

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT
9:00 AM

PAGE 215

COURT MET IN SPECIAL SESSION, PRESENT COUNTY JUDGE-EXECUTIVE TIM HUTCHINS AND THE FOLLOWING NAMED MAGISTRATES: KEITH METCALFE, ADAM WHEATLEY, M.T. HARNED AND JEFF LEAR.

MAGISTRATE JON SNOW WAS ABSENT FROM COURT.

MEETING CALLED TO ORDER: COUNTY JUDGE EXECUTIVE TIM HUTCHINS

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Magistrate M.T. Harned.

PRAYER: The Prayer was led by Magistrate Adam Wheatley.

PUBLIC COMMENT: Limited only to the items listed on this agenda per KRS 61.823(3)-NONE. See page 217.

OLD COURTHOUSE RENOVATIONS & HVAC BIDS-

Judge Hutchins presented the only Bid for the Old Courthouse Renovations & HVAC. The Bid was close to double what the County had funded for the Project.

On motion of Adam Wheatley, second of Jeff Lear, by unanimous vote of the court, IT IS HEREBY ORDERED to reject the only Bid for the Old Courthouse Renovations & HVAC due to available funding at this time. See pages 218-219.

FINALIZATION OF ARPA FUNDS

A- Approval of Internet for North and South Stillwell and Vittitow Ford

B- Approval of Salt River Internet Poles.

Magistrate Jeff Lear recused himself from the discussion and vote.

Judge Hutchins presented the ARPA schedule of Funds.

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

REGULAR SESSION OF NELSON FISCAL COURT
9:00 AM

PAGE 216

FINALIZATION OF ARPA FUNDS- continued

On motion of Keith Metcalfe, second of Adam Wheatley, by unanimous vote of the court, IT IS HEREBY ORDERED to approve the Internet Projects for North and South Stillwell and Vittitow Ford Roads and Approval of Salt River Internet Poles as presented. See pages 220-222.

MEMORANDUM OF AGREEMENT AND CONTRACT BETWEEN CITY OF BARDSTOWN AND NELSON COUNTY FISCAL COURT- See page 223.

C-Road Paving

On motion of Adam Wheatley, second of M.T. Harned, by unanimous vote of the court, IT IS HEREBY ORDERED to approve relocating the already approved ARPA Funds to the Road Paving Projects as discussed. See pages 224-226.

MEDICAL CANNABIS-

RESOLUTION #20-2024

Judge Hutchins asked the Court to accept a Resolution preventing any Nelson County Employee the use of Medical Cannabis.

On motion of Adam Wheatley, second of Keith Metcalfe, by a vote of 3 yes votes from Magistrate Keith Metcalfe, Magistrate Jeff Lear and Magistrate Adam Wheatley and 1 no vote from Magistrate M.T. Harned. Magistrate Jon Snow was absent from Court. IT IS HEREBY ORDERED to currently approve the Resolution preventing any Nelson County Employee the use of Medical Cannabis as presented. This will be revisited as the Court sees needed. See pages 227-228.

On motion of M.T. Harned, second of Jeff Lear, by unanimous vote of the court, IT IS HEREBY ORDERED to adjourn the December 30, 2024 Special Session Fiscal Court.

TIM HUTCHINS, NELSON COUNTY JUDGE/EXECUTIVE

JEANETTE HALL SIDEBOTTOM, NELSON COUNTY CLERK

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 218

9:00 AM

10. BID PROPOSAL

BID FORM:

PROJECT # 2024-NC-015, Design & Build of the Nelson County Old Courthouse, Nelson County, Kentucky

I, (name) JEFFREY L. REAMER The duly authorized
representative of the CONTRACTOR, (Name) BUZICK CONSTRUCTION
of (address) 702 BEECHWOOD AVE. BARDSTOWN KY 40004
(Phone) 513-713-9895

do/does hereby propose to provide all labor, equipment, material and supplies necessary for the Renovation, basement improvements and HVAC Replacement at the Nelson County Old Courthouse in accordance with Project #2024-NC-015 plans, scope of work specifications, and these bid documents for the following amount:

Bid Item 1 - (Renovations of the 1st Floor per the plans and basement improvements)

Renovation of the Nelson County Old Courthouse 1st Floor and basement improvements: which shall include necessary Architectural/Engineering services, the supply of all materials required, all necessary demolition, painting, interior walls construction, floors, doors & ceilings construction, windows, lighting, plumbing, electrical/phone/internet/computer wiring, basement sump pump, foundation crack repairs all clean up associated with the project, and other incidental work necessary for the proper design and renovation in accordance with these contract documents.

Contractors Bid \$ 883,294.00 lump sum cost

Bid Item 2 - (HVAC Replacement)

HVAC Replacement the Nelson County Old Courthouse: which shall include the supply of all materials required, all necessary demolition, new HVAC and associated items per the plans, all clean up associated with the project, and other incidental work necessary for the proper installation of the HVAC System per the plans in accordance with these contract documents.

Contractors Bid \$ 1,096,669.25 lump sum cost

Bid Item 1 + 2 Total \$	<u>1,979,963.25</u>
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FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT
9:00 AM

PAGE 219

This bid proposal shall be good for ninety (60) calendar days from bid opening date.

Respectively submitted by:

BUZICK CONSTRUCTION INC.

Name of Contracting Firm

Signature/Title



PROJECT MANAGER

Date

12/27/24

(address/phone)

707 BEECHWOOD AVE BARDSDOWN KY 4004 1513-713-9895

BID BOND ATTACHED

Note Addendums if Applicable

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 220

9:00 AM

ARPA Schedule of Funds

	<u>Jul '20 - Dec 24</u>	<u>Approved Total to Spend</u>	<u>Amount Remaining</u>
Income			
4500 · Intergovernmental Revenues			
4504 19 · ARPA - LATC Funds	100,000.00	100,000.00	0.00
4504 20 · ARPA Funds	8,980,218.00	8,980,218.00	0.00
Total Income	<u>9,080,218.00</u>	<u>9,080,218.00</u>	<u>0.00</u>
Expense			
Premium Pay - all departments	438,634.29	438,634.29	0.00
District 1 Paving	101,193.40	101,193.40	0.00
District 2 Paving	93,169.83	93,169.83	0.00
District 3 Paving	102,802.71	102,802.71	0.00
District 4 Paving	98,278.84	98,278.84	0.00
District 5 Paving	204,857.54	204,857.54	0.00
Sewer Install	16,240.00	16,240.00	0.00
Fire Hydrants	6,203.07	6,203.07	0.00
New Haven Water/Sewer Projects	450,000.00	450,000.00	0.00
LOUISVILLE WATER PROJECT	3,300,000.00	3,300,000.00	0.00
LUTHERAN CH WATER TANK	92,685.00	92,685.00	0.00
MISC PROJECTS	475,827.90	475,827.90	0.00
WT Thompson	6,332.50	6,332.50	0.00
INTERNET thru 6/30/24	533,871.07	533,871.07	0.00
Internet-jul-dec 2024	95,670.38	95,670.38	0.00
Emergency Vehicle	64,855.00	64,855.00	0.00
Equipment - FY2025	312,377.75	312,377.75	0.00
Radios	169,009.45	169,009.45	0.00
Seal Parking Lots - multiple locations	12,655.04	12,655.04	0.00
Balltown Park	24,662.23	24,662.23	0.00
Civic Center Chiller System		114,000.00	114,000.00
Boston Park	0.00	50,000.00	50,000.00
Bloomfield Park	0.00	172,480.19	172,480.19
Fairfield Projects	8,424.43	32,000.00	23,575.57
EMS Vehicles	185,778.00	322,178.00	136,400.00
Garbage Truck	0.00	255,000.00	255,000.00
Street Lights	5,100.00	19,800.00	14,700.00

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT
9:00 AM

PAGE 221

ARPA Schedule of Funds

	Jul '20 - Dec 24	Approved Total to Spend	Amount Remaining
Water Projects:			
Hurricane Hills/Masden Rd	0.00	450,000.00	450,000.00
Bennetts Lane	0.00	44,400.00	44,400.00
Louisville Road (incl Cora Lane)	202,612.06	224,000.00	21,387.94
Robert Taylor	0.00	109,000.00	109,000.00
Thomsberry Ln	2,687.50	35,257.50	32,570.00
Internet Projects:			
Charter	0.00	200,000.00	200,000.00
Allen Road	0.00	18,951.24	18,951.24
internet - N/S Stillwell	0.00	140,727.09	140,727.09
Internet - Vittitow Ford	0.00	54,684.87	54,684.87
Internet - Stillwell/VF -Salt River	0.00	76,000.00	76,000.00
 District Paving- additional	 0.00	 245,882.00	 245,882.00
 Total Expense	 7,003,927.99	 9,163,686.89	 2,159,758.90
 BALANCE ARPA FUNDS	 2,076,290.01	 (83,468.89)	 (83,468.89)

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 222

9:00 AM

Nelson County Road Department

P.O. Box 578
Bardstown, KY 40004
Phone: (502) 348-1880
nrcroads@bardstown.com

PURCHASE ORDER

DATE	12/27/2024
PO #	NCRD - 3886

VENDOR

Salt River Electric
111 W. Brashear Ave.
Bardstown, KY 40004

SHIP TO

Nelson County Road Department
820 W. Stephen Foster Ave
Bardstown, Ky 40004
(502) 348-1880
nrcroads@bardstown.com

REQUISITIONER	SHIP VIA	F.O.B.	SHIPPING TERMS
Brad Spalding			

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	ARPA - Internet Utility Pole Replacement N & S Stillwell, Vittitow Ford Road	19	Poles	\$ 4,000.00	\$ 76,000.00

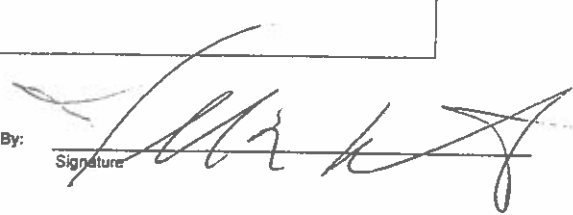
Comments
ARPA - Utility Pole Replacement N & S. Stillwell, Vittitow Ford

SUBTOTAL \$ 76,000.00

SHIPPING	
OTHER	
TOTAL	\$ 76,000.00

Purchase Order Authorized By:

Signature



12/27/2024
Date

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 223

9:00 AM

Agreement # _____

MEMORANDUM OF AGREEMENT AND CONTRACT

The Nelson County Fiscal Court and the City of Bardstown would like to enter into an agreement to fund the **“North Stillwell, South Stillwell and Vittitow Ford”** project as a joint project.

This agreement, entered into by and between the City of Bardstown and the Nelson County Fiscal Court on this ___ day of _____, 2024 shall be binding on the two parties for an initial period of _____ months, and may be renewed and/or modified thereafter in writing by mutual consent.

The City of Bardstown shall, within ___ months of the signing of this agreement, begin to construct, install, and make operational broadband infrastructure for the North and South Stillwell and Vittitow Ford project of Nelson County, attached hereto and incorporated into this agreement; and

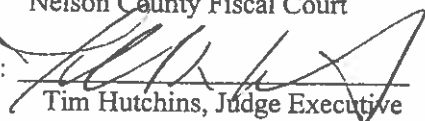
The City of Bardstown shall operate the said infrastructure under the terms of its Franchise Agreement with the Fiscal Court.

The Nelson Fiscal Court will fund the entire cost of the build through direct reimbursement to the City of Bardstown. Any costs associated with utility pole replacement shall be paid by the Nelson County Fiscal Court directly to the utility provider/owner.

This Agreement is entered into this the ___ day of _____, 2024 by:

Nelson County Fiscal Court

by:


Tim Hutchins, Judge Executive

City of Bardstown

by:

J. Richard Heaton, Mayor

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 224

9:00 AM

Nelson County Road Department

P.O. Box 578
 Bardstown, KY 40004
 Phone: (502) 348-1880
ncroads@bardstown.com

PURCHASE ORDER

DATE	12/27/2024
PO #	NCRD - 3885

VENDOR

Mago Construction
 PO Box 669
 Bardstown, KY 40004

SHIP TO

Nelson County Road Department
 820 W. Stephen Foster Ave
 Bardstown, Ky 40004
 (502) 348-1880
ncroads@bardstown.com

REQUISITIONER	SHIP VIA	F.O.B.	SHIPPING TERMS
Brad Spalding			

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
	ARPA Funds				
1	Antlers Trace (CR-1355) (3,010' long, 26' Wide, 1-inch asphalt surface overlay) Entire Road	508	Tons	\$ 96.50	\$ 49,022.00
2	Keenland (CR-1081C) (1,489' long, 25' Wide, 1-inch asphalt surface overlay) Entire Road	257	Tons	\$ 96.50	\$ 24,800.50

Comments
Keenland Drive & Antlers Trace Asphalt Surface

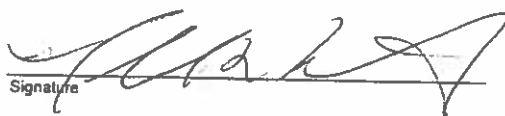
SUBTOTAL \$ 73,822.50

SHIPPING

OTHER

TOTAL \$ 73,822.50

Purchase Order Authorized By:


 Signature

12/27/2024
 Date

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 225

9:00 AM

Nelson County Road Department

P O Box 578
Bardstown, KY 40004
Phone: (502) 348-1880
nccrdd@bardstown.com

PURCHASE ORDER

DATE	6/18/2024
PO #	NCRD - 3813

VENDOR

MAGO Construction
PO Box 669
Bardstown, KY 40004

SHIP TO

Nelson County Road Department
820 W. Stephen Foster Ave
Bardstown, Ky 40004
(502) 348-1880
nccrdd@bardstown.com

REQUISITIONER	SHIP VIA	F.O.B.	SHIPPING TERMS
Brad Spalding			

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	2024-2025 Magistrate Paving - District 2 Poplar Flat Cemetary Rd (CR-1164) (2,300' long, 13-20' Wide, 1-inch thick asphalt surface overlay) (Begin at Poplar Flat Road and extend East for 2,300'	312	Tons	\$ 98.50	\$ 30,108.00
2	Ed Pile Road & Connector (CR-1121 & CR-1174) (1,531' long, 14-22.5' Wide, 1-inch thick asphalt surface overlay) (Begin at Poplar Flat Rd and extend south until Bryan Dr. Int.	200	Tons	\$ 96.50	\$ 19,300.00
3	Ed Pile Road (CR-1121) (612' Long, 22' Wide, 1-inch thick asphalt surface overlay) Begin at (Ryan Ct. Int. to Castle Dr. Int.)	85	Tons	\$ 96.50	\$ 8,202.50
4	Castle Drive (CR-1631) (1,193' Long, 22' Wide, 1-inch thick asphalt surface overlay) Entire Rd.	225	Tons	\$ 96.50	\$ 21,712.50
5	Garrison Lane (CR-1009) (3,100' Long, 13-15' Wide, 1.25-inch thick asphalt surface overlay) Begin at Stringtown Road, extend west to end	385	Tons	\$ 96.50	\$ 37,152.50

SUBTOTAL \$ 116,475.50

SHIPPING
OTHER
TOTAL \$ 116,475.50

Comments
2024-2025 Paving District 2 - Poplar Flat Cem., Ed Pile Rd, Castle Dr & Garrison Ln.
ARPA Funding FY 2024-2025

Purchase Order Authorized By:

Signature

6/18/2024
Date

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 226

9:00 AM

Nelson County Road Department

P.O. Box 578
Bardstown, KY 40004
Phone: (502) 348-1880
ncroads@bardstown.com

PURCHASE ORDER

DATE	8/16/2024
PO #	NCRD - 3832

VENDOR

MAGO Construction
PO Box 669
Bardstown, KY 40004

SHIP TO

Nelson County Road Department
820 W. Stephen Foster Ave
Bardstown, Ky 40004
(502) 348-1880
ncroads@bardstown.com

REQUISITIONER	SHIP VIA	F.O.B.	SHIPPING TERMS			
Brad Spalding						

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	2024-2025 Magistrate Paving - District 4 Wilson Creek Road (CR-1333) (4,600' Long, 16' Wide, 1.25-inch thick asphalt surface overlay) Begin Hwy 245 and extend West to the end for 4,600'	576	Tons	\$ 96.50	\$ 55,584.00

Comments
2024-2025 Paving, District 4 - Wilson Creek Road ARPA Funds

SUBTOTAL \$ 55,584.00

SHIPPING
OTHER

TOTAL \$ 55,584.00

Purchase Order Authorized By: _____
Signature

8/16/2024
Date

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT

PAGE 227

9:00 AM

A RESOLUTION REGARDING THE USE OF MARIJUANA, WITH OR WITHOUT A PRESCRIPTION, BY EMPLOYEES OF NELSON COUNTY IN RESPONSE TO SB 47.

Resolution 2024-_____

WHEREAS, Nelson County Fiscal Court presently has a Drug and Alcohol-Free Work Place policy that prohibits any use of marijuana, cannabis or THC by Nelson County employees; and

WHEREAS, in 2023, the General Assembly enacted Senate Bill 47 which permits the use of medical marijuana by certain individuals for certain qualifying medical conditions so long as they possess a valid prescription and meet other legal requirements and regulations; and

WHEREAS, the General Assembly also enacted KRS 218B.040 which states the following:

“Employers are not required to permit or accommodate use.

(1) Nothing in this chapter shall:

(a) Require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, distribution, sale or growing of medicinal cannabis in the workplace;

(b) Prohibit an employer from implementing policies promoting workplace health and safety by:

1. Restricting the use of medicinal cannabis by employees; or

2. Restricting or prohibiting the use of equipment, machinery, or power tools by an employee who is a registered qualified patient, if the employer believes that the use of such equipment, machinery or power tools by an employee who is a registered qualified patient poses and unreasonable safety risk:

(c) Prohibit an employer from including in any contract provisions that prohibit the use of medicinal cannabis by employees;

(d) Permit a cause of action against an employer for wrongful discharge or discrimination

(e) Prohibit an employer from establishing and enforcing a drug testing policy, drug-free workplace or zero-tolerance drug policy.

(2) An employee who is discharged from employment for consuming medicinal cannabis in the workplace, working while under the influence of medicinal cannabis, or testing positive for a controlled substance shall not be eligible to receive benefits under KRS Chapter 341, if such actions are in violation of an employment contract of established personnel policy.

(3) An employer shall not be penalized or denied any benefit under state law for employing a cardholder;” and

FISCAL COURT ORDERS

DECEMBER 30, 2024

BOOK 47

SPECIAL SESSION OF NELSON FISCAL COURT
9:00 AM

PAGE 228

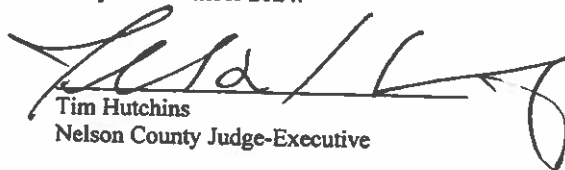
WHEREAS, it is the desire of the Nelson County Fiscal Court to continue to prohibit any use of medicinal marijuana by all employees of the Nelson County Fiscal Court, including those meeting the requirements of KRS 218B.040; and

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

Pursuant to KRS 218B.40, the Nelson County Fiscal Court exercises its right under the statute to not permit, or accommodate, the use of medicinal cannabis. Therefore, an authorized cardholder is prohibited from utilizing medicinal cannabis while employed by Nelson County Fiscal Court.

1. The Nelson County Fiscal Court Drug and Alcohol Workplace Policy set forth in the Personnel Policy remains in full effect as written.
2. The use of marijuana or medicinal marijuana, with or without a prescription, is prohibited.
3. Any violations of the Drug Free Work Force Policy for marijuana, with or without a valid prescription, will be subject to the same consequences as any other prohibited substance under said policy.

This resolution was adopted by the Nelson County Fiscal Court in the regularly scheduled meeting, called to order on this 30th day of December 2024.


Tim Hutchins
Nelson County Judge-Executive

ATTEST:


Jeanette Sidebottom
Nelson County Clerk