

HARDIN COUNTY FISCAL COURT

REGULAR MEETING

MAY 11, 2010

Judge/Executive Harry L. Berry called the Hardin County Fiscal Court Meeting to order and requested a roll call vote. Voting: Brandenburg yes, King yes, Judge Berry yes, Hay yes.

The invocation was given by Commissioner Hay.

Commissioner Brandenburg led the court in the pledge of allegiance.

Judge Berry requested that First Assistant County Attorney, Jenny Pitts, conduct a Public Hearing regarding the possible uses for the County Road Aid and Local Government Economic Assistance Funds.

No comments were heard from the public.

Ms. Pitts closed the Public Hearing.

Judge/Executive Harry L. Berry read a Proclamation declaring the week of May 9 through May 16, 2010 as Police Week to honor law enforcement officers, past and present, who have rendered dedicated service to their communities and declare May 15, 2010 as Police Officers' Memorial Day. Judge/Executive Harry L. Berry presented Sheriff Charlie Williams with the Proclamation.

Rik Hawkins, Executive Director of the Elizabethtown-Hardin County Chamber of Commerce, presented the Chamber Update.

Department/Supervisor Reports:

Chris Hunsinger presented the Planning and Development Commission monthly report.

Vicki Brackett presented the Engineering Department monthly report.

Danny Allen presented the Road Department monthly report.

Judge/Executive Harry L. Berry opened the floor to any proposed modifications to the FY 2010/2011 budget.

Hay moved and Brandenburg seconded to increase funding by \$1,500.00 to Wesley Hilltop House for a total of \$2,000.00 and also to adjust reduce line item 01-5075-107 Econ-Dev Community Support Coordinator by \$1,500.00 to \$33,500.00.

Judge Berry asked Commissioner Hay if he was going to abstain from voting because of being on the board of Wesley Hilltop House. Commissioner Hay agreed.

Voting on the motion: King yes, Judge Berry no, Brandenburg yes, Hay did abstain.

Judge Berry said the motion failed due to a majority vote not being obtained. After much discussion Commissioner Brandenburg requested the Assistant County Attorney, Jenny Pitts, to provide her view concerning the vote. Judge Berry recessed the court for 15 minutes to allow Ms. Pitts to do some research.

When court resumed, Assistant County Attorney, Jenny Pitts, stated her opinion, in which she stated since the vote for an ordinance, it required a majority vote of the entire court to pass. She also stated the motion failed for the lack of a majority vote of the full court.

Commissioner Hay asked the question, if he should have voted on this budget item in the past, was he in violation? Attorney Pitts felt that was a personal issue.

Judge Berry asked if another member of fiscal court wished to remake the motion.

Commissioner King felt that he would not be comfortable doing this.

Commissioner Hay stated that in the best interest of everyone involved that the issue not be pursued.

Attorney Pitts once again stated from a legal standpoint the motion failed.

No other changes were proposed.

Commissioner Brandenburg stated he was opposed to approving the First Reading of the budget on this date. Commissioner Hay agreed with him.

Judge Berry stated the First Reading would now be scheduled for May 26, 2010.

King moved and Hay seconded to approve Resolution No. 2010-038 relating to Health Care Insurance coverage for county employees. Voting: Judge Berry yes, Hay yes, Brandenburg yes, King yes.

King moved and Brandenburg seconded to approve Resolution No. 2010-039 relating to Vision Insurance coverage for county employees. Voting: Hay yes, Brandenburg yes, King yes, Judge Berry yes.

Hay moved and King seconded to approve Resolution No. 2010-040 relating to Life Insurance coverage for county employees. Voting: Brandenburg yes, King yes, Judge Berry yes, Hay yes.

Brandenburg moved and King seconded to approve Resolution No. 2010-041 relating to Dental Insurance coverage for county employees. Voting: King yes, Judge Berry yes, Hay yes, Brandenburg yes.

King moved and Hay seconded to approve Resolution No. 2010-042 relating to payroll deductions. Voting: Judge Berry yes, Hay yes, Brandenburg yes, King yes.

Commissioners' Comments, Committee Reports, and Recommendations:

Commissioner Brandenburg, chair of the Solid Waste and Community Support Committee, recommended extending Hardin County Billing Services contract through June 30, 2011.

Brandenburg moved and Judge Berry seconded to extend Hardin County Billing Services contract through June 30, 2011, and to authorize the County Attorney to prepare the documents and the Judge/Executive to execute the documents. Voting: Hay yes, Brandenburg yes, King yes, Judge Berry yes.

Commissioner King, chair of the Resource and Emergency Services Committee, reported his committee's next meeting will be on May 20th at 4:00 P. M. at the Emergency Management Center building.

Commissioner Hay, chair of the Engineering, Planning and Public Works Committee, reported his committee's next meeting will be on May 24th at 8:00 A. M. at the H. B. Fife Courthouse.

King moved and Hay second to approve the Consent Agenda to include approving payroll dated 04/30/10, approve payroll dated 05/11/10 for Commissioners' and Coroners' expense checks, Election Officers' salaries, approve payroll fund liability checks register, liability vouchers register and employee insurance fund check register dated April 2010, approve Claims Batch Nos. 10-8026, 11-8005, 11-8011,

11-8027 and recurring batch nos. 10-8015 and 10-8099, approve Resolution No. 2010-044 relating to financial transfers, approve Resolution No. 2010-036 relating to EMS personnel (Robin Burba), approve Resolution No. 2010-043 relating to EMS personnel (Charles Bailey and Matthew Douglas), approve Treasurer's Report for April 2010, approve Engineering, Planning, and Public Works Committee minutes dated 04/26/10, and approve Fiscal Court Minutes dated 04/27/10. Voting: Brandenburg yes, King yes, Judge Berry yes, Hay yes.

Court was adjourned, without objection, Judge/Executive Harry L. Berry presiding.

HARDIN COUNTY JUDGE/EXECUTIVE

ATTEST: _____
CLERK, HARDIN COUNTY FISCAL COURT