

FISCAL COURT ORDERS

AUGUST 2, 2022

BOOK 43

REGULAR SESSION OF NELSON FISCAL COURT

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COURT MET IN REGULAR SESSION, PRESENT APPOINTED COUNTY JUDGE-EXECUTIVE NICHOLAS RAPIER AND THE FOLLOWING NAMED MAGISTRATES: KEITH METCALFE, BERNARD ICE, JEFF LEAR AND ERIC SHELBURNE.

MAGISTRATE GARY COULTER WAS ABSENT FROM COURT

SWEARING IN OF APPOINTED COUNTY JUDGE EXECUTIVE NICHOLAS RAPIER

County Attorney Matthew Hite swore in Governor Appointed County Judge Executive Nicholas Rapier. Judge Rapier will replace Dean Watts resigned on July 31 2022. See page 721.

MINUTES APPROVED JULY 19, 2022 REGULAR MEETING

On motion of Jeff Lear, second of Keith Metcalfe, by unanimous vote of the court, IT IS HEREBY ORDERED to approve the minutes of the July 19, 2022 Regular Fiscal Court meeting.

BILLS- TRANSFERS-ADDITIONAL BILLS

On motion of Eric Shelburne, second of Bernard Ice, by unanimous vote of the court, IT IS HEREBY ORDERED to authorize the County treasurer to pay the following bills, additional bills and to make the following transfers as presented. See pages 722-726.

TREASURER'S SETTLEMENT/VENDOR LIST

On motion of Jeff Lear, second of Eric Shelburne, by unanimous vote of the court, IT IS HEREBY ORDERED to accept the Treasurer's Settlement/Vendor List as presented. See pages 727-737.

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RECREATION REPORT

Recreation Director Derrick Hagan updated the court on the Park reports.

JAIL REPORT

Jailer John Snellen presented to the court the regular Jail report. See pages 738-739.

EMA/EMS-NO REPORT

ROAD DEPARTMENT REPORT

County Engineer Brad Spalding updated the Court ongoing projects.

County Assistant Road Supervisor Lee Mattingly presented to the Court the County Road Department Report. See page 740.

LANDFILL/SOLID WASTE

County Landfill Manager/Engineer John Greenwell updated the court on the continuing projects at the Landfill.

On motion of Jeff Lear, second of Bernard Ice, by unanimous vote of the court, IT IS HEREBY ORDERED to approve the purchase of Kit to repair an International Dump Truck.

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OLD/NEW BUSINESS

Sheriff Pineiroa asks the court to approve donating two police cruisers to Letcher County Sheriff's Office who lost several vehicles in the recent Eastern Kentucky flood. Sheriff Pineiroa informed the court two surplus vehicles will be sent to the Nelson County Jail for use and two of the Nelson County Jail vehicles will be transferred to Letcher County.

On motion of Jeff Lear, second of Keith Metcalfe, by unanimous vote of the court, IT IS HEREBY ORDERED to approve donating two police cruisers to the Letcher County Sheriff Office. See Page 741.

The court approved a request to modify the Bardstown Bourbon Company Industrial Resolution Bond's previously approved at an earlier meeting. County Attorney Matthew Hite added additional wording to page 3 section 10.

On motion of Jeff Lear, second of Bernard Ice, by unanimous vote of the court, IT IS HEREBY ORDERED to approve the amended IPB Resolution. See Pages 742-751.

On motion of Jeff Lear, second of Eric Shelburne, by unanimous vote of the court, IT IS HEREBY ORDERED to adjourn the August 2, 2022 regular session Fiscal Court.

NICKY RAPIER, NELSON COUNTY JUDGE/EXECUTIVE

JEANETTE HALL SIDEBOTTOM, NELSON COUNTY CLERK

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ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER


Secretary of State
Frankfort
Kentucky

2022 - 461
August 1, 2022

By virtue of the authority vested in me by Section 67.705 of the Kentucky Revised Statutes and under Section 152 of the Kentucky Constitution, I, Andy Beshear, Governor of the Commonwealth of Kentucky, do hereby appoint Nicholas Rapier, Bardstown, as County Judge/Executive of Nelson County, Kentucky, to replace Dean Watts, Bardstown, who has resigned.

Mr. Rapier shall serve according to the provisions of Section 152 of the Kentucky Constitution, which sets forth the manner for filling, by general election, the office he shall hold by virtue of this appointment.

Please issue a commission to him.


ANDY BESHEAR, GOVERNOR
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State

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**Nelson County Fiscal Court
Bills for Court Approval
August 2, 2022**

Name	Memo	Account	Amount
01 General Fund			
1st Class Exteriors	Gutter, side and trim repairs	5086741 · Wickland Improvements	1,600.00
ADP	Payroll processing 071522	9100301 · Payroll Processing	563.20
Bardstown Auto Repair	Battery - 2019 Talcoe	5105340 · Law Enforc Vehicle maintenance	240.68
Bartley, Todd	Telephone reimbursement	5205573 · Animal Control Telephones	65.22
Bluegrass Seed	Weed killer	5340427 · Comm Svc Supplies	139.00
Brain Manufacturing Inc.	Bags	5020427 · Coroner Supplies	1,877.16
Brite Wholesale	Bulbs - pole lights	5081334 · Justice Center Building Maint	493.64
Chase Card Services	Postage, zoom, iCloud	5001445 · CJE Office Expense	527.84
Chase Card Services	Postage	5040445 · Treasurer Office Supplies	100.00
Chase Card Services	Continuing education	5040569 · Treasurer Staff training	237.00
Chase Card Services	Postage	5115563 · Codes - Postage	232.16
Chase Card Services	Office supplies	5135427 · EMA Supplies & Materials	89.92
Chase Card Services	Vehicle supplies	5135443 · EMA Vehicle Parts	60.93
Chase Card Services	Drain covers for dog kennels	5205334 · Animal Control Building Main	777.93
Communicare, Inc.	IDT Evaluation	5301357 · Indigent Person Services	285.00
Conway Heaton	SO 24 brakes, rotors	5105340 · Law Enforc Vehicle maintenance	609.40
Cross Tech	Door for dog box	5205334 · Animal Control Building Main	475.00
Economy Pest Control	Pest control	5105329 · Law Enforc Bldg Maint Contracts	45.00
Galls	Various officers - uniforms	5105481 · Law Enforc Uniforms	5,958.08
Hood Paving	Balltown Park - paving	5401718 · Recreation capital	3,120.00
Hord Landscaping	Valve repairs - sprinkler system	5080329 · Old Courthouse Maint Contracts	287.54
Johnson Controls	Semi annual ranshood inspection	5305329 · Sr Citizen Bldg Maint Contracts	260.00
Johnson Controls	Fire extinguisher inspections	5415329 · Civic Center Maint Contracts	286.00
Leo Talbott & Sons	Service call	5080329 · Old Courthouse Maint Contracts	190.00
Leo Talbott & Sons	Kitchen AC	5086329 · Wickland Maint Contracts	95.00
Leo Talbott & Sons	Heat pump, cooling tower - service	5415516 · Civic Center Heating/Air Repair	2,228.00
Lincoln Trail ADD	Regional grant matching funds	5231342 · Lincoln Trail Grant	531.47
Lowe's	Maintenance supplies	5135329 · EMA Maint Contracts	64.80
Masters Supply Inc	Bathroom repairs	5081334 · Justice Center Building Maint	53.11
Masters Supply Inc	Water line repairs	5415334 · Civic Center Bldg Maint	204.13
Midwest Vet Supply	Medical supply	5205549 · Animal Control Medical Expense	222.07
Oil Guys	June 2022 oil changes	5105340 · Law Enforc Vehicle maintenance	433.82
Quill Corporation	Printer ink	5001445 · CJE Office Expense	39.99
Quill Corporation	Office supply - membership	5040445 · Treasurer Office Supplies	69.99
S & P Cleaning Svc	Cleaning service 0722	5010329 · Sutherland Bldg Main Contracts	1,420.00
S & P Cleaning Svc	Cleaning service 0722	5080329 · Old Courthouse Maint Contracts	1,375.00
Superior Technologies	Blakenrod Blvd street light setup	6105578 · Utilities	2,600.00
Tractor Supply	Liter	5205427 · Animal Control Feed & supplies	40.47
Watts, Joseph D	Mileage reimbursement 060122-073122	5001577 · CJE Travel	59.36
Total 01 General Fund			27,957.91
02 Road Fund			
Airgas Mid America	Welding supplies	6105427 · Garage supplies	133.39
Asphalt Materials	Chip seal	6105447 · Dust control-chip seal oil	1,007.16
Bardstown Auto Wrecker Paver		6105443 · Parts	20.00

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**Nelson County Fiscal Court
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Name	Memo	Account	Amount
02 Road Fund (continued)			
Bluegrass Seed	Pembrooke Dr	6105457 · Bridge & Culvert Materials	220.75
Boyd Co	Batteries- CAT Grader	6105443 · Parts	593.66
Brite Wholesale	LED bulbs	6103334 · Building & Grounds Maintenance	135.31
Buzick	Poly rolls	6105427 · Garage supplies	112.99
Buzick	Petersburg Rd	6105431 · Fences, ROW, Tree Removal	334.77
Buzick	Hall Simpson, Sunshine Dr	6105457 · Bridge & Culvert Materials	182.90
Hamilton Excavating	Pembrooke Dr	6105457 · Bridge & Culvert Materials	80.00
Ice, Milo	Straw	6105457 · Bridge & Culvert Materials	2,132.00
Irving Materials Inc.	Sunshine Dr	6105457 · Bridge & Culvert Materials	702.00
Joe Hill's	Blades	6105443 · Parts	29.99
Jones, Steve	CDL, licensing renewals	6105551 · Dues & licenses	97.44
Kentucky Powersports	Pole saw repair	6105336 · Equipment repairs	239.23
Lason	Filters	6105443 · Parts	196.10
Pat's Appliance	Generator supplies	6105443 · Parts	8.98
Quill Corporation	Coffee and supplies	6103411 · Cleaning and custodial supplies	233.94
Roppel's	Truck 307	6105443 · Parts	154.50
Saf-ti-Co	Street, safety, stop signage	6105469 · Signs & Posts	858.44
W W Grainger	Marking paint	6105427 · Garage supplies	85.38
Wimsett, Keith	Generator supplies	6105443 · Parts	50.00
Wright Implement	Saw blades	6105427 · Garage supplies	79.98
Wright Implement	2 cycle oil	6105429 · Fuel and Lubricants	38.49
Wright Implement	JD 6615, 5090M	6105443 · Parts	540.88
Wright Implement	Pole saw	6105475 · Tools	599.99
Total 02 Road Fund			8,868.27
03 Jail Fund			
Chase Card Services	Laundry supplies	5101411 · Custodial Supplies	45.06
Chase Card Services	Food processor	5101423 · Food Prep & Serving Supplies	69.00
Chase Card Services	Bread	5101425 · Food	47.70
Clems	Food	5101425 · Food	3,640.85
Danville Office	Telephone cord	5101445 · Office Supplies	36.68
Flowers Baking Co	Bread	5101425 · Food	770.28
Gordon Foods	Cleaning and custodial supply	5101411 · Custodial Supplies	2,025.62
Gordon Foods	Kitchen supplies	5101423 · Food Prep & Serving Supplies	1,051.64
Gordon Foods	Food	5101425 · Food	10,583.36
Gordon Foods	Canteen inventory	5101428 · Canteen Inventory	40.35
ICS Jail Supplies	Prisoner uniforms	5101465 · Prisoner Clothing	1,200.50
Maxima Supply	Inventory	5101428 · Canteen Inventory	1,800.19
Prairie Farms	Milk	5101425 · Food	923.60
Uline	Bag sealer	5101446 · Jail Supply and Provisions	146.01
Vintow Refrigeration	Ice machine repairs	5101336 · Equipment Repairs	541.00
Total 03 Jail Fund			22,921.84

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**Nelson County Fiscal Court
Bills for Court Approval
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Name	Memo	Account	Amount
09 Ambulance Fund			
Chase Card Services	Cleaning supplies	5140334 · Building maintenance	60.42
Chase Card Services	Promotional materials	5140441 · Supplies and Equipment	459.19
Chase Card Services	Office chair, fleet software	5140445 · Office Expense	674.98
Chase Card Services	Camera cases, trauma kits	5140550 · Medical supplies & Materials	481.06
Chase Card Services	Postage	5140563 · Postage	243.12
Kleentech	Station 4	5140334 · Building maintenance	123.00
Ky Medicaid Assess	Medicaid Assessment Fee 0722	5140314 · Medicaid Provider Fee	8,444.92
Lowe's	Batteries, cable ties, supplies	5140334 · Building maintenance	43.72
Mohawk Medical	Medications	5140550 · Medical supplies & Materials	350.90
NexAir	Oxygen	5140550 · Medical supplies & Materials	364.41
QuadMed Inc	Medical supply	5140550 · Medical supplies & Materials	1,103.82
Stericycle	Steri safe	5140550 · Medical supplies & Materials	124.62
Stryker Medical	Medical supplies	5140550 · Medical supplies & Materials	504.70
Zoll Medical	Heart monitor supplies	5140550 · Medical supplies & Materials	405.56
Total 09 Ambulance Fund			<u>14,261.90</u>
13 Solid Waste Fund			
Chase Card Services	Postage for delinquent accts	5215445 · Office Expense	100.00
Fastenal	Dumpster repairs	5215443 · Parts	21.58
St Thomas Mens Club	Balltown Rd, Loretto Rd	5215315 · Roadside Cleanup	650.00
Total 13 Solid Waste Fund			<u>771.58</u>
15 Landfill Fund			
Boyd Co	420D Backhoe	5210443 · Parts	465.81
Boyd Co	963 Highlift	5210443 · Parts	2,007.45
Boyd Co	826K Compactor	5210443 · Parts	104.97
Brite Wholesale	Pump fuses	5210581 · Leachate Maintenance	29.52
Buzick	Shop supplies	5210427 · Main supplies	62.07
Chase Card Services	Software, postage	5210445 · Office Expense	88.86
Fastenal	Truck 417	5210443 · Parts	18.43
Kenvirons Inc	Phase 1 Construction Plans	8011750 · Landfill Phase Construction	638.00
Kimberland, David	Office cleaning 0722	5210329 · Maintenance Contracts	525.00
Laseo	Service truck, Truck 418	5210443 · Parts	449.90
Quill Corporation	Air freshener, disinfectant	5210411 · Custodial supplies	85.92
Quill Corporation	Toner	5210445 · Office Expense	151.98
SMR Environmental	Methane Sampling 2ndQ 2022	5210324 · Environmental Monitoring	626.00
SMR Environmental	Methane Sampling 3rdQ 2022	5210324 · Environmental Monitoring	626.00
Total 15 Landfill Fund			<u>5,879.91</u>
23 Occupational Tax Fund			
Chase Card Services	Postage	5047445 · OLF Office supplies	300.00
Shred-It USA	File destruction service	5047445 · OLF Office supplies	72.04
Total 23 Occupational Tax Fund			<u>372.04</u>
Bills for Court Approval			<u><u>\$ 81,033.45</u></u>

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NELSON COUNTY FISCAL COURT FY 2023 Paid Bills/Upcoming Transfers for Court Approval August 2, 2022			
Fund/Vendor	Description	Account	Amount
<u>General Fund</u>			
Lawson Products	Drill bits	5090427 - Maintenance Supplies	\$ 163.00
Less Discount			(1.63)
Nelson Co Jail	Transfers from General Fund -July 2022	4909 03 - Transfers to Jail	125,000.00
Salt River Electric	Loan principal payment - SFDA	7700 602 13 - Salt River SFDA	25,000.00
<u>Road Fund</u>			
Lawson Products	Garage supplies	6105427 - Garage supplies	178.40
Less Discount			(1.78)
<u>Landfill Fund</u>			
Lawson Products	Garage supplies	5210427 - Main supplies	424.56
Less Discount			(4.26)
<u>Occupational License Fund</u>			
EMS Fund	FY 23 Budgeted Appropriation	4909 09 - Transfers to EMS	300,000.00
TOTAL PAID BILLS AND TRANSFERS			<u>\$450,758.29</u>

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**Nelson County Fiscal Court
Additional Bills for Court Approval
August 2, 2022**

Name	Memo	Account	Amount
01 General Fund			
Bardstown Housing Auth	Bethany Haven - Aug 2022	5315399 · Emergency Shelter for Children	\$ 300.00
Bluegrass Seed	Posts	5425334 · Fairgrounds Support	16.75
Buzick	Blankenrod light repair	6105431 · Fences, ROW, Tree Removal	(70.70)
Central Ky Comm Action	Staffing for Voluntary Action	5301315 · Community Action Services	1,014.00
Coulter's Towing	Forklift service	5330515 · Feed America Program	100.00
Nu Life Cartridge	Tape	5330515 · Feed America Program	120.00
Ronnie's Custom Care	Monthly cleaning	5081329 · Justice Center Maint Contracts	-4,120.00
Settles, Bobby	Strip and wax terrazo floors	5081740 · AOC Reimb Projects	7,250.00
Total 01 General Fund			<u>12,850.05</u>
02 Road Fund			
Buzick	Blakenrod light repairs	6105431 · Fences, ROW, Tree Removal	74.97
Fulkerson, Ronnie	CDI. renewal	6105551 · Dues & licenses	103.78
Irving Materials Inc.	Hall Simpson	6105457 · Bridge & Culvert Materials	1,053.00
Quill Corporation	Time cards	6103445 · Office Supplies	95.16
Total 02 Road Fund			<u>1,326.91</u>
09 Ambulance Fund			
QuadMed Inc	Medical supply	5140550 · Medical supplies & Materials	508.60
Total 09 Ambulance Fund			<u>508.60</u>
15 Landfill Fund			
Quill Corporation	Toner	5210445 · Office Expense	66.99
Total 15 Landfill Fund			<u>66.99</u>
Total Additional Bills			<u><u>\$ 14,752.55</u></u>

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NELSON COUNTY – KENTUCKY

DEAN WATTS, County Judge Executive
P.O. Box 578 – One Court Square, 2nd Floor
Bardstow, KY 40004-40004-0578

Phone: (502) 348-1800
Fax: (502) 348-1873
Ncjudge@hardstow.com

MEMORANDUM

TO: Judge Watts
Magistrates
County Clerk

FROM: Rhonda Fenwick, County Treasurer

DATE: 7/28/22

RE: FY 2022 Treasurer Settlement
FY 2022 Vendor Listing

The County Treasurer has three reporting requirements for Fiscal Year 2022

1. Annual Treasurer Settlement (KRS 68.020);
2. Vendor listing summarizing aggregate payments of more than \$1,000 (KRS 424.220);
3. Publication of the audit report (KRS 424.220).

Annual Settlement

The FY 2022 Treasurer Settlement is attached for your review and approval by Fiscal Court, pending audit. This report details all cash receipts for the fiscal year and includes cash and investment balances as of the fiscal year end. This report is not required to be published in the newspaper, but will be available on the County's website.

FY 2022 Vendor Listing:

This report is required by statute and includes vendors who were paid more than \$1,000 in aggregate during the past fiscal year. The listing does not have to be published in the newspaper, but the County must advertise and notify the public that the report is available. Currently, this report is published on the County's website, and is also available from the Treasurer's office.

Audit Report

The FY 2022 audit is pending, no start date known.

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ANNUAL REPORT
 TREASURER OF NELSON COUNTY FOR FISCAL YEAR ENDING JUNE 30, 2022
 NELSON COUNTY STATEMENT OF OPERATING RECEIPTS

REVENUE:	General Fund	Jail Fund	Road & LG&A Fund	Federal Grants	EMS Fund	Solid Waste Fund	Landfill Fund	Occupational License Fee Fund	TOTAL
Taxes									
Property Taxes	\$ 7,909,344								\$ 7,909,344
Transient Room Tax	368,066								368,066
Excise Fees									
Clerk	1,052,393								1,052,393
Sheriff	137,272								137,272
Licenses & Permits:									
Occupational License Fee								\$ 1,561,165	1,561,165
Code Enforcement Fees	425,750								425,750
Other Licenses & Permits	133,865								133,865
Intergovernmental Revenues:									
Federal Grants	13,667	\$ 45,182							4,400,109
County Road Aid			\$ 1,475,221						
AGC Lease and Reimbursements	1,188,103								1,188,103
Other State Grants	315,074	478,078	1,077,010	\$ 18,810	\$ 67,026		\$ 4,000		1,941,788
City Transfers	62,061								62,061
Charges for Service:									
Animal Control	36,124								36,124
User Fees		47,087							3,334,002
Other Revenues:									
Property Rentals/Lease	63,573				2,491,950	2,511,485	3,334,002		36,124
Surplus Equipment	41,406								8,384,414
Contributions	25,170						31,320		91,893
Insurance Proceeds	56,563				2,500	10,000			51,511
Telephone Commissions		54,365			2,938				37,670
Project Reimbursements	200,000								107,861
Other Reimbursements	38,071								54,462
Scrap Metal/Recycling									200,000
Jail Camera Reimbursements									38,071
Miscellaneous	6,533	126,763					16,001		16,001
Interest	2,643	2,311	1,250				750		126,763
Total Operating Receipts	\$ 17,085,678	\$ 754,566	\$ 2,608,879	\$ 4,490,109	\$ 2,516,188	\$ 2,588,521	\$ 3,413,226	\$ 1,561,165	\$ 30,018,132

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CASH & INVESTMENT BALANCES


FUND	BANK	BALANCE
Checking Accounts:		
General, Jail, Road & EMS	Town & Country	\$ 2,699,101
Federal Funds	Wilson & Muir	653,291
Federal Funds	Lincoln National	8,525,344
Solid Waste, Landfill, OLF	Wilson & Muir	1,205,097
Payroll Imprest Account	Wilson & Muir	42,731
Total Checking		13,125,564
Investments:		
Investment Sweep-Landfill	WestBanco	2,587,030
Certificates of deposit-Landfill	WestBanco	408,797
Certificates of deposit-Landfill	Stock Yards Bank	530,072
Certificates of deposit-Landfill	Wilson Muir Bank	436,112
Certificates of deposit-Landfill	Town & Country Bank	527,585
Certificates of deposit-Landfill	Lincoln National Bank	2,102,071
Total Investments		6,591,667
TOTAL CASH & INVESTMENTS		\$ 19,717,231

TREASURER'S CERTIFICATION

I, Rhonda H Fenwick, Treasurer for Nelson County, Kentucky, do hereby certify that the above is a true and correct report for the operating receipts and ending cash & investment balances of Nelson County for the Fiscal Year Ending June 30, 2022. This report has been prepared on the cash basis and includes monies received as of June 30.

Payments for bills and services have also been recorded on the cash basis, recognizing expenditures as checks are written. All payments have been approved by the Nelson County Fiscal Court and recorded in the respective Order Books by the Nelson County Clerk or a representative of the Clerk's office.

This report is hereby respectfully submitted to the Fiscal Court of Nelson County, Kentucky, this 28th day of July 2022.


 Rhonda H Fenwick
 Treasurer, Nelson County, Kentucky

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**Nelson County Fiscal Court
424.220 Vendor Summary
July 2021 through June 2022**

This report complies with KRS 424.220 and reports the total amount to vendors during the fiscal year ended June 30, 2022, and includes amounts to vendors exceeding \$1000.

1st Class Exteriors	2,905.00
3-D Graphics	3,042.00
A Loparo Contracting LLC	1,200.00
A&J ConCare LLC	12,000.00
A&M Consultants LLC	1,042.00
ADP	17,815.97
Advanced Systems	3,287.00
Affordable Overhead Doors	3,825.00
Airgas Mid America	1,411.96
Akins Excavating Co	1,283,519.00
All State Truck Sales	7,798.92
AmCon	7,021.04
American Tire	122,230.61
AmeriGas	24,090.80
Anthem Blue Cross and Blue Shield	2,051,252.75
Aqua Treat	4,017.60
Ashley Sanders Cox	2,201.59
Asphalt Materials	22,947.48
AT&T	65,803.24
Bachman Auto Group	41,622.62
Bakers Pressure Washing	6,975.00
Bardstown Housing Auth	3,600.00
Bardstown Main Street	6,500.00
Bardstown Mills	1,351.17
Bardstown Overhead Doors	1,805.00
Barrie, Jennifer	12,833.34
BDM Collision Center	37,503.74
Benefit Marketing Solutions	43,223.70
Best Equipment	1,664.19
Bethlehem High School	132,942.00
Bid Rite Paving	29,690.00
BIDC	47,570.63
Big State Industrial	1,124.30
Bill Brown Construction	6,910.00
Bluegrass Ballfields	1,691.00
Bluegrass Cellular	5,288.60
Bluegrass Integrated Comm	13,359.79
Bluegrass International Trucks Inc	2,573.28
Bluegrass Seed	4,917.05

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Nelson County Fiscal Court 424.220 Vendor Summary July 2021 through June 2022

BNC Air	12,000.00
BNC Chamber of Commerce	3,000.00
BNC Human Rights Commission	3,000.00
BNC Tourism	388,065.91
Bob Barker	11,065.65
Boblitt Tree Service	1,900.00
Boston Fire District	5,000.00
Bound Tree Medical	14,559.80
Bourbon Trail Motors	5,299.78
Boy Scout Troop 142	2,050.00
Boyd Co	50,850.94
Bralin Manufacturing Inc.	3,595.80
Brite Wholesale	9,003.35
Bumper to Bumper	10,709.67
Buzick	4,854.94
CareerCert	2,287.50
Carey Sign	1,984.83
Carter, Kelth	6,500.00
CDA Inc.	14,010.75
Central Ky Comm Action	12,168.00
Central Ky Plumbing	2,251.28
Central Ky Radiology	1,147.31
Century Link	1,544.02
Charm-Tex	5,257.68
Chase Card Services	71,226.94
Chamco Federal Credit Union	100,645.08
Cintas	10,032.79
Citation Equipment	1,401.39
City of Bardstown	366,720.48
City of Bloomfield	17,184.79
City of Lebanon, Ky	21,045.63
City of New Haven	10,731.10
CityForce	1,390.20
Clems	90,033.20
Cleveland Welding	1,329.90
CMI Equipment	8,816.15
CMS Uniforms	1,785.00
Combined Public Comm	30,158.00
Communicare, Inc.	2,280.00
Computer Projects of Il, Inc	13,160.00
Conway Heaton	158,178.38
Cornerstone Detention	3,150.00
Coulter, Gary W	1,653.81

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**Nelson County Fiscal Court
424.220 Vendor Summary
July 2021 through June 2022**

County Attorney	111,915.00
County Clerk	16,518.43
Cross Tech	6,183.35
Cummins Crosspoint	23,122.78
Cundliff, Leo	1,200.00
Cutting Edge Constr	11,973.00
Danville Office	16,286.27
Derby Fire and Safety	1,164.00
Diamond Drugs Inc	34,150.05
Diesel USA	4,892.87
Division of Child Support	27,397.37
Doug Peters & Assoc	4,119.08
Douglas Concrete	5,300.00
Duncan Septic Service	3,188.00
Duplicator Sales	1,129.40
E911 Central Dispatch	222,844.26
Eagle Information Services LLC	1,200.00
East Penn	2,219.88
Economy Pest Control	4,555.00
Ellis Towing	8,216.25
EMSAR	4,526.25
ESO Solutions Inc	2,090.00
Eternal Life	8,400.00
Etown Overhead Door	2,395.00
Etown Vital Care	5,800.00
Euclid Lodge #13	1,000.00
Fastenal	4,376.66
Feed America Ky	4,213.96
First Insurance Group Ky Inc	3,458.00
Flaget Memorial Hospital	15,526.66
Flowers Baking Co	12,678.16
Four Star Tire	66,361.70
Franklin Family Chevrolet	2,015.11
Frederick S. Hecht	2,790.25
Friend of the Court	2,971.00
Friends of Wickland	3,593.75
Gaffney, Phillip	2,000.00
Galeton	6,766.07
Galls	38,004.13
Galusha Contracting	176,884.34
GBA	4,338.56
Global Emergency Vehicles	87,300.00
Gordon Foods	193,245.75

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**Nelson County Fiscal Court
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July 2021 through June 2022**

Gov Deals Inc	1,006.87
Gregory Container Co	80,660.00
Guys Building Supplies	2,534.24
Hafer PSC	1,936.00
Hall, Thomas	3,500.00
Hardin, Gail	1,262.84
Harp Enterprises	28,246.25
Haydon Materials	118,542.79
Hayes Pipe Supply	50,960.32
HDR Engineering Inc	13,350.00
Hillyard	10,029.80
Holt Computers	2,965.00
Humane Society	23,105.36
Hunt Family Dentistry	5,541.40
Icon Engineering	6,200.00
ICS Jail Supplies	15,401.18
IMPCO	3,826.29
Imperiled Bat Conservation	5,252.80
Inter County Energy	1,780.16
InterAct Public Safety Systems	8,835.25
Interstate Constr Products	3,250.00
Interstate Security	5,388.00
Intertech Mechanical	33,792.10
Irving Materials Inc.	20,751.13
ISCO	142,020.00
ISET, LLC	1,167.89
Jabo Supply	35,184.00
James E Bruce, Jr	1,577.23
JBK, Inc.	4,989.46
Jenkins-Essex Construction Inc	16,240.00
Jenny Boone Web Studio	1,590.00
JNE Security LLC	2,398.00
Joe Hill's	3,342.38
John Deere	62,964.69
John Deere Financial	1,148.26
Johnson Controls	9,607.02
Jury's Garden Center	4,980.00
KACo	1,100.00
KACo Fidelity Bonds	11,097.22
KACo Insurance	257,768.88
KACO LGIA	12,777.00
KACo Unemployment	5,251.08
KACo Workers Comp	369,302.16

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Kentucky One	11,323.57
Kentucky Powersports	1,022.23
Kenvlrons Inc	128,868.09
Kerr Office Plus	2,240.32
Keystops	575,067.91
Kimball Midwest	1,938.35
Kimberland, David	5,460.00
Kleentech	4,770.60
KMCA	4,739.71
Knight's Mechanical	28,969.39
Koerber, Doris	4,200.00
Koorsen Fire and Safety	1,146.58
KU	21,194.40
Ky Auditor	19,065.09
Ky County Fees	5,430.00
Ky County Judge Assoc	4,207.00
Ky Deferred Compensation	115,997.66
Ky Environment/Div Waste Management	138,212.36
Ky Forestry	1,576.00
Ky Medicaid Assess	143,873.21
Ky Retirement	3,111,131.15
Ky Rocket Docket	28,958.32
Ky Straight Apparel	1,220.00
Ky Truck Sales, Inc.	1,900.09
L G & E	50,417.34
L&W Emergency Equip	50,633.27
L&W Technology Solutions	6,795.00
Larue County Ready Mix	6,615.00
Lawson Products	5,948.91
LB Surveillance	4,740.30
Leo Talbott & Sons	21,053.00
Lincoln Trail ADD	18,191.85
Lincoln Trail Health Dept	934,522.00
Livers Body Shop	2,592.20
Louisville Auto Spring	70,700.31
Louisville Metro EMS	2,015.00
Lowe's	5,621.48
M Rugged Mobile	3,342.01
Mago Construction	992,129.61
Masters Supply Inc	5,496.90
Mastersons Appliance	1,429.00
Masterson's Painting	4,677.00
Maxima Supply	56,659.77

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McCoy Primary Care	7,400.00
MCR Medical Supply	1,802.95
Med Glove Supply	2,898.00
Metcalfe, Keith	1,453.70
MGC Supply Inc	14,869.50
Midwest Vet Supply	1,718.08
Modern Supply	2,025.70
Mohawk Medical	9,321.73
Monitronics	2,156.58
Morton Salt	92,723.12
Municipal Equip	16,867.06
MVP Garden Center	2,640.00
National Industrial Safety	1,396.36
NC Planning and Zoning	18,423.75
Nelson Co Assoc for the Handicapped	6,000.00
NCEDA	54,600.00
Nelson Co HS Project Grad	2,400.00
Nelson County Board of Education	27,542.46
Nelson County Coroner	10,850.00
Nelson County Fire Department	5,000.00
Nelson County Payroll	7,772,603.65
Nelson County EMS	4,441.50
New Haven Fire Department	5,000.00
New Hope Fire District	5,000.00
Newcomb Oil Co	187,196.95
NexAir	6,447.83
North Nelson Spartan Youth Football	1,200.00
Northeast Nelson Fire	5,000.00
O'Dell Equipment, Inc.	1,298.96
Oil Guys	4,010.87
Old KY Home Middle School	1,700.00
OPC Pest Control	6,046.75
Oracle Elevator Co	2,642.33
Pace Analytical	63,274.59
Paradigm Software	12,244.60
Patrons Home Center	36,187.47
Pat's Appliance	1,489.98
Paxton Media Group	17,991.37
Pipe Eyes LLC	2,685.00
Pipe Savers LLC	4,100.00
Polar King International Inc	23,927.26
Prairie Farms	21,471.19
Precision Products	4,000.00

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**Nelson County Fiscal Court
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Premier Scales	1,171.00
Prestress Services Industries LLC	133,650.00
Pro Air Midwest	1,636.00
Provident Life and Accident Insurance Co.	1,222.32
PVA	100,400.00
QSI Inc	1,585.00
QuadMed Inc	18,095.08
Quality Auto Glass	2,334.56
Quick Care Express	12,061.22
Quill Corporation	8,212.54
Reaction Parts LLC	9,000.00
Red Bird Construction	2,519.00
Reliable Transmission Service	8,029.41
Rochester Miller Restoration	50,138.63
Roll Off Parts.com	1,409.29
Rolling Fork Volunteer Fire District	5,000.00
Ronnie's Custom Care	49,440.00
Roppel's	1,412.00
Roy Hunter CPA	15,900.00
Rugged Steel Works LLC	14,869.00
RWH Computer	7,853.48
S & P Cleaning Svc	34,033.00
S & R Supply	1,590.55
Safe & Vault Store	2,455.00
Saf-ti-Co	18,414.63
Sagrecy Lawn Care	6,100.00
Salt River Electric	380,452.80
Sam's Club	2,381.90
Sandusky Sales	5,170.05
Schnell Contractors	1,500.00
Schweickart, Timo	1,241.21
Select-Tech Inc	118,747.50
Series 2003 Bonds	27,250.00
Series 2011 Bonds	857,880.00
Shelburne, Eric	1,868.67
Sheriff	13,350.55
Shop Stick	6,795.00
Shred-It USA	3,598.03
Smith, Robert Alan	12,600.00
SMR Environmental	2,504.00
Snap-On Tools	2,591.80
Southeastern Emergency Physicians	2,720.29
Southern Commun	2,519.87

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**Nelson County Fiscal Court
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July 2021 through June 2022**

Southern Health Partners	136,564.61
Southern Sales Co.	18,109.90
Special Olympics of Nelson Co	1,000.00
Spectrum	2,521.32
Springfield Laundry	25,691.86
SRM Concrete	2,359.50
St Ann 4H Club	3,400.00
St Michael Parish	1,500.00
St Monica Parish	2,700.00
Standard Insurance Company	112,798.28
Stericycle	1,459.86
Straeffer Pump & Supply, Inc.	4,122.00
Stryker Medical	28,037.43
Tatum Auto Supply	18,235.52
Taylor Contracting	19,345.00
Team Boone	1,675.00
Teleflex	5,885.00
TK Elevator	2,969.84
Todd Johnson Contracting	137,451.48
Total Truck Parts	13,176.90
TriTech Software Systems	23,416.41
TriZetto Provider Solutions	2,593.14
Truck Parts & Service	6,642.86
UHL Truck Sales	7,517.58
Underwood, Judith A	11,400.00
United Labs	1,883.72
University of Ky Transp	1,345.00
US Bank CT	5,154.00
Vencill Enterprises	18,319.35
Vendengine Inc	9,381.30
VendNovation LLC	1,200.00
Verizon Wireless	7,244.40
Vittitow Refrigeration	1,305.41
W W Grainger	6,140.01
Washington County Sheriff	10,416.60
Willett's Lawn	76,638.80
William W. Lawrence Trustee	4,810.00
Wright Implement	5,809.51
Zoll Medical	55,799.14

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Population Reporting Form 8/01/2022

Main Jail			
<u>Secure Male</u>		<u>Secure Female</u>	
Class D	6	Class D	0
Alt. Sentence	0	Alt. Sentence	0
Controlled Intake	11	Controlled Intake	7
Parole Violators	3	Parole Violators	0
Federal Inmates	0	Federal Inmates	0
County Inmates	50	County Inmates	17
Total	70	Total	24
<u>Non Secure Male</u>		<u>Non Secure Female</u>	
Class D	11	Class D	1
Class C	2	Class C	1
Alt. Sentence	1	Alt. Sentence	1
Total	14	Total	3

Restricted Custody Center (RCC)			
<u>Non Secure Male</u>		<u>Non Secure Female</u>	
Class D	_____	Class D	_____
Class C	_____	Class C	_____
Alt. Sentence	_____	Alt. Sentence	_____
Federal Inmates	_____	Federal Inmates	_____
County Inmates	_____	County Inmates	_____
Total	0	Total	0

Jail Restricted Custody (JRC)			
<u>Non Secure Male</u>		<u>Non Secure Female</u>	
Class D	_____	Class D	_____
Class C	_____	Class C	_____
Alt. Sentence	_____	Alt. Sentence	_____
Federal Inmates	_____	Federal Inmates	_____
County Inmates	_____	County Inmates	_____
Total	0	Total	0

Secure is CI, PV, Level 2A, 3, 4, 5 Non Secure is Level 1 or 2

Revised 07/27/2018(2)

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Population Analysis By Classification And Sex 08/02/2022 to 08/02/2022

Classification Summary

Date	AS	CC-1	CD-1	CD-2	CD-3	CI	CIRCUIT COURT	COUNTY-DISTRICT	COURT ONLY	DE	DRUG COURT	FOR ANOTHER COURT	PAROLE VIOLATION	PROBATION VIOLATION	SENTENCED-CIRCUIT	Grand Total
8/2/2022	2	4	11	1	6	18	43	14	1	1	1	4	3	1	1	111

Classification Specific Breakdown

Classification	Date	Total	Female	Male	Total
AS	8/2/2022	2	1	1	2
CC-1	8/2/2022	4	1	3	4
CD-1	8/2/2022	11	1	10	11
CD-2	8/2/2022	1	1	0	1
CD-3	8/2/2022	6	6	0	6
CI	8/2/2022	18	7	11	18
CIRCUIT COURT	8/2/2022	36	7	29	36
COUNTY-DISTRICT	8/2/2022	7	7	0	7
COURT ONLY	8/2/2022	1	1	0	1
DE	8/2/2022	1	1	0	1
DRUG COURT	8/2/2022	1	1	0	1
FOR ANOTHER COURT	8/2/2022	2	2	0	2
PAROLE VIOLATION	8/2/2022	3	3	0	3
PROBATION VIOLATION	8/2/2022	1	1	0	1
SENTENCED-CIRCUIT	8/2/2022	1	1	0	1
Grand Total		111	27	84	111

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Nelson County Road Department

Report to Fiscal Court

August 2, 2022

- **Culverts**
 - Finished replacing all culverts on Hall Simpson Rd. The road is now ready for overlay.
 - Installed channel lining around culvert on Leonard Hall Rd. that District 1 Magistrate called in.
 - installed two culverts on Murrays Run Rd.
- **Asphalt patching**
 - Patched Wetherby Dr.
- Repaired a section of sidewalk on Petershurg Rd.
- Hauled dirt for the Landfill for two days.
- **Shoulder repairs**
 - Installed channel lining on Shoulder of Blanton Ford Rd.
 - Clipped shoulders on Sullivan Ln.
- **Vegetation control**
 - Trimmed brush on Icetown Rd.
 - Trimmed brush on Little Union Rd. to improve sight distance on Grays Run Rd. This was the issue that District 5 magistrate called in.
 - Trimmed tree limbs on Hahn Ridge rd.
 - Trimmed trees on Tom Greer Rd.
- **Tree removal**
 - Removed dead tree on Mobley Mill Rd.
 - Removed tree on Hahn ridge Rd. that was requested by Eric.
- Sent three men to help with Feeding America Program.
- Helped run electric line to streetlight on Blankenrod Blvd.
- Mowing crews are currently in District 4 on third round.

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Sidebottom, Jeanette (Nelson County Clerk)

From: Rhonda Fenwick <nelsontreasurer@bardstown.com>
Sent: Tuesday, August 2, 2022 9:53 AM
To: Sidebottom, Jeanette (Nelson County Clerk)
Subject: VIN #'s for surplus vehicles to Letcher County

2011 Chevrolet White Impala 4-Door 2G1WD5EM1B1235028

2011 Chevrolet White Impala 4-Door 2G1WD5EM5B1233122

Rhonda Fenwick
County Treasurer
Nelson County Fiscal Court
1 Court Square, 2nd Floor
Bardstown KY 40004
502-348-1804 (phone/fax)

Attention: This electronic mail transmission is intended solely for the primary addressee(s) named and may contain information that is confidential, proprietary and/or legally privileged. If you are not the intended recipient, please delete the message and notify the sender. Any views or opinions presented are solely those of the author, except where specifically stated.

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RESOLUTION NO. 1 - 2022

AN AMENDED RESOLUTION OF THE NELSON COUNTY GOVERNMENT, GIVING PRELIMINARY APPROVAL OF AN INDUSTRIAL REVENUE BOND FINANCING FOR THE BARDSTOWN BOURBON COMPANY, LLC, AND ANY AFFILIATES OR ASSIGNEES THEREOF; AUTHORIZING INITIATION OF THE ACQUISITION, CONSTRUCTION, EQUIPPING, AND INSTALLATION OF AN INDUSTRIAL PROJECT; AGREEING TO UNDERTAKE THE ISSUANCE OF ONE OR MORE SERIES OF INDUSTRIAL REVENUE BONDS AT THE APPROPRIATE TIME OR TIMES; AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF AGREEMENT IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND TAKING OTHER PRELIMINARY ACTIONS.

WHEREAS, the Fiscal Court of the Nelson County Government (the "*Issuer*"), has determined that the Issuer may assist The Bardstown Bourbon Company, LLC, a Kentucky limited liability company, its affiliates and assigns (collectively, the "*Company*"), by pursuing the acquisition, construction, equipping, and installation of its distillery expansion, an industrial project of the Company consisting of the facilities and properties described in EXHIBIT A attached hereto (collectively, the "*Project*"), and by entering into, at the appropriate time, a lease agreement with the Company (the "*Lease Agreement*") pertaining to the Project, all pursuant to the authority of Sections 103.200 to 103.285, inclusive, of the Kentucky Revised Statutes ("*KRS*"), as amended (the "*Act*"), and in furtherance of the purposes of the Act and the ensuing public benefit to the residents of the Issuer and its environs, the Lease Agreement to be upon terms and conditions as the Act may require and as the Issuer may deem acceptable; and

WHEREAS, the Company has represented to the Issuer that the acquisition, construction, equipping, and installation of the Project, if acquired, constructed, equipped, and installed, will result in new job opportunities within the environs of the Issuer; and

WHEREAS, the Issuer is authorized by the Act to issue its industrial revenue bonds for the purpose of defraying the costs of acquiring, constructing, equipping, and installing "industrial building" facilities, which term means all real and personal properties suitable for the Project, including land, buildings, fixtures and equipment; discussions have occurred between representatives of the Company and the Issuer regarding the issuance of industrial revenue bonds by the Issuer to finance the Company's Project; it is the intention of the Issuer, and the Issuer has agreed and hereby agrees with the Company, to issue such industrial revenue bonds upon compliance by the Company with such reasonable conditions and obligations as the Issuer may require and documents incident to such bond issue or issues and upon the agreement of the Company to pay the reasonable costs and expenses of the Issuer related to or arising from such issuance from bond proceeds or other sources; and the Issuer has authorized the Company to proceed with the initiation of the acquisition, construction, equipping, and installation of the Project, subject to reimbursement of the costs of such acquisition, construction, equipping, and installation from the proceeds of the industrial revenue bonds, as and when issued; and

WHEREAS, based upon the Company's present estimate of the aggregate costs of the Project together with a reasonable allowance for contingencies and incidental costs, the Issuer proposes to issue its industrial revenue bonds in an aggregate stated principal amount up to

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\$110,786,102.00, for a term of thirty years, to pay the costs of the acquisition of the Project (the "*Bonds*"), including costs incident to the authorization, sale, and issuance of the Bonds and other financing costs, with the understanding that such amount may be increased by subsequent official action of the Issuer upon the Company's request; and the Bonds will be payable solely from payments to be made by the Company under the Lease Agreement and will not be payable from any funds or assets of the Issuer whatsoever; and

WHEREAS, the Issuer proposes to enter into the Lease Agreement with the Company at the appropriate time under which the Company will covenant and agree to pay amounts sufficient to provide for the payment of principal of and premium, if any, and interest on the Bonds together with all trustee, paying agent, and servicing agent's fees in connection with the Bonds and any other related charges as the same come due and payable; and

WHEREAS, to evidence the Issuer and the Company's preliminary agreement regarding these matters the parties propose to enter into a Memorandum of Agreement substantially in the form set out in EXHIBIT B attached hereto (the "*Memorandum of Agreement*");

WHEREAS, an initial resolution was passed by the Nelson Fiscal Court on July 19th, 2022 and the parties amended the terms thereafter;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE FISCAL COURT OF THE NELSON COUNTY GOVERNMENT, AS FOLLOWS:

Section 1. It is hereby found, determined, and declared that the recitals set forth above are hereby incorporated in this Section 1 by reference.

Section 2. It is found, determined, and declared that (a) the recitals set forth in the preambles to this Resolution, which are incorporated in this Section 1 by reference, are true and correct; (b) the amount of money necessary to be provided by the Issuer through the issuance of the Bonds for the acquisition, construction, installation, and equipping of the Project will be an aggregate amount up to \$110,786,102.00, the Bonds to have a term of thirty years; (c) the Company has represented it intends to have sufficient financial resources to acquire, construct, install, and equip the Project and to place it in operation and to continue to operate, maintain, and insure the Project throughout the term of the Bonds, meeting when due the obligations of the Lease Agreement; and (d) sufficient safeguards shall be provided by the Lease Agreement to insure that all money provided by the Issuer from the proceeds of the sale of the Bonds will be expended, by way of direct expenditure or reimbursement, solely and only for the purposes of the Project financed thereby.

Section 3. It is hereby found, determined, and declared that (a) the costs of acquiring, constructing, installing, and equipping the Project will be paid out of the proceeds of the Bonds, such proceeds to be supplemented by contributions of the Company as may be necessary to complete the Company's respective Project; (b) none of the Bonds will be general obligations of the Issuer; (c) neither the Bonds nor the interest thereon shall constitute or give rise to any pecuniary liability whatsoever of the Issuer or any charge against its general credit or taxing power; (d) the Bonds and the payment of interest thereon

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shall be secured and payable solely by a pledge of amounts to be paid by the Company or otherwise to be available under the Lease Agreement; (e) no part of said costs will be payable out of any general funds, assets, properties, or other contributions of the Issuer; (f) the Issuer shall sell the Bonds only to the Company or an affiliated entity or assignee thereof; and (g) the Company shall pay the fees of the Issuer related to the issuance of the Bonds .

Section 4. The acquisition, construction, installation, and equipping of the Project may be initiated and undertaken or caused to be initiated and undertaken by the Company forthwith, and the Company is authorized to formulate and develop plans and specifications for the Project and to enter into such contracts and undertakings as may be required for the acquisition, construction, installation, and equipping of the Project. Payments or reimbursements to or on behalf of the Company after the receipt of the proceeds of the sale of the Bonds by the Issuer shall be made as set out in the Lease Agreement.

Section 5. The Project constitutes an "industrial building" as provided in KRS 103.200(1)(k) and (n).

Section 6. The Company has requested, and the Issuer hereby approves, the employment of McBrayer PLLC as "Bond Counsel." Bond Counsel is authorized and directed to take any other legal action necessary or appropriate in connection with the issuance of the Bonds.

Section 7. The Company is authorized and directed to take any other legal action necessary and customary in order to satisfy any prerequisites to the issuance of the Bonds. Counsel for the Issuer and its officers and officials are authorized and requested to assist the Company in any appropriate manner.

Section 8. The Memorandum of Agreement attached hereto as **EXHIBIT B** is hereby approved, and the County Judge/Executive is hereby authorized to execute the Memorandum of Agreement on the Issuer's behalf. With notice to and approval from the Issuer, the Company may assign its rights hereunder by assigning the Memorandum of Agreement.

Section 9. No funds of the Issuer shall be expended for the costs of issuance of the Bonds or for the costs of the Project, except such as are derived from Bond proceeds.

Section 10. The Company shall make an annual PILOT to the School District in which the project is located in such annual amounts as are equal to all taxes which the School District could have levied in such year if the Project was not exempt from ad valorem taxes by virtue of the Issuer's ownership.

Section 11. All resolutions, municipal orders, and other official actions of the Issuer or parts thereof in conflict herewith are, to the extent of such conflict, hereby rescinded.

Section 12. This Resolution shall be in full force and effect from and after its adoption.

[Signature Page to Follow]

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[SIGNATURE PAGE TO INDUCEMENT RESOLUTION]

ADOPTED by the Fiscal Court of the County of Nelson, Kentucky, at a meeting held on August 1, 2022.



Nelson
County Judge/Executive (temporary)

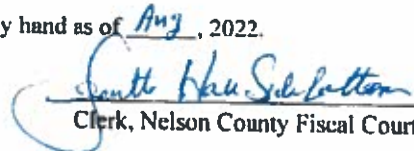
Attest: 

Clerk, Nelson County Fiscal Court

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Council of the Nelson County Government (the "Issuer"), and as such I further certify that the foregoing (with the attached EXHIBITS A and B), is a true, correct, and complete copy of a Resolution duly adopted by the Fiscal Court of the Issuer at a meeting properly held on August 1, 2022, signed by the County Judge/Executive and now in full force and effect, all as appears from the official records of the Issuer in my possession and under my control.

IN WITNESS WHEREOF, I have hereunder set my hand as of Aug, 2022.



Clerk, Nelson County Fiscal Court

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EXHIBIT A TO INDUCEMENT RESOLUTION

Project Description

The Project is an expansion of The Bardstown Bourbon Company, LLC and includes all industrial building facilities to be financed by the Bonds and to be acquired, constructed, installed, and equipped by the Company in and near the Nelson County Industrial Park consisting of land, real property improvements, and personal property at Nelson County PVA Parcel #63000-00-025, to add over 15,000 square feet to the Company's existing distillery, including fourteen warehouses, an addition to one of the Company's existing fermenter buildings, 16 new fermenters, a new distillation column and necessary equipment to accompany it, a hot water processing tank, grain handling equipment, chemical treatments, and glass towers to hold the still which will be visible from Bluegrass Parkway.

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EXHIBIT B TO INDUCEMENT RESOLUTION MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT (this "*Agreement*") is made as of August 1, 2022, by and between (a) the NELSON COUNTY GOVERNMENT, a Kentucky county government established pursuant to the provisions of Chapter 67A of the Kentucky Revised Statutes ("*KRS*" and the "*Issuer*"), and (b) THE BARDSTOWN BOURBON COMPANY, LLC, a Kentucky limited liability company, its affiliates and assigns (collectively, the "*Company*").

RECITALS

A. The Issuer is authorized under KRS 103.200 to 103.285, inclusive (the "*Act*"), to issue industrial revenue bonds to finance the costs of acquiring, constructing, installing, and equipping certain industrial projects and facilities within the meaning of the Act, in order to accomplish the public purposes of promoting economic development within the Issuer's environs;

B. The Company has advised the Issuer that the Company desires to finance the acquisition, construction, installation, and equipping of an industrial project within the meaning of the Act, consisting of the facilities and properties described in EXHIBIT A attached hereto (the "*Project*");

C. The Company has asked the Issuer to issue industrial revenue bonds pursuant to the Act in an aggregate principal amount not to exceed \$110,786,102.00 for the purpose of financing the Project (the "*Bonds*");

D. The parties hereto have found and determined that the financing of the Project will tend to accomplish the public purposes of the Act by causing economic development within the Issuer's environs;

E. The Issuer proposes to issue the Bonds to finance the Project and desires to authorize the Company to proceed with the financing of the Project and be reimbursed from the proceeds of the Bonds for costs incurred related thereto before the issuance of the Bonds;

F. The Issuer proposes to enter into, at the appropriate time and in accordance with the Act, a lease agreement with the Company (the "*Lease Agreement*"), pertaining to the Project, the Lease Agreement to be upon terms and conditions as the Act may require and the Issuer may deem acceptable;

G. In order to obtain for the Issuer's residents the benefits listed above which the Project would create and preserve, the Issuer desires to encourage and induce the Company to proceed with the financing of the Project;

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NOW, THEREFORE, in consideration of the premises and of the covenants and undertakings herein expressed, the Issuer and the Company hereby agree as follows:

Section 1. It is hereby found, determined, and declared that the recitals set forth in the preambles to this Agreement are hereby incorporated in this Section 1 by reference.

Section 2. The Company may commence the acquisition, construction, installation, and equipping of the Project and may provide or cause to be provided, at its own expense, any necessary interim financing to permit such acquisition, construction, installation, and equipping to commence and continue.

Section 3. Subject to the conditions provided herein, the Issuer will issue and sell the Bonds pursuant to the terms of the Act in an aggregate principal amount not to exceed \$110,786,102.00. The Bonds shall be signed by the manual or facsimile signature of the Issuer's County Judge/Executive and attested to by the Issuer's Clerk, shall bear interest at such rate or rates, shall be in such denomination or denominations, shall be subject to such terms of redemption, shall be in registered form, shall be payable as to principal, redemption price, and interest at such place or places, and shall contain such other terms and conditions as may be fixed by or pursuant to the Issuer's ordinance authorizing the sale and delivery thereof. The proceeds from the sale of the Bonds shall be used to finance the Project pursuant to the Act.

Section 4. The Issuer will cooperate with the Company for the purpose of issuing and selling the Bonds on the best terms reasonably obtainable; and if arrangements therefor satisfactory to the Issuer and the Company can be made, the Issuer will authorize the execution and delivery of such instruments and the taking of such further actions as may be necessary or advisable for the authorization, issuance, and sale of the Bonds on a negotiated basis and the use of the proceeds thereof to finance the Project, all as shall be authorized by law and mutually satisfactory to the Issuer and the Company. The Issuer shall sell the Bonds only to the Company or any affiliated entity or assignee thereof.

Section 5. Upon the issuance of the Bonds, the Issuer shall take title to the Company's Project and the Issuer and the Company shall enter into the Lease Agreement pursuant to which the Company will covenant and agree to pay amounts sufficient to provide for the payment of principal of and interest for the Bonds, together with all trustee, paying agent, and serving agent's fees in connection with the Bonds, and any other related charges as the same come due and payable. Issuer shall not be responsible for any costs related to or arising from the lease, including, but not limited to, building costs, repairs, and utilities.

Section 6. The Issuer shall take or cause to be taken such other acts and adopt or cause to be adopted such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate pursuant thereto. Upon request of the Company, the Issuer shall provide the written statement of assurance required by KRS 103.2101(6) that Issuer is in agreement with the negotiated financial arrangement for the issuance of the Bonds.

Section 7. Contemporaneously with the sale of the Bonds, the Company (a) will enter into the Lease Agreement with the Issuer, the terms of which shall obligate the Company to pay

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the Issuer the amounts described in Section 5 hereof, as and when the same shall become due and payable, all provisions required by law and such other provisions as shall be mutually acceptable to the Issuer and the Company, and (b) will take such further acts and adopt such further proceedings as may be required to implement its aforesaid undertakings or as it may deem appropriate in pursuance thereof.

Section 8. The Company shall pay any established fees required by the Issuer related to the issuance of the Bonds.

Section 9. It is understood and agreed by and between the Issuer and the Company that the provisions hereof are not intended to, and shall not be construed or interpreted to, either (a) obligate or authorize the expenditure of any funds of the Issuer derived from any source whatsoever other than the proceeds from the issuance and sale of the Bonds as provided for herein; or (b) create any personal liability of the Issuer's present or future officers, officials, members, and employees, serving from time to time.

Section 10. No recourse shall be had for the payment of the principal of or premium or interest on any of the Bonds or for any claim based thereon or upon any obligation, covenant, or agreement therein contained against any past, present, or future officer, member, employee, or agent of the Issuer or the Commonwealth of Kentucky or any agency or political subdivision thereof, as such, either directly or through the Issuer or the Commonwealth of Kentucky or any agency or political subdivision thereof, under any rule of law or equity, statute, or constitution, or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such officer, member, employee, or agent as such shall be expressly waived and released as a condition of and consideration for the execution and delivery of this Agreement and the issuance of the Bonds.

Section 11. With notice to and approval from the Issuer, the Company may assign its rights under this Agreement and shall provide notice of such assignment to the County Judge/Executive of the Issuer.

Section 12. If the parties are unable to agree to the terms of a Lease Agreement acceptable to the Issuer, the Issuer shall not be obligated to issue the Bonds.

Section 13. If the Company abandons the Project prior to the issuance of the Bonds, it shall notify the Issuer, whereupon this Agreement shall terminate. Upon any termination of this Agreement under this paragraph, neither the Issuer nor the Company shall have any further rights or obligations hereunder, except that the obligations of the Company under Sections 10 and 15 hereof shall survive any such termination.

Section 14. In the event that any tax relating to alcohol is abolished or modified by the state legislature during the term of the bonds, the Company agrees to annually pay to the Issuer and the School District a PILOT in the amount by which the County and School District's receipts are reduced by such action, provided that the total of the tangible personal property tax actually paid on the spirits in any one year, together with the PILOT paid in such year, shall not exceed the

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amount that the Company would have paid in Spirits Tax at the rate and under the provisions of the law that apply on the date hereof.

Section 15. In the event of an Uncured Abandonment (as herein defined), a PILOT shall be due thereafter in an amount equal to the ad valorem taxes that would apply to the Project if this IRB did not exist, payable during the remaining Term of the IRB or until the IRB is otherwise terminated. An "Uncured Abandonment" shall be deemed to exist if at any time after the spirits warehouses included in the Project have been constructed, (i) the Company fails to store at least one-half of the quantity of spirits in each warehouse (such quantity to be set according to the Company's plans), and (ii) the Company fails to remedy such condition within six months thereof.

Section 16. If the Company substantially departs from the Project's plans as provided in its application and final development plan, the Issuer shall not be obligated to issue the Bonds.

Section 17. In order to induce the Issuer to execute and deliver this Agreement, the Company agrees to defend, indemnify, and hold the Issuer, its officials, members, employees, or agents harmless against any and all loss, cost, expense, claims, or actions arising out of or connected with the execution of this Agreement and the consummation of the transactions provided for herein and contemplated hereunder.

Section 18. This Agreement may be signed by each party upon a separate copy or separate signature page, and any combination of separate copies signed by all parties or including signature pages so signed will constitute a single counterpart of this Agreement. This Agreement may be signed in any number of counterparts, each of which will be deemed to be an original, but all of which together will constitute one and the same agreement. It will not be necessary, in proving this Agreement in any proceeding, to produce or account for more than one counterpart of this Agreement. This Agreement will become effective when one or more counterparts have been signed by each party, and delivered to the other parties, respectively. Any party may deliver an executed copy of this Agreement (and an executed copy of any documents contemplated by this Agreement) by facsimile transmission to another party or e-mailed .pdf files of scanned copies bearing their respective signatures, and such delivery will have the same force and effect as any other delivery of a manually signed copy of this Agreement (or such other document).

[Signature Page to Follow]

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[SIGNATURE PAGE TO MEMORANDUM OF AGREEMENT]

NELSON COUNTY GOVERNMENT

Attest: Scott Hulse Schibler
Clerk, Nelson County Fiscal Court

By: Debbie Rupp
Nelson
County Judge/Executive (temporary)

THE BARDSTOWN BOURBON COMPANY, LLC

By: _____
