would be closed November 9, 2007 for Veteran's Day.

Judge Hardin made to accept the release from Black Diamond Coal and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to let Luke Lewis step down from the Senior Citizen board and to appoint Jimmie Allen and was seconded by Stanley Holbrook, all voted yea.

Demi Marshall from the Burning Fork area asked the Fiscal court the speed limit on Route 1888, and if maybe it could be lowered to 35 miles per hour. Judge Hardin stated he would contact the Department of Highways and get information on how to determine the speed limit. Judge Hardin made a motion for open comment from the public on the suggested

ORDERS

} *Magoffin County Fiscal* **COURT**

Term, *Regular*

Day *8*

Day of, *Nov*

20 *07*

97-303

speed and was seconded by Stanley Holbrook by putting a note in the paper, all voted yea.

Randall Hardin stated that there would be a program provided by the DAV at the Community center at 11:00 AM honoring the veterans and that the Renaissance was honoring Smith "Bub" Patrick at 1:00 PM for recognition for work done in Magoffin County.

Pernell Lamaster made a motion to contact Intermountain cable and move poles and was seconded by Stanley Holbrook, all voted yea.

Pernell Lemaster asked if anything had been found out about the Tackett bottom sewer project yet.

County Jailer Tim Watkins stated that he would like the Fiscal court to know that he had gotten all furniture from the state but like to ask the Fiscal court for a fax machine.

Linda Helton, asked the Fiscal court about the Jellico road, she stated that the ditch was in need of repair, and that she felt that this was a great recreational benefit to the county in bad need of repair.

Birdie Kay Salyer thanked the Fiscal court and the County Clerk's office on behalf of the Health Department.

Judge Hardin made a motion and was seconded by Kellie Miller to pay \$191, 248.00 on the line of credit, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

118

ORDERS

} *Magoffin County Fiscal*

COURT

Term, *Special*

Day *5*

Day of, *Dec*

20 *07*

97-303

**Magoffin County Fiscal Court
Special Meeting
December 5, 2007**

The Magoffin County Fiscal Court met in Special session today December 5, 2007 at 9:00 AM, the meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

County Judge/Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook Pernell Lemaster Kellie Lee Miller
Magoffin County Clerk.....	Renee Arnett Shepherd
Magoffin County Attorney.....	Gregory D. Allen
Magoffin County Treasurer.....	Kila Keeton

Kellie Lee Miller made a motion to pay the sanitation debt of \$5100.47 and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to pay for the grass seed project and was seconded by Kellie Lee Miller, all voted yea.

Devon Helton gave an update on the five year solid waste plan which outlined the intentions of the county for solid waste disposal. Stanley Holbrook made a motion to accept the resolution and was seconded by Kellie Miller, all voted yea.

A motion was made by Stanley Holbrook and seconded by Kellie Miller to adjourn, all voted yea.

Signed: Charles E. Hardin MD
 Stanley Holbrook
 Pernell Lemaster
 Kellie Miller

ORDERS

} Magoffin Co. Fiscal **COURT**

Term, Regular Day 13 Day of, Dec 2008

97-303

**Magoffin County Fiscal Court
Regular Meeting
December 13, 2007**

The Magoffin County Fiscal court met in Regular session today December 13, 2007 at the Magoffin County courthouse. The meeting was opened with Prayer and the Pledge of Allegiance the roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates..... Stanley Holbrook
Pernell Lemaster
Kellie Lee Miller
- Magoffin County Clerk..... Renee Arnett Shepherd
- Magoffin County Attorney..... Gregory D. Allen
- Magoffin County Treasurer..... Kila Keeton

Judge Hardin made a motion to accept the reading of the previous meetings with corrections and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin inquired if the speed limit sign had been replaced on Rt. 1888 Burning Fork yet and was told by Jailer Watkins that it had been with a sign of 45 miles per hour.

Kellie Miller made a motion to pay all bills and was seconded by Pernell Lemaster all voted yea. (See Attachment)

Judge Hardin read the ordinance establishing a continuity of government for this term in which if the Judge is incapacitated or out of reach this would allow for the business to continue by allowing someone to stand in his place. Judge Hardin made a motion to place 1) Deputy Judge Executive, Walter Hardin; 2) Kellie Miller, 3) Pernell Lemaster, 4) Stanley Holbrook. Pernell Lemaster seconded the motion to accept with Kellie Miller voting aye and Stanley Holbrook voting nay. (See Attachment)

Stanley Holbrook made a motion to accept the County Clerk's budget amendments and was seconded by Judge Hardin, all voted yea. (See Attachments)

Judge Hardin made a motion to change the name of the administration building to the Magoffin County Courthouse and also to ban smoking on any Fiscal Court owned or leased property based on the following reasons 1) As a Dr. he did not want people to breath second hand smoke, 2) A construction created with state money and smoking is banned in all state facilities, and 3) Smoking causes maintenance problems. Motion was seconded by Kellie Miller, all voted yea.

Judge Hardin asked for Co. Atty. Greg Allen to establish an ordinance on parking time for business at the court house.

Term, *Regular*

Day

13

Day of,

December

20 *07*

97-303

Judge Hardin made a motion to hire M.J. Spurlock and was seconded by Kellie Miller with an hourly wage of 9.00/hr. All voted yea.

Judge Hardin proposed the establishment of an ordinance to bond the road in such a way that whatever damage was made to the road during work. The bond would then stand good for the road and make sure it was fixed afterward.

Pernell Lemaster wanted to thank Interstate Natural Gas for graveling Will May.

County Attorney Greg Allen explained that there had not been a taxing entity established for the Fire Departments and that there was a process needed to go about establishing one.

Allison Howard from Bloomington Fire Department stated that each fire department had basically taken care of its own insurance, comp etc. Judge Hardin stated he would like to develop a taxing district to take care of the fire department simply because gas can not come out of the road fund for the fire department's trucks.

Pernell Lemaster made a motion to allow DHP to go through with an upgrade for their tower allowing for quicker communication, providing Magoffin County was treated more fairly by having a more centralized ambulance available for the county and was seconded by Judge Hardin. All voted yea.

Judge Hardin made a motion to accept the inter-fund transfers and was seconded by Kellie Miller, all voted yea. (See Attachments)

A motion was made by Kellie Miller and seconded by Stanley Holbrook to adjourn, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, *Special*

Day

15

Day of,

January

20 *08*

97-303

Magoffin County Fiscal Court
Special Meeting
January 15, 2008

The Magoffin County Fiscal court met today in Special Session at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present:

Magoffin County Judge/Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook Pernell Lemaster Kellie Miller
Magoffin County Attorney.....	Greg Allen
Magoffin County Clerk.....	Renee Arnett Shepherd
Magoffin County Treasurer.....	Kila Keeton

Kellie Miller made a motion to pay the bills and was seconded by Stanley Holbrook, all voted yea. (See Attachment)

There was some discussion on the gas bill owed to BTU for the Justice Center in the amount of \$23,669.48. County Treasurer Kila Keeton checked on what was owed to BTU and found that a payments dated May 2006 in the amount of \$16,594.24, and one dated December 2006 in the amount of \$2,500.00 had both cleared the bank leaving the outstanding balance of \$4,579.24 this would make the bill current through December 2007. Judge Hardin made a motion to allow County Attorney, Greg Allen to contact Mr. Richard Williams and explain that termination of the gas in the Justice Center would be inappropriate as we the Fiscal Court feel we have paid said bill.

Judge Hardin made a motion to approve the interfund transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to use the \$9,000.00 left from the pedway bridge for sidewalks and lighting and if allowable maybe steps down to the river for baptisms and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the County Clerk's budget and was seconded by Pernell Lemaster, all voted yea. (See Attachment)

Stanley Holbrook, made a motion to approve the Sheriff's budget with Judge Hardin requesting if cuts were included with Unite's salaries budget would be amended accordingly and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to help supplement Sheriff Randall Jordan's unemployment for 2007 and was seconded by Kellie Miller, all voted yea.

ORDERS

Magoffin Co. Fiscal

COURT

Term, *Special*

Day *15*

Day of, *January*, 20 *08*

97-303

Judge Hardin read the Resolution concerning the parking at the new Magoffin County Courthouse. A motion was made by Judge Hardin to accept the resolution and seconded by Kellie Miller, all voted yea. (See Attachment)

Kellie Miller made a motion to accept the waste tire amnesty program which would allow for the disposal of old and unwanted tires this would be done as a weekend program requiring three employees and overtime for the three employees and was seconded by Stanley Holbrook, all voted yea. (See Attachment)

Judge Hardin made a motion to go into executive session and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to return from executive session and seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to direct the County Attorney to advise Mr. Richard Williams not to shut off gas on the Justice Center to consider the previous bill as being satisfied, motion was seconded by Kellie Miller, all voted yea.

Judge Hardin read the Resolution on the Ross Sinclair Lease and made a motion to accept it and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed,

Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

143

Term, Regular

Day 14

Day of, Feb

20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
February 14, 2008

The Magoffin County Fiscal court met in regular session today at the Magoffin County Court house. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

Magoffin County Judge Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook Pernell Lemaster Kellie Miller
Magoffin County Clerk.....	Renee Arnett Shepherd
Magoffin County Attorney.....	Greg Allen

Magoffin County Treasurer Kila Keeton was absent.

Judge Hardin made a motion to approve the minutes from the previous meetings with corrections and was seconded by Stanley Holbrook, all voted yea.

Stanley Holbrook made a motion to pay all bills and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to approve the inter-fund transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Kellie Miller made a motion to pay the Codell payment request of \$110,626.94 and Judge Hardin added the stipulation that certain items need to be fixed and if not fixed the Judge will at his discretion hold 10-20% until fixed. Motion was seconded by Pernell Lemaster, all voted yea.

Kellie Miller made a motion to purchase a grader at the cost of \$50,000.00 and two dump trucks a 1997 and 1998 with approximately 60 to 70,000 miles on each at a price of \$12,000.00 each, and was seconded Pernell Lemaster, Judge Hardin added that the original cost of the grader was \$58,000.00 and by the county paying for fuel and the men to deliver grader here he was able to get the price down to \$50,000.00 and would like to go ahead and authorize payment of the grader and shipment. All voted yea.

Judge Hardin made a motion to purchase a new radio tower at the cost of \$16,000.00 which would provide better communication between the road dept.; 911, and the city and county water, motion was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion to accept the Lawrence County Humane Society and Judge Hardin added with the provisions to remain the same as last year at \$400.00/month and \$7.50/dog, motion was seconded by Kellie Miller, all voted yea. (See Attachment)

Term, Regular

Day 14

Day of, Feb

2008

97-303

Judge Hardin made a motion to re-appoint Chester Howard to the Magoffin County Water Board with a term of four years and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to accept the county water boundaries and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin stated he would like to compliment the current water board for operating 10% under budget and saving \$150,000.00 they was able to use \$36,000.00 for a new backhoe, new software and a telemetry monitor.

Judge Hardin stated he would like to draw a resolution honoring VAMCO members Melvin and Flora Rudd, Arthur and Thelma Push and Janice Cooley. Kellie Miller made a motion to make a resolution and was seconded by Judge Hardin, all voted yea.

Stanley Holbrook asked for the guideline for the horse arena for festivities to be planned at Founder's Day. Judge Hardin suggested the Horse arena committee along with Walter Hardin, Stanley Holbrook, and Randy Adams work about establishing the guide lines.

Devon Allen asked for the approval for a Teen Scene grant which would enable the Teen Scene to purchase a pool table, and air hockey tables the grant would be in the amount of \$4685.00. Judge Hardin made a motion to approve the grant and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to approve the Ramey Park funds in the amount of \$2,000.00 which would allow for better dug outs and get park up to standards and was seconded by Stanley Holbrook, all voted yea.

Kellie Miller made a motion to go into executive session and was seconded by Judge Hardin, all voted yea.

Stanley Holbrook made a motion to return from executive session and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to allow the County Attorney to assist with the boiler problems at the Justice Center. The AOC stated that if the installers are not held responsible then it will be the responsibility of the county to pay for it, motion was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to accept the agreement with the Commonwealth of Kentucky State Board of Elections and the county to provide the county with additional money to purchase voting equipment and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin announced that GOLD will be holding an office in the Court House for the 5th District.

Judge Hardin made a motion to adjourn and was seconded by Stanley Holbrook, all voted yea.

ORDERS

} Magoffin Co. Fiscal

COURT

Term, Regular

Day 14

Day of, Feb

20 08

97-303

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie L. Miller

151

Term, Special

Day 6

Day of, March

20 08

97-303

Magoffin County Fiscal Court
Special Meeting
March 6, 2008

The Magoffin County Fiscal Court met in Special session today March 5, 2008 at the Magoffin county Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge Executive.....Charles E. Hardin MD
- Magistrates..... Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Clerk..... Renee Arnett Shepherd
- Magoffin County Attorney.....Gregory Allen
- Magoffin County Treasurer.....Kila Keeton

Judge Hardin announced the need for the special meeting was due to time sensitive bills needing to be paid.

Judge Hardin made a motion to go into Executive Session and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to return from Executive session and was seconded by Kellie Miller, all voted yea.

Judge Hardin read the Proclamation honoring VAMCO members Janice Cooley, Flora Rudd, Arthur and Thelma Push, Grover Salyer and Winfred Cheek. Judge Hardin made a motion to accept the proclamation and was seconded by Kellie Miller, all voted yea. Judge Hardin congratulated the group for a fantastic job. (See Attachment)

Kellie Miller made a motion and was seconded by Pernell Lemaster to pay all bills, all voted yea. (See Attachment)

Judge Hardin made a motion to approve the budget transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Kellie Miller made a motion to approve the inter-fund transfers and was seconded by Judge Hardin, all voted yea. (See Attachment)

Judge Hardin made a motion to reappoint to the Salyersville/Magoffin Joint Housing Authority board, Doug Patrick as the Republican and Chris Helton as the Democrat, motion was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion to table the O and G bond until next meeting and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin announced that the gas company regulations were discussed in executive session and he would like the County Attorney to prepare an ordinance outlining the requirements such as pipe depth and amount of bond. He also made a motion for the reimbursements for damage done to fall back to the companies and was seconded by Pernell Lemaster with the modification that the companies could not

152

ORDERS

} Magoffin Co. Fiscal

COURT

Term, Special

Day 6

Day of, March

20 08

97-303

transfer bonds to other companies by allowing them to piggy back from each other. Judge Hardin accepted the modification, all voted yea.

Judge Hardin read and made a motion to accept the road aid agreement and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin read the Equine Use agreement and which stated the terms for usage at the horse arena and made a motion to approve and restate absolutely no alcohol or drugs allowed and was seconded by Stanley Holbrook, all voted yea. Judge Hardin announced if any one wanted to use the horse arena to contact the Judge's office, Randy Adams or Stanley Holbrook. Judge Hardin commended Stanley Holbrook and Randy Adams for all their hard work. (See Attachment)

Stanley Holbrook made a motion to accept County Clerk, Renee Arnett Shepherd's 2007 excess fees in the amount of \$58,309.61 and was seconded by Pernell Lemaster all voted yea. (See Attachment)

Judge Hardin made a motion to accept the Sheriff's 2007 excess fees in the amount of \$7.70. and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed:

Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

ORDERS

} Magoffin Co. Fiscal

COURT

159

Term, Special

Day 27th

Day of, March

20 08

97-303

**Magoffin County Fiscal Court
Special Meeting
March 27, 2008**

The Magoffin County Fiscal Court met in special session today March 27, 2008 at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

Magoffin County Judge/Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook Pernell Lemaster Kellie Miller
Magoffin County Attorney.....	Greg Allen
Magoffin County Clerk.....	Renee Arnett Shepherd
Magoffin County Treasurer.....	Kila Keeton

The minutes from the previous meetings were read and a motion was made by Judge Hardin and seconded by Kellie Miller to approve, all voted yea.

Judge Hardin made a motion to approve the second reading of the budget amendment and was seconded by Kellie Miller, all voted yea.

Judge Hardin read the recycling grant which would allow the counties of Pike, Magoffin and city of Prestonsburg to purchase new equipment. Kellie Miller made a motion to accept and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a recommendation to purchase a mowing tractor in the amount of \$15,000.00 from another county. Kellie Miller, magistrate district #3 and the road foreman had both checked it out and it was fine. Kellie Miller made a motion to purchase it and it was seconded by Pernell Lemaster, all voted yea.

Kellie Miller made a motion to adjourn and was seconded by Judge Hardin, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular

Day 10th

Day of, April

20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
April 10, 2008

The Magoffin County Fiscal Court met today in April 10, 2008 at the Magoffin county Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd

Magoffin County Treasurer, Kila Keeton was absent.

The minutes from the previous meeting were read and a motion was made by Kellie Miller and seconded by Stanley Holbrook to approve, all voted yea.

Kellie Miller made a motion to pay all bills and was seconded by Pernell Lemaster, all voted yea. (See Attachment)

Judge Hardin made a motion to approve inter-fund transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Craig Lindon from the Jackson Highway District came and gave his recommendations for District ten 08-09 Rural Secondary Roads as follows:

- KY 378 1.553 miles 4.000mm -5.553 mm
- KY 134 2.942 miles 5.054 mm -- 7.996 mm
- KY 364 1.300 miles 1.000mm - 2.300mm
- KY 542 0.842 miles 2.841mm- 3.683 mm

The amount allotted to Magoffin County was \$1,022,787.00. Judge Hardin made a motion to agree with recommendations and was seconded by Kellie Miller, all voted yea.

Berdie Salyer from the Magoffin County Health Department presented the MAPP Magoffin Strategic plan. Judge Hardin suggested that the Fiscal court look at the plan for one month and vote on it at the next Fiscal Court meeting.

Judge Hardin made a motion to increase the pay of the county election committees pay for the upcoming November election. Kellie Miller seconded the motion, all voted yea.

Judge Hardin made a motion to proceed with the Senior citizen's USDA grant which enables them to purchase a Jeep Patriot with the county matching at 25% and was seconded by Kellie Miller, all voted yea.

Devon Helton announced that we had received a grant in the amount of \$40,000.00 which would enable the county to purchase a fork

ORDERS

} *Magoffin Co. Fiscal*

COURT

Term, *Regular*

Day *10th*

Day of, *April*

20 *08*

97-303

lift, containers and could be used for advertising. The county spring cleanup is to be as follows, District 1, currently, District, 2 April 14-18 and District 3 April 21-25. The tire amnesty program would be May 8, 9 and 10. Judge Hardin made a motion to approve the report and was seconded by Stanley Holbrook, all voted yea.

Discussion was entered into by Judge Hardin and the gas and oil companies on a contract which would ensure that all roads were maintained at the gas companies' expense during the laying of all oil and gas lines.

Stanley Holbrook made a motion for the County Treasurer and Susie Salyer to find out where the gas severance tax was applied to each county and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, *Special*

Day *5th*

Day of, *May*

20 *08*

97-303

**Magoffin County Fiscal Court
Special Meeting
May 5, 2008**

The Magoffin County Fiscal court met in Special session today at the Magoffin County Court house. The roll was called with the following present:

Magoffin County Judge/Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook Pernell Lemaster Kellie Miller
Magoffin County Attorney.....	Greg Allen
Magoffin County Clerk.....	Renee Arnett-Shepherd
Magoffin County Treasure.....	Kila Keeton

Judge Hardin read a resolution and proclamation honoring the memory of Hearl Borders. Pernell Lemaster made a motion to accept both and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Stanley Holbrook, all voted yea.

Signed,

Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular

Day 22nd

Day of, May

20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
May 22, 2008

The Magoffin County Fiscal Court met in regular session today May 22, 2008 at 4:00 PM. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present:

Magoffin County Judge/Executive.....	Charles E. Hardin MD
Magistrates.....	Stanley Holbrook
	Pernell Lemaster
	Kellie Miller
Magoffin County Attorney.....	Greg Allen
Magoffin County Clerk.....	Renee Arnett Shepherd
Magoffin County Treasurer.....	Kila Keeton

Clerk Shepherd read the minutes from the previous meetings; Judge Hardin made a motion to approve the minutes with corrections and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to approve the first reading of the 2009 budget amendments and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a recommendation to approve the budget amendments for Fiscal year 2009 as follows:

- Rescue Squad raise from 3500.00 to 5000.00
- Fire Departments raise from 3500.00 to 5000.00
- Fuel adjustments to 6000.00
- Insurance 100,156.00

Total increases for the year \$131,156.00

Pay for county employees would increase 3% for the first 6 months and an additional 2% for the second six months with a 5% total for the year.

Stanley Holbrook moved to table the approval of the budget and was seconded by Pernell Lemaster, with Judge Hardin voting nay and Kellie Miller voting nay.

Judge Hardin asked for a vote in the approval of the 2009 Fiscal year Budget, Judge Hardin voted, yea, Pernell Lemaster, nay, Stanley Holbrook, nay, and Kellie Miller yea.

Stanley Holbrook made a motion to approve the payment of bills and was seconded by Kellie Miller, all voted yea. (See Attachment)

Kellie Miller made a motion to approve the inter-fund transfers and was seconded by Judge Hardin, all voted yea. (See Attachment)

Judge Hardin made a motion to approve the annual budget ordinance and was seconded by Kellie Miller, all voted yea. (See Attachment)

Term, RegularDay 22ndDay of, May20 08

97-303

Judge Hardin commended Bertie Salyer for her work on the new health department project.

Judge Hardin made a motion to work with the Big Sandy ADD and Health Department in the grant work for the new health department and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to approve the M.A.P.P strategic plan and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion in the form of a suggestion to authorize the Worldwide truck lease with the stipulation that the Road Foreman look at the surplus truck and if it is not usable then continue with the lease. Motion was seconded by Kellie Miller, all voted yea.

Shelly Swiger spoke to the Fiscal Court in behalf the Middle Fork Volunteer Fire Department requesting a letter of support for the fire department to help obtain a new fire truck. Judge Hardin made a motion to write and assist and was seconded by Stanley Holbrook; Pernell Lemaster commended the fire department on all their hard work, all voted yea.

Judge Hardin read and made a motion to accept the resolution for lease to maintain payment on the administration/courthouse building and was seconded by Pernell Lemaster, all voted yea. (See Attachment)

Judge Hardin made a motion to execute the lease and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin announced that the Fiscal court table was made by the Mennonites, and that the furniture in his office was purchased with inheritance from his aunt. (See Attachment)

Dan Unger from Terry Asphalt Materials gave a presentation on different types of asphalt material.

Randall Hardin announced that DAV Chapter 14 would hold a Memorial Day service at the Park monument at 11:00 AM on Memorial Day.

Judge Hardin made a motion to go into executive session and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion to return from executive session and was seconded by Kellie Miller, all voted yea. No action taken in Executive Session.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all vote yea.

Signed,

Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

ORDERS

Magoffin Co. Fiscal

COURT

Term, *Special*

Day *30th*

Day of, *May*

20 *08*

97-303

Magoffin County Fiscal Court
Special Meeting
May 30, 2008

The Magoffin County Fiscal court met in Special session today the Magoffin County Court house. The meeting was opened with prayer and the Pledge of Allegiance the roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer.....Kila Keeton

Judge Hardin made a motion to pay for a gravel truck and a service truck and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to pay JR Hamilton for tile and culverts and was seconded by Kellie Miller all voted yea.

Judge Hardin made a motion to pay for a conference for Stanley Holbrook and was seconded by Pernell Lemaster, all voted yea.

Stanley Holbrook made a motion to approve the first reading of the budget and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular

Day 16th

Day of, June

20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
June 16, 2008

The Magoffin County Fiscal Court met in regular session today June 16, 2008 at the Magoffin County courthouse. The meeting was opened with prayer and the Pledge of Allegiance the roll was called with the following present:

- Magoffin County Judge/ Executive.....Charles E. Hardin MD
Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie L. Miller
Magoffin County Attorney.....Gregory Allen
Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasurer.....Kila Keeton

The minutes from the previous meetings were read with Stanley Holbrook making a motion to approve with corrections and seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to pay the bills and was seconded by Stanley Holbrook, all voted yea.(See Attachment)

Judge Hardin made a motion to approve the interfund transfers and was seconded by Kellie Miller all voted yea. (See Attachment)

Judge Hardin made a motion to approve the budget transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Kila Keeton explained the new contract to be made with Anthem Blue Cross which would be the same insurance coverage as before but would change the prescription coverage from 60 to 40. Kellie Miller made a motion to approve the new contract and was seconded by Pernell Lemaster, all voted yea.

Brenda Powers from Big Sandy ADD presented three items which need to be done: item 1) the grant agreement the county would enter into with GOLD which would allow for \$500,000.00 additional dollars for the Health Department. Judge Hardin made a motion to inter into said agreement and was seconded by Kellie Miller, all voted yea.

Item 2.) Permission for Kila Keeton and Brenda Powers to be able to open an account for the CDBG grant money. Judge Hardin made a motion to grant permission and was seconded by Kellie Miller, all voted yea.

Term, Regular

Day 16th

Day of, June

20 08

97-303

Item 3.) The Edmon Contract for Big Sandy ADD which would allow for the keeping up with money, making sure bills were paid on time and creating progress reports. Judge Hardin stated that he and GOLD had both looked at the contract and they were pleased in both Ms. Powers work. Judge Hardin made a motion to accept the contract and was seconded by Kellie Miller, all voted yea.

Judge Hardin read the resolution on Homeland Security, which would allow the county to apply for a grant to help with the 911 tower enabling coverage for the entire county. Kellie Miller made a motion to adopt the resolution and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin announced the disbursements for the coal severance money to be as follows:

Administration Building \$250,000

Sheriff Dept. for Purchase of Cruisers \$75,000

Middle Fork Volunteer Fire Dept. for Purchase of Pumper Truck \$75,000

Fire Dept. for purchase of Equipment and Operations \$50,000

City Hall Reconstruction \$50,000

Library Board for Library Building purchase and renovations \$250,000

Total of disbursements \$750,000.00 for FY08. (See Attachment).

Judge Hardin asked permission to sign and authorize spending. Judge Hardin made a motion to approve the disbursements and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Special

Day 30th

Day of, June

20 08

97-303

Magoffin County Fiscal Court
Special Meeting
June 30, 2008

The Magoffin County Fiscal Court met in Special session today June 30, 2008 at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Kellie Miller
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer.....Kila Keeton

County attorney Greg Allen was absent due to court and Magistrate District 2 Pernell Lemaster was absent.

Judge Hardin made a motion to approve the interfund transfers and was seconded by Kellie Miller, all voted yea. (See Attachment)

Judge Hardin made a motion to pay Neville Hamilton for tile and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion to reimburse Mark Jenkins for supplies and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to pay KACO insurance for the park the county pays half and the city pays half, motion was seconded by Stanley Holbrook, all voted yea.

Kellie Miller made a motion to approve the 911 maintenance agreement and was seconded by Judge Hardin, all voted yea. (See Attachment)

Kellie Miller made a motion to approve the senior citizens second payment of \$3750 and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to approve the 2nd reading of the FY08 Budget Amendment and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the 2nd reading of the FY09 Budget Amendment and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed, Charles E. Hardin
Stanley Holbrook
Kellie Miller

Term, *Regular*

Day *21st*

Day of, *July*

20 *08*

97-303

**Magoffin County Fiscal Court
Regular Meeting
July 21, 2008**

The Magoffin County Fiscal court met in regular session today July 21, 2008 at 9:00 AM at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance the roll was called with the following present:

County Judge/Executive.....Charles E. Hardin MD

Magistrates.....Stanley Holbrook

Pernell Lemaster

Kellie Miller

Magoffin County Clerk.....Renee Arnett Shepherd

Magoffin County Treasurer....Kila Keeton

County Attorney Greg Allen was absent due to court.

Stanley Holbrook made a motion to approve the minutes from the previous meetings and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to pay the bills and was seconded by Pernell Lemaster, all voted yea. (See Attachment)

Kellie Miller made a motion to approve the budget transfers contingent with check from the road fund in the mail. Stanley Holbrook seconded the motion by giving public notice to give time for the check to come in the mail, all voted yea. (See Attachment)

Judge Hardin made a motion to approve the ordinance which would amend the budget to allow for the CDBG grant money and was seconded by Kellie Miller, all voted yea. (See Attachment)

Brenda Powers from Big Sandy ADD stated the architect was in the design phase for the new health department and some items needed to be approved those items being:

- 1). Procurement standards code, which needed to be adopted for CDBG purposes, motion was made by Judge Hardin and seconded by Pernell Lemaster to adopt , all voted yea.
- 2). Resolution to amend the budget for the \$500,000 for the CDBG grant and anything over the \$500,000 the county would be responsible for. Kellie Miller

Term, *Regular*

Day

21st

Day of,

July

20

08

97-303

made a motion to approve the resolution and was seconded by Stanley Holbrook, all voted yea. (See Attachment)

Devon Allen, Solid Waste Coordinator stated that we had received a grant in the amount of \$39,000.00 which would be used for recycling containers for the class rooms, new trailers and a fork lift.

Judge Hardin made a motion with the state's approval and the contingency of funds to use the \$9,800.00 left from the Magoffin County Historical Society Bridge and make the sidewalks on the Community Center side ADA compliant. He further stated he would like to work with the Todd Preston and Connie Wireman from the Historical Society to see they were accommodated; motion was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to purchase from the state's surplus vehicles a diesel van for the hauling of prisoners in the amount of \$6,000.00, and a flat bed truck for the recycling center in the amount of \$5,000.00. The purchase would be made with two checks and the county would look into buying a tractor next spring, motion was seconded by Kellie Miller, all voted yea.

Judge Hardin appointed Stanley Holbrook and Walter Hardin along with two other people appointed by Walter Hardin to regulate the gas lines throughout the county. Stanley Holbrook stated he would like Susie Salyer to help also.

Kellie Miller asked for a vote to accept a cemetery located behind the horse park into the county. Judge Hardin stated he would look into and determine any future development. If not then come back and designate as a public cemetery, however as a public cemetery no one could reserve plots ahead of time.

Judge Hardin made motion to allow Mike Prater to continue to do the Sheriff's tax settlement until further notice and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed: Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular Day 14th Day of, August 20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
August 14, 2008

The Magoffin County Fiscal court met today August 14, 2008 at 4:00 PM at the Magoffin county courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive.....Charles E. Hardin MD
Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
Magoffin County Attorney.....Greg Allen
Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasurer.....Kila Keeton

Judge Hardin made a motion to approve the minutes with corrections and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the bills and was seconded by Pernell Lemaster, all voted yea.

Stanley Holbrook mad a motion to approve the inter-fund transfers and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to approve payment PBTHNOJJ for work done on the sidewalks at the Historical Society Bridge and was seconded by Kellie Miller, all voted yea.

Brenda Powers from Big Sandy A.D.D. gave a report on the status of the new health department. Judge Hardin made a motion to approve the resolution regarding the relocation of citizens should the need arise and was seconded by Kellie Miller, all voted yea. Judge Hardin made a motion to approve the Interlocal Agreement and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to loan \$20,000 to the water district so they would be able to install county water to a family that had to carry water. The water district could reimburse the county when funds became available. Kellie Miller seconded the motion, all voted yea.

Judge Hardin made a motion to accept the Pride Resolution which would provide for someone to go to the schools and provide education and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to close the Chris Helton road, after the County Attorney and the County Road Foreman reported back to the Fiscal Court motion was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to amend the 2007 tax settlement and was seconded by Stanley Holbrook, all voted yea.

Devon Allen Flood Plain Administrator announced that everyone needed to check and make sure that their home locations met the flood plain requirements.

ORDERS

} *Magoffin County Fiscal*

COURT

Term, *Regular*

Day *14th*

Day of, *August*

20*08*

97-303

Gladys Wireman presented a letter requesting the opening of a gate for the use as a public road to a cemetery. Judge Hardin stated he, the county road foreman and the magistrate would go out and talk to everyone and report back to the county attorney to instruct the Fiscal Court on the proper procedures.

Stanley Holbrook made a motion to accept land from the state back into the county and if the county did not need it. Kellie Miller seconded the motion, all voted yea.

Judge Hardin stated since the library was not ready to move on with their project that he would delay the sheriff's allotment of \$10,000. Judge Hardin made a motion to put the Rescue Squad at the top of the coal severance list and the county would go to the bottom motion was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to advance the rescue squad their 2010 allotment so they would not have to pay interest; motion was seconded by Kellie Miller, all voted yea.

Judge Hardin announced that the gas contract was in draft would be ready in two weeks, and that the county must rely on the state to maintain and regulate the quality of the gas. Judge Hardin thanked the county attorney and Stanley Holbrook for the hard work on the gas contract.

Kellie Miller made a motion to adjourn and was seconded by Pernell Lemaster, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Regular

Day 11th

Day of, Sept

20 08

97-303

Magoffin County Fiscal Court
Regular Meeting
September 11, 2008

The Magoffin County Fiscal Court met in regular session today at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present:

- Magoffin County Judge Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer..... Kila Keeton

Judge Hardin made a motion to approve the minutes from the previous meeting with corrections and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the bills and was seconded by Pernell Lemaster, all voted yea.

Kellie Miller made a motion to approve the inter-fund transfers and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to approve the standing order for reoccurring bills and was seconded by Kellie Miller, all voted yea.

David Prater gave the report for the Sheriff's 2007 franchise tax settlement. Kellie Miller made a motion to accept it and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to recommend the county tax rate to be the compensating rate as follows:

- Real property 29.0
- Personal 42.3
- Motor vehicles 16.3
- Water craft 16.3

Kellie Miller made seconded the motion, all voted yea.

Judge Hardin read and made a motion for the coal severance money distribution and was seconded by Kellie Miller, all voted yea.

Judge Hardin read and made a motion to accept the jail resolution and was seconded by Kellie Miller, and voted unanimously by all.

Judge Hardin made a motion to accept the gas contract and was seconded by Kellie Miller, all voted yea.

Judge Hardin stated that to close the Tick Lick Road he would look into the legal process needed, and would like for Magistrate district two Pernell Lemaster and the Road Foreman to check it and report back.

ORDERS

} *Magoffin* County Fiscal **COURT**

210

Term, *Regular*

Day *11th*

Day of, *Sept*

20 *08*

97-303

Judge Hardin made a motion to go ahead and proceed with the closing of the Bob Helton road and giving back to the land owner and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin announced that he would like to thank everyone for their patience with the road work.

Brook Jenkins and Stanley Holbrook announced that along with Mayor Stanley Howard the parade route would be closed on October 12, 2008 for two hours to encourage better health by bicycling, skate boarding etc. Stanley Holbrook made a motion to accept Built Environment Sunday on October 12 and was seconded by Judge Hardin, all voted yea.

Judge Hardin made a motion to recess and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to return back from recess and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to approve the gas contract with the following guidelines a.) Would be safe b.) Provide no financial burden c.) Would not hurt the county in any way. The fees would be \$1,000.00 across the board, and \$2.00 per foot within rights-of-way. Pernell Lemaster seconded the motion, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Kellie Miller, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

ORDERS

} Magoffin County Fiscal

COURT

Term, Emergency

Day 19th

Day of, Sept

20 08

97-303

**Magoffin County Fiscal Court
Emergency Meeting
September 19, 2008**

The Magoffin County Fiscal Court met in emergency session today at the Magoffin County Court House. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present:

- Magoffin County Judge Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney..... Greg Allen
- Magoffin County Treasurer.....Kila Keeton

Magoffin County Clerk Renee Shepherd was absent due to Clerk's training in Frankfort.

Stanley Holbrook made a motion to for payment of \$56,017. 50 to the Bank of New York for the Courthouse and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to purchase two water pumps and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to adjourn and was seconded by Stanley Holbrook, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

Term, Special

Day 21st

Day of, Oct

2008

97-303

Magoffin County Fiscal Court
Special Meeting
October 21, 2008

The Magoffin County Fiscal court met in Special session today October 21, 2008 at the Magoffin County Court House. The meeting was opened with prayer and the Pledge of Allegiance, the roll was called with the following present: :

- Magoffin County Judge Executive.....Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Kellie Miller
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer.....Kila Keeton

Magistrate District two Pernell Lemaster was absent.

Judge Hardin made a motion to approve the inter-fund transfers and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the bills and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to pay the bill from the state for brush cutting that was preformed during the prior administration, but will try to get lowered and was seconded by Stanley Holbrook, all voted yea.

Brenda Powers gave an update on the Health Department project stating that bids will be advertised this week and will be opened November 12th at 2:00 PM.

County Attorney Greg Allen , advised the court that he had researched and determined that it would be fine to accept the deed from EKR back to the county. Judge Hardin made a motion to accept the deed and was seconded by Kellie Miller, all voted yea.

A motion was made by Judge Hardin to adjourn and seconded by Kellie Miller, all voted yea.

Signed, Charles E. Hardin MD
Stanley Holbrook

Kellie Miller

97-303

**Magoffin County Fiscal Court
Regular Meeting
November 13, 2008**

The Magoffin County Fiscal Court met in regular session today at the Magoffin County Court house. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present.

Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller

Magoffin County Attorney.....Greg Allen
Magoffin County Clerk.....Renee Arnett Shepherd
Magoffin County Treasurer.....Kila Keeton

County Judge Executive, Dr. Charles Hardin was absent.
Fiscal court elected to appoint Kellie Miller as chairman.

Kellie Miller made a motion to approve the minutes and was seconded by Pernell Lemaster, all voted yea.

Stanley Holbrook made a motion to approve the inter-fund transfers and was seconded by Pernell Lemaster, all voted yea.

Kellie Miller made a motion to pay the bills and was seconded by Pernell Lemaster, all voted yea.

Stanley Holbrook made a motion to close the building account for the court house which had a balance of .15 cents and was seconded by Kellie Miller, all voted yea.

Kellie Miller made a motion to approve the purchases with the remainder of the recycling grant which will end December 2008. Those purchases being scales, education and advertising, motion was seconded by Pernell Lemaster, all voted yea.

Pernell Lemaster made a motion to approve the second reading of the CDBG budget amendment for the new health department and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion allowing the County Treasurer to open a checking account for the gas bonds, road aid, construction etc. and was seconded by Pernell Lemaster, all voted yea.

Term,

Regular

Day

13th

Day of,

November

20

08

97-303

Kellie Miller made a motion to accept the road aid and was seconded by Stanley Holbrook, all voted yea.

Stanley Holbrook made a motion to allow for the solid waste coordinator to apply for a grant which would allow for the cleaning up of the remaining dumps in the county and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook read the resolution which will establish a cemetery board which will take care of and maintain cemeteries and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook made a motion to allow the sheriff to sale a 2004 Ford crown Victoria to the city and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook read and made a motion to accept the resolution which transfers back to the Magoffin County Board of Education the following schools: Middle Fork Elementary, Salyer Elementary, Prater Borders Elementary, Millard Hensley Elementary, and John T. Arnett Elementary. Motion was seconded by Pernell Lemaster, all voted yea.

Kellie Miller made a motion to accept the cole patch agreement and was seconded by Stanley Holbrook, all voted yea.

Harlow Back addressed the Fiscal Court and asked about the land located on top of the Lark Arnett Hill which had been used as a land fill. He stated the land fill was no longer in use and that the county no longer paid money to land owners which were his deceased parents. He further stated that if the land was no longer being used he would like the county to transfer ownership back to him, since he had bought out the other heirs. He also stated that if the county were to continue using said land fill that they needed to continue payment. He stated the original contract had a date of February 15, 1994 and a term of 5 years, and that he felt something needed to be looked into. Stanley Holbrook, Magistrate of District one said he would check and let him know but that the money was still being paid.

Chester Howard recommended Todd Preston to serve on the cemetery board.

Kellie Miller made a motion to adjourn and was seconded by Stanley Holbrook, all voted yea.

Signed, Kellie Miller

Pernell Lemaster Stanley Holbrook

Term, *Regular*

Day *12th*

Day of, *December*

20*08*

97-303

**Magoffin County Fiscal Court
Regular Meeting
December 12, 2008**

The Magoffin County Fiscal Court met in regular session today at 10:00 AM at the Magoffin County Court House. The meeting was opened with prayer and the Pledge of Allegiance the roll was called with the following present:

- Magoffin County Judge/Executive.....Charles Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
Kellie Miller
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer.....Kila Keeton

Judge Hardin made a motion to approve the minutes with corrections and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin stated that payment was still being made on the old land fill property.

Ronnie Gullett requested from the Fiscal court the coal severance money which had been allotted to the Teen Scene for the replacement of the furnace. The staff had checked with the state and they were in agreement. Judge Hardin made a motion to grant the coal severance money and was seconded by Kellie Miller, all voted yea.

Judge Hardin made a motion to approve the interfund transfers and was seconded by Stanley Holbrook, all voted yea. Stanley Holbrook stated to the court the majority of the money transferred was for the jail fund.

Kellie Miller made a motion to approve the bills and was seconded by Stanley Holbrook, all voted yea.

Kellie Miller made a motion to refund O & G their bond money for the Brushy road. The road had been checked by the Road Foreman and he recommended reimbursement, motion was seconded by Judge Hardin, all voted yea.

DHP Ambulance Service requested from the court help with a \$10,000.00 grant to be used for two trucks for paramedics in Magoffin County. Judge Hardin complimented DHP and stated he had seen improvement in the service from DHP. Judge Hardin made a motion to support the grant process with the stipulation that a representative or

Term,

Regular

Day,

12th

Day of,

December

20

08

97-303

someone from DHP meet on a quarterly basis with someone in the Judge's office to discuss any problems that are on-going. Motion was seconded by Pernell Lemaster, all voted yea.

Judge Hardin re-iterated on the Half Mountain land fill stating that previously a deed had been prepared to deed the property back to the county however, the county would not accept the property until the land is in compliance. Judge Hardin made a motion not to accept the property until it is in compliance. Kellie Miller seconded the motion, all voted yea.

Judge Hardin made a motion to proceed with the closing of the Chris Helton road per statutes which would allow for people to give comments and was seconded by Stanley Holbrook, all voted yea.

Judge Hardin made a motion to pay Will Conley the \$22,000.00 left over from the cut through dispute which involved mineral on the property in dispute. Kellie Miller seconded the motion, all voted yea.

Harlow Back addressed the court and asked about the continuance of payment for the land fill property. Judge Hardin stated the check had been written to the heirs of Eulah and Johnnie Back and would be corrected and re-written to Mr. Back himself. County Attorney Greg Allen stated we cannot stop paying on the property until it is released from the state. Judge Hardin made the motion to correct the check and pay Mr. Back and was seconded by Pernell Lemaster, all voted yea.

Ray Conley from the Left fork of Birch Branch on Burning Fork addressed the court on an illegal dump on his and the adjoining land owners property. He stated he had cleaned this dump up several times and had turned names over to the county attorney and the solid waste coordinator for prosecution. Judge Hardin stated he would send the Road Foreman out and check on have the road closed it did not affect anyone else.

Brenda Powers gave an update on the ongoing projects in the county she stated that Homeland security had provided for the 911 system a grant for \$68,000.00. \$155,000.00 had been awarded for water in the Tip Top area, and \$1,000,000.00 for water lines in the county. The Health Department had awarded the bid to Standifer a group from West Liberty and they were waiting for pre-closing.

Sheriff Jordan asked the court for help paying a deputy for the 2009 and 2010 fiscal year by putting him/her on the county payroll. Judge Hardin stated that since the county had been forced to pay \$54,000.00 to the IRS for payroll withholdings for the Sheriff's office. The Sheriff had stated he would take over the deputy's salary for the 09 and 2010 year if the county would pay said debt. Judge Hardin further stated if payment for said salary was made by the county the county would sacrifice in other areas. Sheriff Jordan stated if the county could not pay for the deputy he would be forced to go to

ORDERS }

Magoffin County Fiscal COURT

228

Term, Regular

Day 12th

Day of, December 20 08

97-303

one deputy for the next year. Stanley Holbrook made a motion to table until Friday at 9:00 AM and was seconded by Pernell Lemaster, all voted yea.

Judge Hardin made a motion to approve payment of \$25,000.00 for the Sheriff's car until coal severance money was received and was seconded by Kellie Miller, all voted yea.

Stanley Holbrook asked about the water problem in the county. Judge Hardin stated that they would attend a meeting on February 10, 2009 at Frankfort to discuss the problem.

Judge Hardin made a motion to adjourn and was seconded by Stanley Holbrook, all voted yea.

Signed,

Charles Hardin MD
Stanley Holbrook
Pernell Lemaster
Kellie Miller

ORDERS

Magoffin County Fiscal **COURT**

Term, *Special*

Day *19th*

Day of, *December*

20 *08*

97-303

**Magoffin County Fiscal Court
Special Meeting
December 19, 2008**

The Magoffin County Fiscal Court met in Special Session today at the Magoffin County Courthouse. The meeting was opened with prayer and the Pledge of Allegiance. The roll was called with the following present:

- Magoffin County Judge/Executive..... Charles E. Hardin MD
- Magistrates.....Stanley Holbrook
Pernell Lemaster
- Magoffin County Attorney.....Greg Allen
- Magoffin County Clerk.....Renee Arnett Shepherd
- Magoffin County Treasurer.....Kila Keeton

Magistrate Kellie Miller was absent.

Judge Hardin recommended and made in the form of a motion the following people along with the Magistrates for the cemetery board as follows:

- Kellie Miller — Randall Risner
- Pernell Lemaster—Ben Gardner
- Stanley Holbrook—Lester Puckett
- Judge Hardin — Todd Preston and Scottie McCarty

Judge Hardin stated this would help with the grant process for cemeteries. Pernell Lemaster seconded the motion, all voted yea.

Judge Hardin stated that the money to pay for a deputy for the Sheriff's office would have to come from the LGEA fund. This fund provides money for the Rescue Squad, Park and the Fire Departments. He further stated that the swimming pool need repairs to become compliant with new regulations and this would cost approximately \$248,000.00. Judge Hardin stated he recommend the payment for the deputy if the Sheriff could pay for deductible for all damages done to the sheriff office vehicles. Pernell Lemaster requested getting at least two estimates from different repair shops. Stanley Holbrook made a motion to agree for payment and was seconded by Pernell Lemaster, Judge Hardin stated he would support the motion with the understanding of the stipulation.

Judge Hardin made a motion to adjourn and was seconded by Pernell Lemaster, all voted yea.

Signed, Charles Hardin MD
Stanley Holbrook
Pernell Lemaster