

REGULAR SESSION BULLITT COUNTY FISCAL COURT  
HELD ON TUESDAY JANUARY 16, 2018, AT 9:30 A.M.  
PRESENT:

HON. MELANIE J ROBERTS, BULLITT COUNTY JUDGE/EXECUTIVE, PRESIDING  
AND MAGISTRATES: Dennis Mitchell, Gary Lawson, Joe Laswell, Joe Rayhill  
BULLITT COUNTY ATTORNEY: John W. Wooldridge DEPUTY JUDGE: Lisa Craddock  
BULLITT COUNTY DEPUTY SHERIFF: M. Cook DEPUTY CLERK: Samantha Shaner

Judge Roberts called the meeting to order at 9:30 a.m. and welcomed everyone. All magistrates were present. Chief Financial Officer Keith Griffie gave the invocation and led the pledge to the flag.

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TREASURER'S TRANSFER REPORT

Transfers: Expenditures by Date from the Treasurer's office dated through December 31, 2017 has been submitted for Fiscal Court's review and approval. Copies are on file in the County Clerk's office.

On motion by Esq. Mitchell, seconded by Esq. Laswell, with Fiscal Court having concurred, accepting the Transfers: Expenditures by Date Report as presented.  
Vote: Unanimous for—motion carried.

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TREASURER'S REPORTS

The Treasurer's Financial Reports for the month of December 2017 and/or the fiscal year to date through December 31, 2017 as reported to the Department of Local Government had been submitted for Fiscal Court's review and copies are on file in the County Clerk's office. The Reports included: Financial Cover Sheet (as recorded below); Bank Reconciliation State for each fund; Appropriation Condition Report; Transfers/Expenditures by Date; Long Term Liabilities; Warrant Distribution List; Monthly Revenue Journal; and, Fund Receipts Report.

On motion of Esq. Rayhill, seconded by Esq. Lawson, and with Fiscal Court having concurred, the Financial Report for December 2017 was approved and accepted as presented and recorded below.  
Vote: Unanimous for—motion carried.

**Financial Cover Sheet - Fiscal Year to Date: 12/31/2017**

*Bullitt County Treasurer*

	GENERAL	ROAD	JAIL	L.G.E.A	FEDERAL GRANTS	911	TOTALS
RECEIPTS	\$8,500,883.95	\$1,187,507.97	\$2,256,505.14	\$890,706.68	\$172,806.72	\$1,877,984.57	\$ 16,994,252.95
DISBURSMENTS	\$4,994,454.50	\$1,187,507.97	\$2,256,505.14	\$5,404.45	\$6,606.74	\$509,997.03	\$ 11,068,633.65
CASH BALANCE	\$3,506,129.45	\$0.00	\$0.00	\$885,302.23	\$166,199.98	\$1,367,987.64	\$ 5,925,619.30
TOTAL ENCUMBRANCES	\$34,534.16	\$10,919.07	\$69,533.97	\$0.00	\$0.00	\$159.00	\$ 129,429.14
UNENCUMBERED CASH BALANCE	\$3,471,695.29	(\$10,919.07)	(\$69,533.97)	\$885,302.23	\$166,199.98	\$1,367,828.64	\$ 5,796,190.16
BANK BALANCE	\$3,513,772.84	\$70.91	\$781.80	\$885,302.23	\$172,806.72	\$1,367,986.64	\$ 5,943,383.53
DEPOSITS IN TRANSIT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LESS OUTSTANDING CHECKS	\$7,643.49	\$70.91	\$781.80	\$0.00	\$6,606.74	\$9.00	\$ 17,764.23
INVESTMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ENDING CASH BALANCE	\$3,506,129.45	\$0.00	\$0.00	\$885,302.23	\$166,199.98	\$1,367,987.64	\$ 5,925,619.30

TO THE BEST OF MY KNOWLEDGE THE INFORMATION CONTAINED HEREIN IS ACCURATE AND COMPLETE.

(SIGNED)

DATE

DATE

COUNTY JUDGE/EXECUTIVE  
(SIGNED) *[Signature]*  
COUNTY TREASURER

DATE 1/9/18

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MINUTES APPROVED

On motion of Esq. Mitchell, seconded by Esq. Laswell, with Fiscal Court having concurred, to dispense with the formal reading, the minutes of the regular session of Bullitt County Fiscal Court held on Tuesday, January 2, 2018, were approved as presented and the Judge was authorized to sign same.

Vote: Vote: Four (4) for (Mitchell, Judge Roberts, Laswell, Rayhill), One (1) abstained (Lawson)—  
motion carried

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SPECIAL MINUTES APPROVED

On motion of Esq. Lawson, seconded by Esq. Rayhill, with Fiscal Court having concurred, to dispense with the formal reading, the minutes of the special session of Bullitt County Fiscal Court held on Tuesday, January 9, 2018, were approved as presented and the Judge was authorized to sign same.

Vote: Unanimous for—motion carried.

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ZONING ORDINANCE: SECOND READING  
ORDINANCE #18-01

Assistant County Attorney Mr. Robert Flaherty gave the second reading of the following zoning ordinance that was given first reading on January 2, 2018.

- Ordinance #18-01; Docket #2017Z-41; Daniel and Debra Clemons—an ordinance changing the zoning from Agricultural to R-2 Residential. The property in question is 1.808 acres, more or less, located at 924 East Sanders Lane, in an unincorporated area of the county.

On motion of Esq. Lawson, seconded by Esq. Rayhill, with Fiscal Court having concurred, and with the recommendation of the Planning Commission, Ordinance #18-01, Docket #2017Z-41 was adopted as presented and recorded below and the Judge was authorized to sign same.

Vote: Unanimous for—motion carried.

COMMONWEALTH OF KENTUCKY  
COUNTY OF BULLITT  
ZONING ORDINANCE NO. 18-01

AN ORDINANCE RELATING TO THE CHANGING OF ZONING OF CERTAIN PROPERTY FROM AGRICULTURAL TO R-2 RESIDENTIAL. THE PROPERTY IN QUESTION IS 1.808 ACRES, MORE OR LESS, LOCATED AT 924 E. SANDERS LANE, IN AN UNINCORPORATED AREA OF THE COUNTY.

WHEREAS, the Fiscal Court of Bullitt County has considered the evidence of the public hearing held by the Planning Commission and the recommendations of the Commission; and

WHEREAS, the Fiscal Court concurs in and adopts the reasons of the Planning Commission for said zoning change and approves and accepts the recommendations of the Planning Commission in this matter as set out in said minutes; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BULLITT, COMMONWEALTH OF KENTUCKY:

SECTION ONE: That the above property located in the unincorporated area of Bullitt County and more particularly described in the minutes and records of the Planning Commission in Docket Number 2017Z-41 is hereby changed from Agricultural to R-2 Residential.

SECTION TWO: This Ordinance shall take effect upon passage and publication.

SECTION THREE: Should any section, provision or part of this Ordinance be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, then the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Given first reading and public hearing at a Regular Meeting of the Bullitt County Fiscal Court on the 2<sup>nd</sup> day of January, 2018.

Given second reading and voted upon at a Regular Meeting of the Bullitt County Fiscal Court on the 16<sup>th</sup> day of January, 2018.



County Judge/Executive

Date of Adoption: 1-16-18

Attest:

Sandra Shumert  
Fiscal Court Clerk

Approved as to Form and Legality:

John W. Wooldridge  
John W. Wooldridge  
Bullitt County Attorney

**ZONING ORDINANCE: SECOND READING  
ORDINANCE #18-02**

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Assistant County Attorney Mr. Robert Flaherty gave the second reading of the following zoning ordinance that was given first reading on January 2, 2018.

- Ordinance #18-02; Docket #2017Z-42; Brookland Realty LLC—an ordinance changing the zoning from R-1 Residential to B-2 Central Business. The property in question is 1.5 acres, more or less, located at 219 West Hebron Lane, in an unincorporated area of the county.

On motion of Esq. Laswell, seconded by Esq. Mitchell, with Fiscal Court having concurred, and with the recommendation of the Planning Commission, Ordinance #18-02, Docket #2017Z-42 was adopted as presented and recorded below and the Judge was authorized to sign same.  
Vote: Unanimous for—motion carried.

**COMMONWEALTH OF KENTUCKY  
COUNTY OF BULLITT  
ZONING ORDINANCE NO. 18-02**

**AN ORDINANCE RELATING TO THE CHANGING OF ZONING OF CERTAIN PROPERTY FROM R-1 RESIDENTIAL TO B-2 CENTRAL BUSINESS. THE PROPERTY IN QUESTION IS 1.5 ACRES, MORE OR LESS, LOCATED AT 219 W. HEBRON LANE, IN AN UNINCORPORATED AREA OF THE COUNTY.**

WHEREAS, the Fiscal Court of Bullitt County has considered the evidence of the public hearing held by the Planning Commission and the recommendations of the Commission; and

WHEREAS, the Fiscal Court concurs in and adopts the reasons of the Planning Commission for said zoning change and approves and accepts the recommendations of the Planning Commission in this matter as set out in said minutes; and

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BULLITT, COMMONWEALTH OF KENTUCKY:**

SECTION ONE: That the above property located in the unincorporated area of Bullitt County and more particularly described in the minutes and records of the Planning Commission in Docket Number 2017Z-42 is hereby changed from R-1 Residential to B-2 Central Business.

SECTION TWO: This Ordinance shall take effect upon passage and publication.

SECTION THREE: Should any section, provision or part of this Ordinance be declared unconstitutional or invalid for any reason by a court of competent jurisdiction, then the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Given first reading and public hearing at a Regular Meeting of the Bullitt County Fiscal Court on the 2<sup>nd</sup> day of January, 2018.

Given second reading and voted upon at a Regular Meeting of the Bullitt County Fiscal Court on the 16<sup>th</sup> day of January, 2018.

William R. Probst  
County Judge Executive  
Date of Adoption: 1-16-18

Attest:

  
Fiscal Court Clerk

Approved as to Form and Legality:

  
John W. Wooldridge  
Bullitt County Attorney

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**MERIT BOARD  
UPCOMING VACANT SEAT**

Judge Roberts spoke to Fiscal Court about the upcoming opening on the Merit Board in June 2018. She wants to bring it the Court's attention, so they can begin to think about who shall fill that position. County Attorney John Wooldridge stated that the requirements include being a county resident, 30-year-old minimum age, cannot be employed by the Sheriff's Office, or a family member of an employee of the Sheriff's Office. This vacant seat will include a two-year term and County Attorney John Wooldridge stated that a good candidate for this position would be a retired police officer.

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**RIVERPORT DOCUMENT**

Chief Financial Officer Keith Griffiee spoke to Fiscal Court about a letter that has been received from the Louisville-Jefferson County Riverport Authority in regards to the Foreign Trade Zones. It is a letter of recommendation to have the Judge sign the Riverport Document, which allows foreign companies to come to our region by cutting paperwork load and fees to make it more accessible. This is a new procedure that multiple surrounding counties are also being asked to sign as well. It allows company's easier access to solicit foreign companies to have presence in our area, such as Amazon. There is no state or local taxes involved in this and is recommended by Chief Financial Officer Keith Griffiee, Planning and Zoning Director Felicia Harper, and Executive Director John Snider. Magistrate Mitchell stated that Riverport has purchased property in Jefferson County and it is starting to grow back.

On motion of Esq. Rayhill, seconded by Esq. Mitchell, with Fiscal Court having concurred, to allow the Judge Executive to sign the Riverport Document.

Vote: Unanimous for—motion carried.

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**FISCAL COURT/TREASURER BILLS APPROVED**

Open Invoice Reports from the Judge/Executive's office dated through January 11, 2018 had been submitted for Fiscal Court's review and approval and copies are on file in the Clerk's office. Disbursements from each fund totaled: #01- \$309,684.27; #02- \$11,451.69; #03- \$32,318.43; #09-\$22,811.16; #77- \$85,208.61. Grand total disbursements from all funds: \$ 461,474.16.

Open Invoice Reports from the Treasurer's office dated through January 8, 2018 had been submitted for Fiscal Court's review and approval and copies are on file in the Clerk's office. Disbursements from each fund totaled: #00- \$75,759.73; #01- \$141,453.09; #02- \$54,801.65; #03-\$176,852.82; #09- \$179,555.79. Grand total disbursements from all funds: \$ 628,423.08.

On motion of Esq. Rayhill, seconded by Esq. Laswell, with Fiscal Court having concurred, the claims referenced above totaling \$1,089,897.24 were approved as presented and were ordered to be paid.

Vote: Unanimous for—motion carried.

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**JUDICIAL CENTER  
NEW HIRE**

On motion of Judge Roberts, seconded by Esq. Mitchell, with Fiscal Court having concurred, to hire Shian Duke as part time custodian at the Judicial Center with a starting pay of \$12.50 an hour; effective January 18, 2018.

Vote: Unanimous for—motion carried.

NICHOLS FIRE DISTRICT BOARD  
RESIGNATION

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On motion of Esq. Mitchell, seconded by Esq. Rayhill, with Fiscal Court having concurred, to accept James E Coy's resignation from the Nichols Fire District Board.  
Vote: Unanimous for—motion carried.

Magistrate Mitchell and Judge Roberts would like to thank James Coy for his years of service, approximately twenty five (25) years.

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LEASE AGREEMENT  
JPMORGAN CHASE BANK NA AND COUNTY OF BULLITT, KENTUCKY

Brian Skinner, a representative from Ross SinClaire, and an Attorney representative spoke to Fiscal Court about the Lease Agreement regarding the Emergency Management Communications Project. JPMorgan Chase Bank NA is requesting a close date of February 16, 2018 to lock in the 2.38 interest rate. They are trying to enable Fiscal Court to skip the hearing process based on their outstanding debt and low tax base to shorten the timeline with the Department for Local Government. They want the Judge to sign the new Rate Lock Agreement today and to have this agreement published as an Ordinance. All Magistrates and Judge Roberts are in agreement with this request.

On motion of Esq. Rayhill, seconded by Esq. Laswell, with Fiscal Court having concurred, to allow the Judge to sign the Rate Lock Agreement that includes an interest rate of 2.38%.  
Vote: Unanimous for—motion carried.

CHASE

January 5, 2018

Joe Laboffa  
Financial Advisor  
Ross, Sinclair & Associates, LLC  
313 West Main Street, Suite 300  
Lexington, KY 40507

RE: \$4,600,000 County of Bullitt, Kentucky General Obligation Notes or Lease, Series 2018

JPMorgan Chase Bank, NA ("Bank") is pleased to submit this proposal for financing to the County of Bullitt, Kentucky (the "County"). This proposal is presented in the form of a binding "Term Sheet" but will be valid through the anticipated closing date of February 16, 2018 subject to completion of final documentation for the transaction, when accepted below by the County.

FORM OF NOTE OR LEASE:

Qualified (governmental) tax-exempt General Obligation Note or Lease (Series 2018) (the "Financing Instrument") to be primarily placed with Bank proceeds to the provision of federal, state and local interest. Bank will require a single term instrument with mandatory rating and maturities, without DTC registration. Bank intends to hold the Financing Instruments to final maturity. Bank will not require either an agency rating for the Financing Instrument, or the purchase of insurance for repayment.

LEGAL OPINIONS:

Purchase of the Financing Instrument will be subject to the opinion of the County's Bond Counsel (addressed to Bank or by reference here), to the effect that under existing laws and existing continuous compliance by the County with certain covenants designed to meet the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Series 2018 Financing Instruments will be excluded from gross income of the owners for Federal income tax purposes. Bond Counsel's opinion will further opine that the Financing Instrument has been designated as "bank qualified" under Section 265(f) of the Code.

USE OF PROCEEDS:

Proceeds of the Financing Instrument are expected to be used to provide funds to (i) acquire certain assets related to the operation of a 911 emergency call system, and (ii) to provide for the cost of interest.

PRINCIPAL AMOUNT:

\$4,600,000

FINANCING TERM:

Ten years, with a final maturity not later than February 1, 2028.

INTEREST RATE:

The interest rate will be fixed upon receipt of signed acceptance; however, prior to acceptance, the interest rate may increase if Bank's cost of funds increases. Bank's cost of funds may increase due to a number of factors including, but not limited to, changes in market conditions. Interest will be calculated on a 30/360 basis.

Option A: 2.38% non-callable, fixed rate.

BANK QUALIFIED:

County will designate the Financing Instrument "bank qualified"

REPAYMENT TERMS:

Annual payments of principal commencing February 1, 2019 and semi-annual interest payments each February 1 and August 1, commencing February 1, 2019.

SECURITY:

The Financing Instrument shall be a general obligation of the County, secured by a pledge of its full faith and credit and its unallocated taxing power.

FINANCIAL REPORTING:

The County will be required to provide Bank with a copy of its Audited Financial Statements within 270 days of fiscal year end. The County shall also provide other financial information of the County as the Bank may from time to time reasonably request.

In the absence of Continuing Disclosure or Comprehensive Annual Financial Reporting ("CAFR"), the County will be required to annually disclose to the Bank, the most recent data available regarding:

- Historical Assessed Valuations of the County's tax base,
- Outstanding debt, issued by other municipal debt issuers payable from a tax levy against the same property tax base
- Ad Valorem tax collection rate
- Listing of the top ten taxpayers
- County Population.

**PAYING AGENT/REGISTRAR:**

Bank will act serve as paying agent or as Registrar of the Financing Instrument.

**DOCUMENTATION:**

Documentation shall be prepared by the County's Financing Instrument Counsel, the fees of which Financing Instrument Counsel shall be paid by the County. Documentation shall be subject to approval by the Bank and its separate Bank counsel, to the Bank's reasonable discretion, including but not limited to, the review of the form of ordinance authorizing the Financing Instrument and the form of the Financing Instrument.

**BANK COUNSEL FEES:**

Bank counsel fees and costs not expected to exceed \$5,500.00 will be paid at closing as a cost of issuance of the Financing Instrument. Bank will engage the firm of Chesmore & Spohn LLP.

**ADDITIONAL PROVISIONS:**

In the event of payment default, the Bank may seek all remedies available to it under the law in the state of Kentucky or equity. Bank will require proof of publication of summary ordinance and the approval of the State and Local Debt Officer.

**EXPIRATION:**

This proposal must be accepted on or before NOON (ET) on January 17, 2018 with funding and closing on or before February 16, 2018. If acceptance and funding have not occurred by the above dates, the Bank may, at its option and in its sole discretion, terminate this proposal, or adjust the interest rate.

**MATERIAL CHANGE:**

A material change (>+/- 10%) in the aggregate amount to be financed or a material change in the financial condition or prospects of the County may cause Bank to terminate this proposal under its current terms and pricing models set forth herein.

If you have any questions regarding our Proposed Terms and Conditions, please do not hesitate to call. We sincerely appreciate the opportunity to submit this proposal and look forward to further developing our relationship with the County of Bullitt.

We appreciate your interest in us and look forward to your favorable response. Should you have any questions regarding this proposal, please contact me at (270) 925-2473 or via email at [rajli.libalita@chase.com](mailto:rajli.libalita@chase.com).

Sincerely,

JP Morgan Chase Bank, NA

*Radi Shultz*

Prithvi A. Shultz  
Vice President  
260 East Third St.  
Owensboro KY 42303-4211

IRS Circular 230 Disclosure: Bank and its affiliates (collectively, "Chase") do not provide tax advice. Accordingly, any discussion of U.S. tax matters contained herein (including any attachments) is not intended or written to be used, and cannot be used, in connection with the promotion, marketing or recommendation by anyone unaffiliated with Chase of any of the matters addressed herein or for the purpose of avoiding U.S. tax-related penalties.

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**ORDINANCE 18-04  
LEASE AGREEMENT  
JPMORGAN CHASE BANK NA AND COUNTY OF BULLITT, KENTUCKY**

A first reading on Ordinance 18-04, an Ordinance approving a lease to finance the acquisition of certain assets related to the operation of a 911 Emergency Call System, between JPMorgan Chase Bank NA and County of Bullitt, Kentucky, was given by Assistant County Attorney Rob Flaherty.

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**ADJOURNMENT**

There being no further business, on motion of Esq. Rayhill, seconded by Judge Roberts, and following a unanimous vote, the meeting adjourned at 10:05 a.m.

  
Bullitt County Judge/Executive  
Approved by Fiscal Court:  
February 6, 2018

Minutes prepared & submitted by:

  
Samantha Shaner, Deputy Clerk