

COMMONWEALTH OF KENTUCKY  
MASON FISCAL COURT  
ORDER NO. 21-02

**AN ORDER DECLARING AN EMERGENCY TO EXIST, )  
AND PROCEEDING WITH THE PROJECT TO REPLACE )  
THE BRIDGE ON OAK WOODS ROAD (CR 1119) WITHOUT )  
BIDDING THE PROJECT AND WITHOUT PRIOR FISCAL )  
COURT APPROVAL )**

WHEREAS, Oak Woods Road (CR 1119) is a roadway within the County Maintained Road System; and

WHEREAS, the Mason Fiscal Court was notified by the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways (KYTC) that the bridge over Indian Creek on such roadway must be immediately closed because of deficiencies discovered during a bridge inspection, a copy of such notice dated January 13, 2021, is attached hereto as Exhibit A; and

WHEREAS, the undersigned Judge Executive has determined that the closure of the bridge over Indian Creek on Oak Woods Road (CR 1119) creates not only an inconvenience to the traveling public, but a risk of death or serious harm in preventing emergency medical providers or fire departments, or other first responders, from reaching residents of the area. SEE Letter from Maysville Fire Chief Kevin Doyle attached hereto as Exhibit B; and

WHEREAS, the undersigned Judge Executive has applied to KYTC for emergency road funds, and such request has been approved by KYTC on a eighty (80) percent funding basis, with KYTC approving and committing to \$72,560.00 for the emergency project; and

WHEREAS, the undersigned has obtained the proposal of E and E Contracting to perform the emergency bridge replacement, and the undersigned finds that the amount is reasonable considering other similar non-emergency projects and that the contractor can immediately mobilize to perform the emergency bridge replacement, a copy of such proposal being attached hereto as Exhibit C.

NOW THEREFORE, IT IS HEREBY ORDERED as follows:

1. The immediate closing of the Oak Woods Road (CR 1119) by direction of KYTC for failure to meet minimum bridge standards has created a risk of death or serious harm to area residents, because of possible inability or delay of emergency medical providers or fire departments, or other first responders, from reaching residents of the area in the vicinity of the closed bridge.

2. The undersigned Judge Executive hereby FINDS, ORDERS and CERTIFIES that the closing of the bridge over Indian Creek on Oak Woods Road (CR 1119) creates an emergency as contemplated by KRS 424.260(4), thereby exempting the emergency bridge replacement project

from the bidding requirements as contained in KRS 424.260.

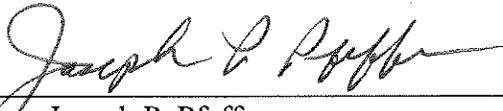
3. The undersigned Judge Executive does hereby FIND that the proposal of E and E Contracting is a reasonable proposal for such emergency bridge replacement project, and that E and E can immediately mobilize for such project and cause the replacement and reopening of the bridge on the most expeditious manner.

4. The County Attorney has reviewed the facts surrounding the ordered bridge closure and the risk posed to the public as a result of such closure, and concurs with the Judge Executive's determination that an emergency as contemplated by KRS 424.260(4) exists.

5. The Judge Executive has provide a copy of this determination to the County Treasurer and hereby states that the Mason Fiscal Court's share of the emergency bridge project is available in currently budgeted funds within the County's Road Fund budget.

6. The Judge Executive will review this determination and the status of the project with the Mason Fiscal Court at its next regularly scheduled meeting, as the contractor may be mobilized and the project underway prior to the Court being able to call a special meeting to consider the emergency project.

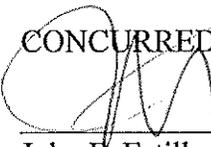
ORDERED this 22<sup>nd</sup> day of January, 2021.

  
\_\_\_\_\_  
Hon. Joseph P. Pfeffer  
Judge Executive

ATTESTED TO BY:

  
\_\_\_\_\_  
Stephanie Schumacher,  
Mason County Clerk

CONCURRED AND AGREED TO BY:

  
\_\_\_\_\_  
John F. Estill  
Mason County Attorney

COPY RECEIVED AND AVAILABILITY OF  
FUNDS CONFIRMED BY:

  
\_\_\_\_\_  
Kim Muse  
Mason County Treasurer



COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET

Department of Highways, District 9 Office  
822 Elizaville Road  
Flemingsburg, KY 41041  
606-845-2551

Exhibit 

Andy Beshear  
GOVERNOR

Jim Gray  
SECRETARY

January 13, 2021

The Honorable Joseph P. Pfeffer  
Mason County Judge/Executive  
291 Stanley Reed Court  
Maysville, KY 41056

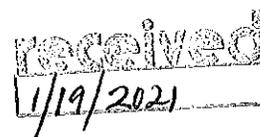
Dear Judge Pfeffer:

The Federal Highway Administration (FHWA) mandates that all state, county and municipal bridges (greater than 20-foot clear span) be inspected on a regular basis. Substandard bridges (i.e., those that require posting of weight limits below the legal roadway limit) are to be inspected annually, and those bridges that are at or above the legal roadway limit will be inspected on a biennial basis. Kentucky Transportation Cabinet (KYTC) engineers and inspectors from the District 9 Office in Flemingsburg perform these inspections and maintain historical records of each state and county bridge. Our office also recommends weight limits and repairs of deficiencies that are found during the inspections.

The FHWA National Bridge Inspection Standards (NBIS) require all Kentucky government entities to maintain all posting signs at weight limits recommended by KYTC. Being "in compliance" with these requirements allows the County to be eligible for federal bridge/roadway maintenance and replacement funding. If a county is "out of compliance", it will be made ineligible for this funding.

After review of the condition and analysis or changes in the weight-carrying capacity of the subject structure by the bridge preservation analysis staff at KYTC, that office has determined that the posting level for the following bridge should be as follows:

**081C00017N Culvert carrying Oak Woods Road (CR 1119 at MP 1.655) over Indian Run Creek shall be CLOSED to all vehicles due to the load rating and insufficient fill.**



In order for your county to remain eligible for Federal Bridge Replacement and Rehabilitation Funds, this bridge/culvert shall be closed and barricaded to all traffic. The bridge closure shall conform to the Manual on Uniform Traffic Control Devices (MUTCD). **Upon receipt of this letter your county has 5 days to close and barricade this bridge.**

Sincerely,

*Joe Callahan*

Joe Callahan, P.E.  
Engineering Support Branch Manager

Attachment

Cc: Josh Rogers, Central Office  
Steve Gunnell, District 9 Office  
Mason County School Superintendent



## MAYSVILLE FIRE DEPARTMENT

216 BRIDGE STREET  
MAYSVILLE, KENTUCKY 41056  
(606) 564-2541 • Fax (606) 564-2543  
kevindoyle@mayavilleky.net

KEVIN DOYLE  
Fire Chief

January 15, 2021

Exhibit     B    

To Whom it May Concern,

I was recently made aware of the road closing on Oakwoods Rd., near KY 1234 in Mason County. As an emergency responding agency (ambulance service) for that area, the closure creates some serious concern. Although the areas beyond the closure are accessible by other routes, the closure could potentially create an unnecessary delay in emergency services. Our response from the Mayville area is based on the quickest route. Some locations on the road would typically be accessed from the "closed end" the closure creates confusion for responders and could potentially create miles of back tracking when seconds count. The closure could also prevent nearby first responders from making a rapid response (prior to ambulance arrival) because either their homes or station quarters (volunteer fire departments) may be closer to the closed end of the road.

I am recommending that the project of repairing and reopening Oakwoods Rd. is considered a top priority. Doing so would be in the best interest and safety of nearby residents and travelers.

Respectfully,

Kevin Doyle

Fire Chief, City of Maysville



**E and E Contacting  
7680 Laurel Creek Road  
Vanceburg, Ky 41179  
Thomas Enix  
Ph # 606-796-3222**

Exhibit     C    

**To: Mason County Fiscal Courts  
Site: Oak Wood ( Bridge)  
Date: 01/19 2021**

**Removal of existing structure. Replaced with  
New bridge 24 feet wide 30 feet long . With 12 inch curb  
7 – 68 pounds per foot 14 inch tall beams  
build 2 abutments Ky Dept Transportation Standards  
drawings Class A concrete  
on solid rock or 2 feet below flow line  
H-10 measurement  
Deck poured 7 inches deep 24 foot wide 30 feet long  
with Double A concrete . 2 mattes of #5 grade 60 rebar  
1 foot spacing width and length 1 inch clearance bottom matte  
1 ½ clearance top matte dowel bars placed in deck for curb  
Beam spacings. Outside beam flange 1 foot deck over hang  
other beams to be equally spaced  
concrete poured between beams on abutments for  
stabilize beams and road way  
skewed to meet existing road way and steam  
rumble to be placed around new structure**

**Amount ..... \$ 90640.00**

**Any questions feel free to call  
Thomas Enix**