

**PENDLETON COUNTY FISCAL COURT**  
**SPECIAL CALLED MEETING**  
May Term, May 8<sup>TH</sup>, 2013

COURT MET PURSANT TO ADJOURNMENT  
With  
HONORABLE HENRY BERTRAM, COUNTY JUDGE/EXECUTIVE  
Presiding

MEMBERS PRESENT: Bobby Fogle, Gary Veirs, Alan Whaley, David Fields,  
Judge Bertram

MEMBERS ABSENT:

COUNTY ATTORNEY: Jeff Dean

**In Re: Agenda**

Squire Veirs made a motion to approve the agenda, second by Squire Whaley.  
Motion carried.

**In Re: Closed Session Per KRS 61.810 (1)(c) to Discuss Litigation with CSX**

Judge Bertram request a closed session per KRS 61.810 (1)(c) to discuss ongoing litigation between the Fiscal Court and CSX Railroad. A motion was made to enter into closed session by Squire Fields, second by Squire Fogle. Motion carried. Closed session was entered into and the public was asked to leave the court meeting per County Attorney Jeff Dean. Motion was made by Squire Fogle to go back into open session, second by Squire Whaley. Motion carried. Judge Bertram made a request that the county attorney comment on the closed session. County attorney Jeff Dean commented that the fiscal court went into closed session to discuss litigation with CSX Railroad, no action was taken.

**In Re: Moving Forward with Litigation**

Judge Bertram asked for a motion moving forward with litigation dealing with CSX Railroad. Squire Veirs made a motion to delay the Attorney General's Opinion for 30 days allowing for Gregg Colston to provide further information concerning the Catawba Road Bridge issue, seconded by Squire Fields, motion carried.

**In Re: Adjournment**

A motion was made by Squire Fields, seconded by Squire Viers carried, that this meeting be adjourned, to meet again in regular session on May 14, 2013 at 7:00 P.M., subject to any call meetings.

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Pendleton County Judge/Executive

ATTEST: \_\_\_\_\_  
Pendleton County Clerk