

UNION COUNTY FISCAL COURT MEETING  
October 10, 2023

All supporting documents to these Minutes may be found in the office of the County Judge/Executive.

The meeting opened at 9:00 a.m. with a Prayer by Judge/Executive Adam O’Nan, and the Pledge to the American Flag.

The Union County Fiscal Court met in a regular scheduled meeting with Judge/Executive Adam O’Nan presiding. The Union County Fiscal Court met in the upstairs Courtroom. Magistrates present were Wyatt, Ricketts, Jones and Girten.

The minutes from the September 26, 2023, Fiscal Court Meeting were approved as presented.

Judge O’Nan presented a Kentucky Retired Teachers Proclamation to the Court, proclaiming the week of October 16-22, 2023, as Kentucky Retired Teachers Week. Magistrate Ricketts made a motion to approve said proclamation, seconded by Magistrate Wyatt, motion carried.

Judge O’Nan presented the second reading of an Ordinance allowing the operation of side-by-side vehicles on county roads. He stated that because of some administrative issues still needing to be worked out, for example: sticker/plate, if passed, this Ordinance will be effective November 1, 2023. Magistrate Girten made a motion to approve said second reading, seconded by Magistrate Jones, roll was called as follows:

Magistrate Wyatt: Yes

Magistrate Floyd: Absent

Magistrate Ricketts: Yes

Magistrate Jones: Yes

Magistrate Girten: Yes

County Judge/Executive Adam O’Nan: Yes

Motion carried.

Sam McLeod, Constable for District #1, presented the Court with information regarding the surety bond that the county pays that is required by the state for the constables to have. Sam stated that the state requires a \$10,000 surety bond for elected constables and that it’s at the discretion of the Fiscal Court to set the bond price. Several years ago, when the constables had

more authority, the Court set the bond amount at \$200,000. McLeod asked the Court to reduce the bond back to \$10,000, which would save the county money and be more in line with the limited duties of today's constables. With Magistrate Floyd being absent, and him being on the court when the increase was made, Judge O'Nan asked the Magistrates to wait until Magistrate Floyd is in attendance to consider the requested change & told McLeod that this would be addressed before the surety bond is due for next year.

Judge O'Nan presented the following recommended changes for the Administrative Code:

- Page 16 – **BENEFITS:**

The following twelve (12) days shall be designated to full-time employees as paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day and the Friday after Thanksgiving
- Christmas Eve
- Christmas Day
- New Year's Eve

- Page 17 – **PAID VACATIONS:**

1. Each employee with at least one (1) year of service, but less than two (2) years of service shall be entitled to forty (40) hours vacation with pay.
2. Each employee with at least two (2) years of service, but less than ten (10) years of service shall be entitled to eighty (80) hours of vacation with pay.
3. Each employee with ten (10) years, but less than twenty (20) years of service shall be entitled to one hundred twenty (120) hours vacation with pay. Forty (40) hours of your vacation may be taken in pay in lieu of time off.
4. Each employee with twenty (20) years or more of service shall be entitled to one hundred sixty (160) hours vacation with pay. Forty (40) hours of your vacation may be taken in pay in lieu of time off.

- Page 17, 18 & 19 – **PAID SICK LEAVE AND ATTENDANCE:**

1. Full-time employees are eligible to accrue sick leave once they have completed their 60-day probationary period. They will accrue such leave at the rate of eight (8) hours for every month employed, however, the employee has worked at least fifteen (15) days during the month. Sick leave not used in one year from the employee's probationary period can be carried over to the following year.

Employees shall be allowed to accrue an unlimited number of sick leave hours. Upon termination of employment with the County, unused sick leave shall be forfeited without pay. The only exception to this is if a person retires after twenty (20) years of continuance service or reaches retirement age set by the Social Security Administration. The retiring employee may be paid up to four hundred eighty (480) hours of accrued unused sick days.

4. An employee may donate sick leave to the county wide sick bank by filling out the required form.

- Page 26 – **WORK WEEK AND WAGES:**

Any employee not working a regularly scheduled shift and called out by dispatch or supervisor shall be paid a minimum of two (2) hours pay.

**COMPENSATORY TIME OFF:**

Pursuant to KRS 337.285 Union County Fiscal Court gives county employees the option of receiving compensatory time off (“Comp Time”) instead of overtime pay for overtime hours worked. All comp time off must be given at the rate of one and one half (1 ½) hours for each hour of overtime worked. Comp time scheduling will be done on a **prior approval** basis, with the approval of the employees Immediate Supervisor or his/her Designee and will be scheduled to meet the needs of the employees: the County: and the public. Compensatory Time Off will have a limit of forty (40) hours accrued per year any additional hours above that must be paid out at an hourly rate of pay. There will be zero (0) rollover comp time from year to year all time must be used or paid off in the calendar year.

- Page 31 – **TESTING TIMES:**

3. **Random Testing**

- a. **Designated Employees** Each designated employee of the County shall be assigned a number at random by the County Judge who shall keep said list and numbers confidential and on file in his office.

The County Judge shall maintain four (4) separate listings or pools. One pool shall be for the County Transportation Officers, the second pool shall be for the County Sheriff’s Office, the third pool shall be for CDL employees employed by the County, and the fourth pool shall be for all non-CDL employees employed by the County at the Road Department. Once each calendar quarter, the County Judge shall select numbers at random for drug and alcohol testing. One number per quarter shall be selected, at random, from the County Transportation Office pool. One number per quarter, at random, shall be selected from the County Sheriff’s pool. Two numbers, at random, shall be selected each quarter from the CDL pool (subject to the specific requirements set out in paragraph 3b herein). One number, at random, shall be selected each quarter from the non-CDL pool. No designated employee or CDL employee shall be subject to random testing if he has been tested twice during the preceding 12 months.

- Page 35 – **TRAVEL POLICY**

- **Drive Time**

- Drive Time must be done during an employee's regularly scheduled work hours if possible. If normal work duties require drive time to extend past regular work hours additional hours will be logged and treated as additional hours worked.

- **Per Diem**

- Per Diem food expenses will be paid at the maximum rate of \$45.00 for each 24-hour period with travel. An itemized receipt is required to receive per diem reimbursement.

- **Travel Vouchers**

- Copies of all receipts must be attached.

- Page 38 – **CHAPTER 8 PURCHASES AND CONTRACTS**

- **SECTION 8.2 Selection of Vendors and Contractors (Procedures for Sealed Bidding)**

- B. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget. The determination shall state no single item or aggregate thereof shall exceed \$40,000.00.

- C. Any expenditure or contract for materials, supplies or equipment, or for contractual services other than professional, involving an expenditure of more than forty thousand dollars (\$40,000) shall be subject to competitive bidding.

- Page 39 – **SECTION 8.4 Procedures Prerequisite to Use of Negotiated Process**

- A. The negotiated process may be used instead of advertisement for bids if the amount exceeds \$40,000 in the following circumstances:

- (1) an emergency exists;
      - (2) bids exceed available funds; or
      - (3) the contract is for professional services.
      - (4) Other Governmental contracts

- Page 40 – **SECTION 8.6 Small Purchase Procedures**

- A. All expenditures of less than \$40,000 shall be considered a "small purchase" and are not subject to competitive bidding.

- B. The County Judge determines the need for any item requested, and whether or not the contract is for less than \$40,000 and the expenditure is provided for in the budget.

- C. For all "small purchases" exceeding \$5,000, the County Judge and all Department Supervisors shall obtain at least three quotes from prospective suppliers or vendors, prior to the purchase and then select a purchase most advantageous to the County with the approval of the Union County Fiscal Court.

- I. For purchases under \$5,000.00 no price quotes need to be obtained.

Magistrate Jones made a motion to approve all recommendations presented, seconded by Magistrate Rickett, motion carried.

Magistrate Girten made a motion to approve a MOA for HB1 Project No. E223, Courthouse Indoor/Outdoor Remodel in the amount of \$275,000, seconded by Magistrate Jones, motion carried.

Magistrate Ricketts made a motion to approve a MOA for HB1 Project No. E224, Courthouse Security System in the amount of \$150,000, seconded by Magistrate Girten, motion carried.

Magistrate Jones made a motion to approve a MOA for HB1 Project No. E225, New Building at County Road Department in the amount of \$100,000, seconded by Magistrate Girten, motion carried.

Magistrate Wyatt made a motion to approve a MOA for HB1 Project No. E226, Tornado Sirens in the amount of \$100,000, seconded by Magistrate Ricketts, motion carried.

Magistrate Girten made a motion to approve a MOA for HB1 Project No. E227, 911 Dispatch Operational Expenses in the amount of \$600,000, seconded by Magistrate Jones, motion carried.

Magistrate Jones made a motion to approve a MOA for HB1 Project No. E228, Purchase of 2 Pumper Trucks in the amount of \$700,000, seconded by Magistrate Ricketts, motion carried.

Magistrate Wyatt made a motion to approve a MOA for HB1 Project No. E229, Water Rescue Boat in the amount of \$175,000, seconded by Magistrate Jones, motion carried.

Magistrate Girten made a motion to approve a MOA for HB1 Project No. E230, 2023 & 2024 Braves to College in the amount of \$400,000, seconded by Magistrate Ricketts, motion carried.

Magistrate Wyatt made a motion to approve a MOA for HB1 Project No. E231, Morganfield Football Field Lights in the amount of \$250,000, seconded by Magistrate Jones, motion carried.

Magistrate Ricketts made a motion to approve a MOA for HB1 Project No. E232, Caseyville/Whispering Meadows Equipment in the amount of \$150,000, seconded by Magistrate Jones, motion carried.

Magistrate Ricketts made a motion to approve a MOA for HB1 Project No. E233, Service Bond Payments in the amount of \$259,167, seconded by Magistrate Girtten, motion carried.

Magistrate Jones made a motion to approve a MOA for the Moffit Lake Recreation Area Repaving Grant we were awarded, funded by the National Park Service in the amount of \$100,000, seconded by Magistrate Wyatt, motion carried.

Magistrate Wyatt made a motion to approve the completion of Sheriff Thomas' 40hr. training unit in the amount of \$1,245.81, seconded by Magistrate Jones, motion carried.

Judge O'Nan stated that after the Moffit Lake Committee interviewed 7 applicants for the part-time cabin cleaning position at Moffit Lake, they are recommending that the Court hire Brittney Drury for this position at \$15.00 an hour. Magistrate Ricketts made a motion to approve said recommendation, seconded by Magistrate Jones, motion carried.

Judge O'Nan stated that Road Supervisor, Tony Ratley is asking the Court to consider purchasing a new Mini Excavator for the Road Department. He obtained 2 quotes at state contract price. One from Boyd Cat for a 2024 Caterpillar 306 Mini Excavator in the amount of \$115,113.75 with a trade in of \$46,000 and one from Rudd Equipment for a 2024 Volvo Compact Excavator in the amount of \$79,119 plus an additional \$16,381 for attachments, less (\$40,000) trade in, for a total of \$55,500. Ratley recommended that the Court purchase the 2024 Volvo Compact Excavator from Rudd Equipment in the amount of \$55,500. Magistrate Jones made a motion to approve said recommendation, securing an extended warranty from Rudd, seconded by Magistrate Ricketts, motion carried.

Judge O'Nan stated that Ratley is also asking the Court to consider purchasing a Rear Blade for the Road Department. He obtained 2 quotes at state contract price. One from Dixon Farms for an Industrias America 120R Grader Blade in the amount of \$9,250 and one from H&R Agri-Power for a 2023 Johnson 1200RS Rear Blade in the amount of \$21,000. Ratley recommended that the Court purchase the 2023 Johnson 1200RS Rear Blade from H&R Agri-Power in the amount of \$21,000. Magistrate Ricketts asked Ratley to explain the difference between these two pieces of equipment. Ratley stated that the Industrias America 120R is very lightly made and it's hard to get parts for. The Johnson 1200RS is better made and is compatible with our existing tractor inventory. Magistrate Girtten made a motion to approve said recommendation, seconded by Magistrate Ricketts, motion carried.

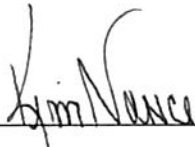
Claims are to be paid as presented.

Magistrate Ricketts made a motion to approve Transfers in the amount of \$1,445,000.00, seconded by Magistrate Girtten, motion carried.

Judge O’Nan stated that we were awarded \$191,000 in Discretionary Funds for repaving a section of Bethel Church Road.

Judge O’Nan and all of the Magistrates gave updates on their districts with nothing that required movement from the court.

There being no further business to come before the Court, a motion to adjourn was made by Magistrate Jones, seconded by Magistrate Wyatt, motion carried.



Kim Nance  
Fiscal Court Clerk



Adam O’Nan  
County/Judge Executive