

STATE OF KENTUCKY -----NICHOLAS COUNTY FISCAL COURT

REGULAR OCTOBER TERM ----- FRIDAY, OCTOBER 19, 2012 AT 1:00 P.M.

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

AGREEMENT
FOR RD
FUNDS

Motion made by Jimmy Wells, second by Darvin Mitchell to authorize the Nicholas County Judge/Executive to execute the agreement between the KY Transportation Cabinet, Dept. of Highways and Nicholas County for receipt of JLO4 Funds for resurface of Hickory Ridge Road (CR1003) and South Lakeshore Drive (CR1002B) in Nicholas County in the amount of approved funds. All voting for.

RESOLUTION
FOR
BRIDGE
REPAIR

Motion made by Jeff Randolph, second by Darvin Mitchell to approve resolution & agreement on said bridges to be repaired. Also, giving Judge Lyons permission to sign all necessary documents pertaining to this agreement. All voting for.

R E S O L U T I O N

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.

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

<u>AYES</u>	<u>NAYS</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, Martha Moss, 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 19th day of October, 2012.

SIGNED Martha Moss

CLERK OF NICHOLAS COUNTY

AGREEMENT BETWEEN KYTC AND NICHOLAS COUNTY, PERFORM BRIDGE REPAIR ON VARIOUS COUNTY ROADS (SEE BELOW) \$20,700 CB01 RURAL SECONDARY FUND.

AGREEMENT

This Agreement, entered into by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid (hereinafter called the Department) and the Nicholas County Fiscal Court (hereinafter called the County);

WITNESSETH:

WHEREAS, it would be to the benefit of the traveling public to perform bridge repair on Ishmael Chapel Road (CR 1045) located 1.333 mi. N.W. of KY 32 (MP 1.333)(C00045N) over South Goose Creek AND on Crayton Creek Road (CR 1304) located 0.670 mi. N. of KY 1244 (MP 0.670)(C00036N) over Painter Creek AND on Abners Mill Road (CR 1010) located 0.470 mi. S. of Red Bud Road (MP 6.350)(C00033N) over Elk Creek, which shall hereinafter be referred to as the Project; and

WHEREAS, the County has expressed its desire to perform the work for the aforementioned Project and to be responsible for all phases of the Project;

NOW THEREFORE, in consideration of these premises and the mutual covenants contained herein, the parties agree as follows:

1. The Department shall be responsible for providing Rural Secondary funding in an amount not to exceed \$20,700 for the abovementioned Project.
2. If Project is performed by Contract, the County shall employ only contractors prequalified by the Kentucky Transportation Cabinet and shall comply with all legal bidding requirements including, but not limited to, the provisions of KRS 45A and 424. Concurrence must be obtained by the County through the District 9 Chief District Engineer in Flemingsburg, KY prior to the awarding of any contract for work or materials to be used on this Project.

AGREEMENT BETWEEN KYTC AND NICHOLAS COUNTY, PERFORM BRIDGE REPAIR ON VARIOUS COUNTY ROADS (SEE BELOW) \$20,700 CB01 RURAL SECONDARY FUND.

3. The County shall cause the Project to be constructed to a level which meets applicable county road and bridge standards (all bridges will be required to meet or exceed an H-20 loading); and all materials paid for by the Department used on, or incorporated into, the Project shall meet the requirements specified in the Highway Department's Specifications for Road and Bridge Construction, current edition. The County will obtain any required permits or approval of plans for work to be accomplished on state-owned right-of-way from the Cabinet's District 9 Office in Flemingsburg, KY. The County hereby agrees to put forth a reasonable effort to do maintenance on roads listed herein prior to bituminous surface being applied. Maintenance being defined but not limited to proper ditching, cleaning or replacement of clogged or deficient drain tiles, proper shouldering, surface preparation, and any other obvious maintenance the road may need. The minimum thickness of any bituminous surface applied shall be one inch.

4. The County shall indemnify and hold harmless the Department and all of its officers, agents, and employees from all suits, actions, or claims of any character because of any injuries or damages received by any person, persons, or property resulting from construction of the Project.

5. The Department shall reimburse the County up to \$20,700 for completion of work by the County under the obligations of this agreement, which shall represent the total obligation of the Department.

6. The County agrees to be responsible for all cost above \$20,700.

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7. The County shall maintain for a period of three (3) years all records of material, equipment, and labor costs involved in the performance of the work for the Project. In order to obtain reimbursement from the Department for the Project, the County shall submit to the Office of Rural and Secondary Roads documented invoices of materials, equipment, and labor used on the Project, including certification that the work was accomplished on a publicly maintained facility in accordance with this agreement.

8. The County may submit current billing reflecting the actual cost of the project during any given work period. This bill should indicate if it is for partial payment or final payment. The current billings will be paid within a reasonable time after receipt of same by the Department; however, in no event is the County to submit billings for work performed for less than a thirty-day (30) period.

9. The Department reserves the right to inspect the methods used in order to perform the work necessary to successfully complete the Project and also reserves the right to cease all work commenced under the terms of this agreement at any time.

10. The County will pass the attached Resolution and a copy of that resolution shall be attached to and made a part of this Agreement.

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IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its officers, thereunto duly authorized.

NICHOLAS COUNTY FISCAL COURT

By Kenneth C. Lyon Date: 10-19-12
COUNTY JUDGE/EXECUTIVE

DEPARTMENT OF RURAL AND MUNICIPAL AID

By _____ Date: _____
COMMISSIONER

**COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET**

By _____ Date: _____
SECRETARY

**APPROVED AS TO FORM
AND LEGALITY:**

By _____ Date: _____
OFFICE OF LEGAL SERVICES

HILDRETH SCHOOL

After discussion with Department for Local Government, it was determined that we could not legally fund the moving of the Hildreth School.

2012 OFFICIAL TAX RECEIPT

Motion made by Steve Hamilton, second by Mike Webb to approve the Sheriff's official 2012 tax receipt. All voting for.

62A385 (1-01) Commonwealth of Kentucky REVENUE CABINET

SHERIFF'S OFFICIAL RECEIPT FOR PROPERTY TAX BILLS FOR 2012

NICHOLAS County OCT. 18, 2012 Date

Totals of Tax Bills Received for Taxes Due Each Taxing District

Table with 5 columns: District Name, Description, Rate, Amount, and Total. Includes categories like State Taxes, County Taxes, Special Levies, Common School Taxes, and Independent School Taxes.

GRAND TOTAL ALL DISTRICTS \$ 1,710,287.74

I, JEFF SIDLES, Sheriff of NICHOLAS County, hereby acknowledge receipt of 4252 tax bills for the above amounts for 2012 state and local taxes from MARTHA MOSS Clerk of NICHOLAS County. Signed [Signature] Sheriff NICHOLAS County Signed and acknowledged before me this 19TH day of OCT, 2012.

CLERK'S CERTIFICATION

I, MARTHA MOSS, Clerk of NICHOLAS County, do hereby certify that tax bills have been prepared for all property on the tax roll as finally certified by the Revenue Cabinet for the 2012 tax year. I further certify that the total amount of taxes due each taxing district represented by all bills prepared is as indicated above, and that this receipt is recorded in County Order Book 9, Page 798. (See Instructions on Reverse) Clerk [Signature] County

Motion made by Steve Hamilton, second by Jimmy Wells to approve the County Clerk's claim for preparing 2012 property tax bills. All voting for.

CO. CLERK'S CLAIM FOR 2012 TAX BILLS

62A363 (1-00)
Commonwealth of Kentucky
REVENUE CABINET

COUNTY CLERK'S CLAIM FOR PREPARING TAX BILLS



Clerk MARTHA MOSS Voucher No _____
County NICHOLAS COUNTY Account No. _____
Address PO BOX 227 Disburse \$ _____
CARLISLE, KY 40311 For Year 20 _____

NOTE: Submit two copies with copy of the Sheriff's Official Receipt for Property Tax Bills, Revenue Form 62A385, to the Revenue Cabinet, Department of Property Valuation, 200 Fair Oaks Lane, Station 30, Frankfort, Kentucky 40620.

Total number of tax bills prepared 4252 @30¢ each \$ 1275.60
TOTAL \$ 1275.60
One-half to be paid by Commonwealth of Kentucky (1/2 of TOTAL above) \$ 637.80
Official certification + 1.50
TOTAL (to be paid by Commonwealth of Kentucky) \$ 639.50

I certify that services were rendered by me for which I am entitled to the compensation stated above, that I have not received any of this compensation from the state.

I further certify that the order for the NICHOLAS Fiscal Court, allowing the county clerk's claim, entered on Order Book 9, Page 799, authorized the payment of \$ 637.80 as the county's share of the clerk's compensation for making tax bills as set out in KRS 133.240.

Martha Moss
Clerk NICHOLAS County

Subscribed and sworn to before me by MARTHA MOSS this 19TH day of OCTOBER, 2012.

My commission expires 03-14-15 Courtney Wells, DC
Signature Title

Approved for \$ 637.80 Approved for \$ _____

Date OCT. 9, 2012 Date _____

Steve Hamilton
Division of County and Municipal Accounting
County Fee Systems

Secretary of Revenue
or Authorized Agent

Motion to adjourn made by Mike Webb, second by Jimmy Wells. All voting for.

ADJOURN

Kenneth C. Spina
Nicholas County Judge/Executive