

**Lewis County Fiscal Court  
Regular Meeting  
April 8, 2013**

AT A REGULAR MEETING OF THE LEWIS COUNTY FISCAL COURT, HELD AT THE COURTHOUSE IN VANCEBURG, KENTUCKY AT 6:00 P.M., WITH THE HONORABLE ANTHONY T. RUCKEL PRESIDING AND WITH THE FOLLOWING MAGISTRATES IN ATTENDANCE: ESQ. PAUL B. SWEARINGEN ESQ. JOE BENTLEY AND ESQ. MILT STANFIELD.

Johnny W. Bivens, Lewis County Sheriff, called the meeting to order.

Joe Bentley offered a prayer.

The Pledge of Allegiance was led by Judge Ruckel.

The roll was called with all members present.

Motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to approve the **March 11, 2013**, regular Fiscal Court Meeting Minutes.

**RESPONSE FROM THE PUBLIC**

Presentation of check from the Kentucky Association of County Treasurers and Finance Officers to Jerry Wagner, Executive Director of the Kentucky Sheriffs Association to the Kentucky Sheriffs Boys and Girls Ranch from Kathy Dillow.

**OLD BUSINESS**

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the second reading of Ordinance #13-02 regarding Flood Damage Prevention.

**NEW BUSINESS**

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to participate in the state Rural Secondary Road Program and accept the state recommendations as follows:

**KY 8 – Concord – Vanceburg Asphalt Resurfacing**  
Beginning at 0.253 miles west of C&O Railroad Crossing (MP 7.850)  
Ending at KY 3037 (MP 10.775)

**KY 1237 - Rectorville Road asphalt Resurfacing**  
Beginning at KY 57 (MP 3.163)  
Ending at Lewis-Mason County Line (MP 4.470)

**KY 59 – Olive Hill – Vanceburg Asphalt Resurfacing**  
Beginning at KY 474 (MP 10-959)  
Ending at Blankenship Cemetery Road (MP 12.613)

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to close ~~O~~to Lewis Bridge. Per condemnation by Kentucky State Transportation.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to declare an emergency and forgo the bid process and allow CJE to contact E & E Construction for the replacement of ~~O~~to-Lewis bridge.

**On a motion made by Paul Swearingen duly seconded by Joe Bentley with all members voting yes to advertise for bid on 80/20 bridge replacement projects as follows:**

On a motion made by Joe Bentley duly seconded by Paul Swearignen with all members voting yes to approve a principal payment on the equipment loan at Citizens Deposit Bank using the funds from the sale of the 2011 Mack Truck to Tram Construction. In the amount of \$79,500.00.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the second reading of Ordinance 13-01 Budget Amendment #1.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes for approval to authorize the County Judge Executive to execute and authorize the Memorandum of Agreement and the Inducement Resolution. Regarding the Industrial Revenue Bond Issuance for Nelson Brothers, LLC.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to authorize the County Treasurer to open a new bank account entitled FEMA Buyout Account.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to add the **FEMA Buyout Program** to the reoccurring expenses. So pass-thru money can be expended without fiscal court approval due to time constraints on federal money. To be submitted to the State Local Finance Officer at the Department of Local Government for approval.

On a motion made by Paul Swearingen duly seconded by Joe Bentley with all members voting yes to resend the bid for the **radio tower** due to sight failure.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to request for qualifications for public safety radio system, design and design built services.

On a motion made by Joe Bentley duly seconded by Judge Ruckel with all members voting yes to acknowledge receipt of the Lewis County Extension 2013-14 annual budget.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with Judge Ruckel voting yes and Paul Swearingen voting no to set the Lewis County Soil Conservation District annual contribution from the fiscal court at \$16,650.00.

On a motion made by Joe Bentley duly seconded by Judge Ruckel with all members voting yes to acknowledge receipt of the Lewis County Soil Conservation District 2013-14 annual budget.

On a motion made by Joe Bentley duly seconded by Judge Ruckel with all members voting yes to acknowledge receipt of the Tollesboro Fire District 2013-14 annual budget.

On a motion made by Joe Bentley duly seconded by Judge Ruckel with all members voting yes to acknowledge receipt of the Black Oak Fire District 2013-14 annual budget.

On a motion made by Joe Bentley duly seconded by Paul Swearigen with all members voting yes to approve an Electric Plant Board – Utility Easement and authorize County Judge Executive to sign.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to charge a fee of \$25.00 after the first request of payroll reconstruction for employees. Fee will be deducted from employees payroll check.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to hire Timothy Poe as a part-time jail deputy.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to hire Robert Joseph Workman as a part-time jail deputy.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to hire Joshua Masko as a part-time jail deputy.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to appoint Luke Bentley, III, to the Garrison Water District to complete the unexpired term due to the resignation of Jonathan Bivens whom has moved from the district. Term to expire 12-31-2013.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to advertise for bid for a new Recycle Center.

**Johnny W. Bivens**, Lewis County Sheriff presented the monthly Sheriff's report.

**Jeff Lykins**, Lewis County Jailer presented the monthly Detention Center Report.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to acknowledge receipt of the **Monthly Jail Commissary Financial Report**. See Finance Book #4.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **Monthly Treasurer's Report** as submitted by Kathy Dillow, Lewis County Treasurer. See Finance Book #4.

**Robert Moore**, Lewis County Road Supervisor submitted the monthly Road Department Report.

**Homer Wilburn**, Lewis County Animal Control Officer submitted the monthly Animal Control Report.

**Johnny Bivens**, Lewis County E911 Director was unable to submit a written report due to the server being down.

**Carl Chaney**, Emergency Management Director submitted a written monthly report.

**Rusty Dyer**, Lewis County Solid Waste Coordinator, submitted a written monthly report.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **claims**, for General, Road and Bridge, Jail, Animal Shelter, E911 and LGEA accounts as presented. See Finance Book #4.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **transfers** for the General, Road and Bridge, Jail, Animal Shelter, E911, and LGEA . See Finance Book #4.

On a motion made by Todd Ruckel duly seconded by Joe Bentley with all members voting yes to **recess** the meeting until Friday, April 12, 2013 at 9:30 am

  
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Anthony T. Ruckel      Lewis County Judge Executive