

The Fleming County Fiscal Court held a special call meeting on Tuesday, June 23, 2015 at the Fleming County Courthouse, 100 Court Square, Flemingsburg, Kentucky. The meeting was called to order by Fleming County Judge/Executive Larry H. Foxworthy at 9:00 AM. The magistrates present: Chris Hickerson, David J. DeAtley, John Sims Jr., James Smoot, Rickey Lewis and Ray H. Money. County Treasurer Kathy Dryden was also present. Fleming County Judge/Executive Foxworthy led the Pledge of Allegiance. Roll call by Fiscal Court Clerk Tammy L. Gray.

Fleming County Treasurer Kathy Dryden presented the month end May 31, 2015 financial reports.

Vote Unan. Motion: Chris Hickerson Second: Ray H. Money
A motion was made to approve the month end May 31, 2015 financial reports as presented: General Fund \$ 587,161.03, Road Fund \$ 208,197.68, Jail Fund \$ 4,124.01, LGEA Fund \$ 39,170.64, Forest Fire Fund \$ 499.78, Revolving Loan Fund \$ 65,473.76, Dispatch Fund \$ 192,517.17, Capital Improvement Fund \$ 244,379.24. Total all funds \$ 1,341,523.31.

Vote Unan. Motion: John Sims Jr. Second: James Smoot
A motion was made to approve Budget Transfers as presented.

Vote Unan. Motion: David J. DeAtley Second: Chris Hickerson
A motion was made to approve the Cash Transfers as presented.

Vote Unan. Motion: Rickey Lewis Second: John Sims Jr.
A motion was made to approve entering into contract for employee benefit plans compliance services agreement with McGregor and Associates, Inc. Initial cost \$ 1300.00 and estimated \$ 800.00 per year thereafter.

Vote Unan. Motion: Chris Hickerson Second: James Smoot
A motion was made to approve the claims and carry in claims reports as presented and polled item \$ 423.41.

Vote Unan. Motion: James Smoot Second: Ray H. Money
A motion was made to approve to pay upon receipt of materials, service and invoiced: Sam Fizer - Repairs to FCJC security gate - 01-5081-571 - Up to \$ 150.00, Ray Money - KACo Training Morehead 6/25/2015- Mileage - 01-5025-210 Up to \$ 40.00, Rickey Lewis - KACo Training Morehead 6/25/2015- Mileage - 01-5025-210 Up to \$ 40.00, John Sims Jr. - KACo Training Morehead 6/25/2015 - Mileage - 01-5025-210 Up to \$ 40.00, Harp Enterprises - Election Expense - 01-5065-565 - Up to \$ 15,000.00, Approve payment for tires on Volvo truck - 02-6105-479 - UP TO \$ 6200.00.

Vote Unan. Motion: Chris Hickerson Second: David J. DeAtley

A motion was made to approve donation of \$ 1,000.00 to Flemingsburg-Fleming County Recreation Park for annual fireworks.

Vote Unan. Motion: John Sims Jr. Second: Ray H. Money

A motion was made to pay claim on Stacy Corbin's bond premium \$ 101.80 on July 1, 2015.

Vote Unan. Motion: John Sims Jr. Second: David J. DeAtley
A motion was made to approve the second reading and passage of amendments to Ordinance 13-1150 Fleming County Administrative Code/Personnel Policies as follows:

SECTION 5.39 Overtime/Compensation Time
Each employee shall be placed in a classification and compensation plan based of the duties and responsibilities required of the employee. A. In order to determine whether an employee will receive overtime pay for hours worked in excess of forty (40) hours per week, each class shall be declared "exempt" or "non-exempt" in accordance with provisions of

existing labor laws. Exempt employees shall not be compensated in cash for overtime worked. Non-exempt employees shall receive overtime pay at the rate of one and one-half (1.5) times the hourly wages for actual hours worked in excess of forty (40) hours in any work week. **Compensation time accrued shall be limited to a maximum not to exceed 100 (One Hundred) hours at any given time.** Non-exempt employees who are required to work all seven (7) days in a workweek shall receive overtime pay at the rate of one and one-half times the hourly wage for all hours worked on the seventh day of the work week if the cumulative weekly total exceeds 40 hours. B. Time off with pay (such as vacation leave, sick leave and holidays) shall not be considered as hours worked for overtime pay purposes. C. Overtime work shall be approved in advance by the employee's immediate supervisor whenever possible, and shall be kept at the minimum consistent with maintenance of essential services and the county's financial resources. D. Any time spent by road department employees pushing snow during hours other than regular work hours (M-F, 7:30am till 4:00pm Eastern Time) shall be paid at one and one-half of regular pay rate. This applies even if they do not have 40 hours of actual work time in that week. If time is spent pushing snow on a scheduled holiday, employees will receive regular rate for holiday time plus one and one-half of regular pay rates. **If the courthouse is closed due to snow emergency the road department employees will receive overtime pay for all hours worked during the snow emergency. This is to be paid in addition to other overtime hours accrued as stated above.**

Section 6.7 Personal Protective Equipment

A. Mandatory hard hat areas are defined as those times when any employee engaged in work activities consisting of but not limited to: 1. Overhead work such as tree trimming and/or removal; 2. Operation of overhead equipment; 3. Present during any situation where the hazards of falling or flying objects could reasonably be expected, such as working below other workers who are using tools and materials which could fall or working below machinery or processes which might cause material or objects to fall B. Mandatory requirements for the use of safety vests and/or high-visibility clothing: 1. All workers must wear high-visibility safety apparel during work hours. C. Any incidents of non-compliance of Section 6.7 (A) (B) shall be subject to but not limited to: 1. First offense: Verbal Warning. 2. Second offence: Written Warning

3. Third offense: Three day suspension without pay or termination

NEW ATTACHMENT ADD: JOB DESCRIPTION/CLASSIFICATION/CLASS TITLE WAS APPROVED BY FISCAL COURT DECEMBER 9, 2014

CLASS TITLE: Transport Officer, Characteristics of the Class: Under the general direction of the County Jailer, assists in prisoner transports and required administrative duties. Duties or Responsibilities of the Classification: Under the general direction of the County Jailer, the Transport Officer will assist in transporting prisoners to and from the designated detention centers, transporting both juvenile and adult offenders locally and across the state as needed. They will attend to the needs of inmates while being transported. They will assist in transporting persons to medical facilities and guard prisoners while in medical facilities. The Transport Officer is required to perform administrative duties including daily reports and assist with other responsibilities as assigned by the County Jailer. Typical Working Conditions and Unique Physical Requirements: The Transport Officer is required to work under a variety of working conditions. Physical demands include driving, walking, standing and sitting for extended periods of time. This position is a part-time on call position. While on call it is required that the officer be able to respond and or take custody of prisoner within 20 minutes if at all possible. MINIMUM QUALIFICATIONS: Valid Kentucky Driver's License. Training and Experience: Employed Transport Officers are required to have a minimum of 16 hours of training each year. PRE-EMPLOYMENT REQUIREMENTS: All candidates must pass a Background Investigation. Pre-employment drug screening test. Overtime Status: N/A

Section 8.2 ~~Selection of Vendors and Contractors (Procedures for sealed bidding)~~

Adoption of Kentucky Model Procurement Code

- ~~A. The agency, department or person requiring supplies, services or construction shall submit to the chief executive officer a request containing specifications and quantities desired.~~
- A. The Fleming County Fiscal Court shall hereby adopt and follow the provisions of the Kentucky Model Procurement Code (KRS 45A.343 to 45A.460) effective July 1, 2015. No other statutes governing purchasing shall apply to the Fleming County Fiscal Court upon adoption of these provisions.
- ~~B. Chief executive officer shall place an advertisement in the newspaper of largest circulation in the county at least once not less than seven nor more than twenty-one days before bid opening. The advertisement shall include the time and place the bids will be opened, and the time and place where the specifications may be obtained.~~
- B. The County Judge/Executive or his designee is responsible for administration of the procurement function of the Fleming County Fiscal Court.
- ~~C. The Chief executive officer shall open all bids publicly at the time and place stated in the advertisement, and shall select the lowest and best bid by a qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated.~~
- C. The Fleming County Fiscal Court has the sole authority to award any contract which exceeds \$ 20,000 regardless of whether the award is based on competitive sealed bids, multi-step sealed bidding, competitive negotiations, or by non-competitive negotiations as long as Model Procurement Code is followed.
- ~~D. The chief executive officer shall submit the bid selected to the legislative body for approval and thereafter shall notify all bidders of the award.~~
- D. The Fleming County Fiscal Court reserves the right to reject any and all bids and to waive technicalities and minor irregularities in bids.
- ~~E. The chief executive officer shall sign the contract, if one is used.~~
- E. An invitation for bids, a request for proposals or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interest of the county. The reasons therefore shall be made part of the contract file, and each solicitation issued by the county shall state that it may be canceled and that any bid or proposal may be rejected in whole or in part for good cause when in the county's best interest. Reasons for rejections shall be provided in writing upon request to unsuccessful bidders or offerors, and set forth in the Fiscal Court minutes.
- ~~F. When items are delivered, the invoice shall be placed in a file by Account Number.~~
- ~~G. The chief executive officer designee shall enter the amount of the expenditure in the purchases ledger.~~
- ~~H. The Chief executive officer shall determine the need for each item requested the approximate cost and whether or not the expenditure is provided for in the budget.~~
- ~~I. Any expenditure or contract for materials, supplies (except perishable meat, fish, vegetables), equipment, or for contractual services other than (\$20,000) be subject to competitive bidding.~~

Vote Unan.

Motion: Rickey Lewis

Second: James Smoot

A motion was made to approve advertisement for request for proposals for courthouse/maintenance garage janitorial services.

Vote Unan. Motion: Rickey Lewis Second: James Smoot

A motion was made to approve extending the courthouse/maintenance garage janitorial services with Catron's for one month until July 31, 2015.

Discussion was held regarding low hanging trees/limbs countywide and need for water cooling fans at maintenance garage.

Vote Unan. Motion: John Sims Jr. Second: Chris Hickerson

A motion was made to adjourn at 9:29 AM.

Reported by: Tammy L. Gray
Fleming County Fiscal Court Clerk