

Present were Magistrates: Mike Webb, Jimmy Wells, Darvin Mitchell, Jeff Randolph and Steve Hamilton. County Treasurer Wanda Dotson. County Attorney Dawn Letcher. County Judge/Executive Kenneth Lyons presiding.

INUTES Motion made by Mike Webb, second by Jeff Randolph to approve minutes of last meeting with change made to motion concerning redistricting. Motion should have been Hamilton and Wells opposed. Correction has been made to previous minutes. All voting for.

MONTHLY REPORTS Motion made by Jeff Randolph, second by Jimmy Wells to acknowledge receipt for monthly reports. All voting for.

AGENDA Mr. Frank Kelly with Nature Chem addressed the court. Motion made to table until next meeting made by Mike Webb, second by Jimmy Wells. All voting for.

CONSERVATION DISTRICT Motion made by Jimmy Wells, second by Mike Webb to table discussion on Soil Conservation District becoming a taxing district. All voting for.

SHERIFF'S SETTLEMENT Motion made by Mike Webb, second by Darvin Mitchell to approve Former Sheriff Leonard Garrett's 2011 Fee Settlement. All voting for.

2011 FEE SETTLEMENT
Former Nicholas County Sheriff
Dick Garrett

2011 Receipts

Accident reports	96.00
Auto inspections	455.00
CCDW applications/renewals	1,043.00
County Clerk/Delinquent taxes	5,269.42
Executions (serving papers)	9,187.00
Finance & Administrative Cabinet	1,837.18
Fines/Fees-Circuit Clerk	2,775.50
Fiscal Court	125.00
Cabinet for Family Services	90.00
Interest	89.62
10% Tax penalty fee	16,000.90
Sheriff's Security Service HB452	2,273.07
Tax Commission	13,236.52
Other Misc.	73.77
Total Revenues	\$ 52,551.98
Borrowed money/State Advancement	\$ 44,000.00
Total Receipts	\$ 96,551.98

2011 Expenses

Mandated Salary	47,816.88
Deputies' Salaries	2,579.67
Other Salaries	10,982.46
Sheriffs' Association Dues	370.00
Utilities (Cell Phone)	1,517.09
Office Materials and Supplies	1,812.12
Communications	177.72
Vehicle Expenses (gasoline & Repair)	8,724.30
Advertising	162.01
Equipment for Vehicles (L&W Lighting Equip)	1,648.45
Sheriff's Bonds	366.16
Maint. Agreement for tax software	-
Nicholas Co. Fiscal Court HB577	2,230.00
KY Sheriffs' Conference	-
Uniforms	486.93
Repayment of State Advancement	-
Other-Fiscal Court	7,000.00
Total Expenditures	\$ 85,873.79
Excess Fees	\$ 10,678.19
Total	\$ 96,551.98

DATE 9-13-2011
Leonard Dick Garrett

Motion made by Jimmy Wells, second by Jeff Randolph to acknowledge receipt of check #963 in the amount of \$10,678.19 from the of the Nicholas County Sheriff as excess fees of final settlement of former NC Sheriff Leonard "Dick" Garrett and to in turn submit the sum of \$10,678.19 to the office of the Nicholas County Sheriff Jeff Sidles for operating expense purposes. All voting for.

SHERIFF
SETTLEMENT

Motion made by Steve Hamilton, second by Darvin Mitchell to approve 2nd reading of Constable Ordinance. Five voting for. Randolph opposed.

CONSTAB
ORDINAN

Bids were opened for roof repair of Health Dept. 2 bids were received. Vessell Roofing \$18,700, Pryor Contracting \$20,887.32. Motion made by Jeff Randolph, second by Darvin Mitchell to chose Pryor Contracting. Four voting for. Hamilton & Wells opposed.

HEALTH
DEPT RO
REPAIR

Motion made by Jeff Randolph, second by Mike Webb to accept Wayne Supply State contract price of \$87,000 for purchase of tractor & mower. MT455B 4WD cab 2010 2yr warranty with Almo Samurai. 22'boom mower has 1yr parts & labor warranty. and giving Judge Lyons permission to sign all necessary documents. All voting for.

TRACTOR
MOWER

Motion made by Steve Hamilton, second by Mike Webb to give permission to bid for a Ford F350 and Chevy 3500 and to mail offer to bid to dealers. All voting for.

BID FOR
TRUCKS

Motion made by Steve Hamilton, second by Mike Webb to purchase 4 Flink stainless salt spreaders at \$3,163 each. All voting for.

PURCHASI
SALTERS

Motion made by Jeff Randolph, second by Darvin Mitchell to approve plat for Mike Jolly and giving Judge Lyons permission to sign. All voting for.

JOLLY
PLAT

Motion made by Jimmy Wells, second by Jeff Randolph to approve 1st reading of 2011 Tax Ordinance. All voting for.

2011 TAX
ORDINANC

Motion made by Jeff Randolph, second by Darvin Mitchell to approve Treasurer's monthly report. All voting for.

TREASURER
MONTHLY
REPORT

Motion made by Steve Hamilton, second by Mike Webb to approve Treasurer's transfers. All voting for.

TREASURER
TRANSFERS

Motion made by Darvin Mitchell, second by Jimmy Wells to approve monthly bills. All voting for.

MONTHLY
BILLS

Motion made by Jeff Randolph, second by Jimmy Wells to accept flex funding resolution from the State and giving Judge Lyons permission to sign all necessary documents. All voting for. FOR RESOLUTION SEE FOLLOWING PAGE.

FLEX FUNDIN
RESOLUTION

Motion to adjourn made by Jimmy Wells, second by Darvin Mitchell. All voting for.

ADJOURN


Nicholas County Judge/Executive

RESOLUTION

Fiscal Court of Nicholas County

Resolution adopting and approving the execution of a Rural Secondary Program Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, and accepting all roads and streets referred to therein as being a part of the County Road System.

Be it resolved by the Fiscal Court that:

The Fiscal Court does hereby certify that all roads and streets referred to in said Agreement are county roads as defined in KRS 178.010(1)(b); and

The Fiscal Court does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Agreement and does hereby accept said Agreement and by such acceptance agrees to all the terms and conditions therein stated; and

The County Judge/Executive of the county is hereby authorized and directed to sign said Agreement as set forth on behalf of the Fiscal Court of Nicholas County, and the County Clerk of Nicholas County is hereby authorized and directed to certify thereto.

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The vote taken on said Resolution, the result being as follows:

AYES

NAYS

<u>Kenneth C. Lyons, CJE</u>	_____
<u>Steve Hamilton</u>	_____
<u>Jeff Randolph</u>	_____
<u>Darvin Mitchell</u>	_____
<u>Mike Webb</u>	_____
<u>Jimmy Wells</u>	_____

COMMONWEALTH OF KENTUCKY) SS:

NICHOLAS COUNTY)

I, Douglas Fryman, County Clerk of Nicholas County certify that the foregoing is a true copy of the Order above. Given under my hand and seal of office this the 13th day of September, 2011.

SIGNED Douglas Fryman, Clerk
Ken Marshall

CLERK OF NICHOLAS COUNTY