

The Gant County Fiscal Court met in Special Session on Monday, February 05, 2007, at 7:00 P.M. at the Grant County Courthouse in Williamstown, Kentucky 41097, with Richard Austin, Magistrate 1<sup>st</sup> District, Present; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, Present, and Hon. Darrell Link, County Judge/Executive, Present and Presiding.

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Magistrate Young opened in prayer. Judge Link then led in the Pledge of Allegiance. Those present were: Clark Kinman-Cable TV, James Perkins, Wayne Yeager-Grant County News, Tom Schomaker, Larry Trenkamp and Jarrod Stanley-Kentucky Transportation Cabinet District 6. Judge Link stated that Magistrate Linder was away due to some job related business in Florida.

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Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve the minutes of the January 16, 2007, meeting as presented.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented for review and approval the Claims in the General Expense Fund, Road Fund, Jail Fund and L.G.E.A. Fund for the month of February, 2007, along with the transfers needed to pay said claims. He then asked if there were any questions.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve Claims No. 01-968 thru 01-1021 in the amount of \$37,300.13 paid out of the General Expense Fund; Claims No. 02-232 thru 02-255 in the amount of \$8,490.78 paid out of the Road Fund, Claims No. 03-337 thru 03-344 in the amount of \$22,458.26 paid out of the Jail Fund, and Claim No. 04-0000009 in the amount of \$668.00 paid out of the

L.G.E.A. Fund, for the month of February 2007, along with the transfers presented to pay said claims.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell L. Link, County Judge/Executive, votes Yes.

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Judge Link welcomed Tom Schomaker-Chief District Engineer, Larry Trenkamp, P.E. TEBM-Operations, and Jarrod Stanley with the Kentucky Department of Highways District 6, who were present to give their Recommendations for the 2007-2008 Fiscal Year Rural Secondary Road Program for Grant County and to get the Court's Recommendations. They presented a map of Grant County along with a list of their Recommendations. They are as follows: The list showed that there were 85.8 miles of Rural Secondary roads in Grant County and that the Tentative Allotment is \$726,202.00 for this coming year. From that figure \$317,200.00 is set aside for routine maintenance and traffic which is about \$3,700.00 per mile, and \$3,862.00 is set aside for County Administrative expenses, leaving a balance of \$405,140.00 for road improvements. He then reviewed the following as their Recommendations: (1) Resurface Crittenden-Falmouth Road (Ky. 491) from U.S. 25 to the Pendleton County line, a distance of 4.389 miles at an estimated cost of \$174,760.00; (2) Resurface Corinth-Cordova Road (Ky.330) from U. S. 25 to Kentucky 36, a distance of 4.476 miles at an estimated cost of \$179,040.00; (3) Resurface Day Road (Ky. 489) from End of Maintenance to Ky. 467, a distance of 1.062 miles at an estimated cost of \$42,480.00, which would leave a balance of \$8,860.00, and then recommended also (4) resurfacing Crittenden-Mt. Zion Road (Ky.2942) from Kentucky 1942 to US 25, a distance of 4.097 in the amount of

\$143,395.00, which will be a total overrun of funds by \$134,535.00 if all projects are completed. He then asked for the Court's concurrence on these Recommendations, or for any they may have. Judge Link stated that he appreciated the preliminary meeting that was held earlier with the Transportation Cabinet to discuss these roads, and that he had discussed them with the Fiscal Court at a Caucus meeting. There had been a question as to who's district Day Road was in but stated that it is in Magistrate Linder's district. Magistrate Austin asked if Day Road served the Williamstown Marina. He feels that it falls a little bit short and said it had been concreted up the road a section not even a quarter of a mile from where the blacktop stops, there is a section that is graveled with three or four houses and then you pick up concrete, and he wondered if they would take a look at extending this down further because there is a substantial amount of traffic down there in the summer time with the lake activity, and when the Lake Expansion gets built that is underway and that would help that a great deal. Mr. Schomaker stated that this is a private road and they cannot do that with state funds. He said that the county would have to take it in and then transfer it to the state. Judge Link said that he has discussed this with Magistrate Brian Linder and said that he needs to look at it and speak to that road and make a recommendation on it to the Court. Discussion was held on the dust that is stirred up in that area. Judge Link said that Sonny Bowen's sister lives out there and she may have asthma and this is a real health problem for her and others in the area. It does stir up a lot of dust with the traffic out there in the summer. He said that he had called Royce Adams on a couple of occasions to see what could be accomplished, but it is a private road that has never been taken into anyone's maintenance system, neither the county maintenance system or the state maintenance system either. Magistrate Austin

stated that he appreciated all of the improvements they had made on the Barnes Road/Arnie Risen Boulevard by putting up the caution lights and signs. They have really helped a lot.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to concur with and accept the Recommendations presented by Tom Schomaker, Chief District Engineer, Kentucky Department of Transportation District 6, as prioritized in said discussion for the 2007-2008 fiscal year Rural Secondary Road Program for Grant County, Kentucky, they being the four recommendations listed above as presented.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link also spoke on some Slips out in the county and informed Mr. Schomaker with the Transportation Cabinet District 6 that he and Jarrod Stanley had gone out a couple of years ago and looked at the slips on county roads that the county was responsible for maintaining. Jarrod got out and went over the hill a couple of times and looked to see where we usually didn't have culverts. It was usually a water problem, and water was eroding under the road and freezing, etc. He made some recommendations to us to dig out those cavities and backfill them and said that they were pretty common sense recommendations. Judge Link said that the county did that, and here we are a couple of years later and for the most part those roads have held up quite well. He said that Jarrod looks awfully young, but they were pretty good recommendations. Judge Link said that he appreciated Mr. Schomaker allowing Jarrod to spend some time to help us out and he got to spend time with Jarrod and got to know more about him and his family. Mr. Schomaker also stated that he appreciated the work that Jarrod does for the

Transportation Cabinet. Discussion was held on the Napoleon-Zion Station Bridge and when it would be let. Mr. Schomaker updated that the project was let on contract on January 19<sup>th</sup> and should be under construction next month and this will help with the railroad crossing in that area also. Judge Link asked about the Williamstown Railroad Bridge. He said there is a great deal of interest around town on this bridge and asked if we still anticipated that it will be let this summer. Mr. Schomaker said they are still working out some issues with the Railroad Company on that bridge, but it may be let in May. As soon as those issues are resolved with the Railroad Company it will be ready to go and will take approximately two summers to do. Some discussion was held on Eagle Tunnel Bridge. Mr. Schomaker said that they had a preliminary design for the bridge based on the plans they had put together and they didn't follow it, and then they had to go back and relocate the piers for the bridge but the project is about two weeks from being completed and they are moving along on that bridge. Hopefully it will be completed next year. Judge Link mentioned the slip just North of Corinth on US 25 below Ragtown Road. This has been a problem in the past and the State has fixed it several times in the past, but there has been another accident there and he said he told Mr. Wainscott that he would mention this to the Department of Transportation. Mr. Schomaker said they were aware of the problem and were trying to get it fixed with federal dollars and they would not agree with that. Judge Link said he knows it is a challenge. Mr. Schomaker said it was a very serious problem. Judge Link said that a great deal of money has been spent up there trying to come up with a solution and the folks are a little frustrated with the problem. He said they may think that if we are not up there we have forgotten it, but it is not out of our minds. Mr. Schomaker said once you

have seen it, it is not something you forget, and that they will do what they can.

Magistrate Austin mentioned another slip out by the Delaney's in the swag area and discussion was held. It is not as bad as the last one but it is bad. Some work was done on it last year but it is still bad.

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Judge Link presented for review and approval the Recommendation of the Grant County Planning Commission for a Zone Change from Agricultural One (A-1) to Residential One-A (R-1-A) on 2.8737 Acres of land located on the South and East Side of Crittenden Mt. Zion Road, 1.7 miles West of US Highway 25, Grant County, Kentucky, owned by applicants John and Cheryl Arnold. It is as follows: He also presented for a first reading Ordinance No. 01-2007-601 relating to an Amendment to the Grant County Zoning Map for said applicants, along with the Notice to run in the local paper showing second reading to be on Monday, February 19, 2007, at 7:00 P.M. or as soon thereafter as possible, if approved. They are as follows: He informed the Court that the entire plat is being rezoned.

Motion of Bobby Young and seconded by Richard Austin it is hereby ordered to accept the Recommendation of the Grant County Planning Commission for a Zone Change for applicants John and Cheryl Arnold as presented, and to further approve the first reading of Ordinance No. 01-2007-601 relating to an Amendment to the Grant County Zoning Map for said applicants, along with the Notice to run in the local paper showing second reading to be on Monday, February 19, 2007, at 7:00 P.M. or as soon thereafter as possible.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented for review the Road Supervisor's Report for January 2007. No action is required. It is as follows: He also presented for review the Building Inspector's Report for January 2007. No action is required. It is as follows: He also presented the Building Inspector's Yearly Report for 2006. It is as follows: No action is required. He also presented for review the Coroner's Report for July 2006 thru December 2006. No action is required. It is as follows: He also presented for review the Canine Control Officer's Report for January 2007. No action is required. It is as follows:

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Judge Link presented for review and approval the Grant County Sheriff's 2006 Calendar Year Fee Settlement. It is as follows:

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to accept the Grant County Sheriff's 2006 Calendar Year Fee Settlement as presented.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented for review and approval Former County Clerk Judy Fortner's Form for Budget, Cumulative Quarterly Report and Annual Settlement for Calendar Year 2006, along with a check in the amount of \$22,459.33 as Excess Fees for 2006. It is as follows: Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to accept the Form for Budget, Cumulative Quarterly Report and Annual Settlement for Calendar Year 2006 of Former County Clerk Judy Fortner as presented, along with the check in the amount of \$22,459.33 as Excess Fees for 2006, as presented.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link explained that Sheriff Chuck Dills is requesting the Court to approve the Appointment of Randall Middleton to serve as Part Time Deputy Sheriff Doing Court Security at a salary of \$8.51 Per Hour retroactive to January 24, 2007. He explained that Deputy Neal Ventura who serves as Baliff has had open heart surgery and will be off work for sometime and Randy Middleton will replace him until he can return to work. He then presented the Appointment which he read. It is as follows:

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve the Appointment of Randall Middleton to serve as Part Time Deputy Sheriff Doing Court Security as requested by Sheriff Chuck Dills, retroactive to January 24, 2007, at a salary of \$8.51 per hour.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link also requested a Motion authorizing him to purchase a Vehicle under State Bid Price for the Grant County Building Inspector. He updated that he had gotten some information on various types of vehicles which they discussed at the Caucus meeting, but he said that he felt that the Ford 250 with the extended cab is still the best price for the money. It is a standard transmission and they will add the air conditioning and extended cab making the total cost to be \$16,763.00. Discussion was held.

Motion of Bobby Young and seconded by Richard Austin it is hereby ordered to authorize the Judge/Executive to purchase a Ford 250 truck under State Bid Price for the

Grant County Building Inspector as requested.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented for review and approval the Agreement to Provide Professional and Personal Services between the Grant County Fiscal Court and the Northern Kentucky Area Development District regarding the Grant County Fiscal Court-Dry Ridge Lagoon Repair KIA Grant Project. The Agreement is as follows: He said they had discussed this at the Caucus meeting and there are still some challenges before the Court in regards to the repair and doesn't know yet how we can allocate the funds for the ultimate solution for the repair of that Lagoon and still doesn't know what the solution entails, but nevertheless, in order to get the State to release the funding we need an Agreement with the Northern Kentucky Area Development District to provide the professional and personal services that will ultimately administer this grant, so what we are asking is to allow the staff at the Northern Kentucky Area Development District to act as the Project Administrator for this Project and then they will assist the Court as they meet those challenges head on.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve the Agreement to Provide Professional and Personal Services between the Grant County Fiscal Court and the Northern Kentucky Area Development District regarding the Grant County Fiscal Court-Dry Ridge Lagoon Repair KIA Grant Project as presented.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

Judge Link said he knows there is still a tremendous amount of anxiety by the homeowners that live in that subdivision and reasonably so. Magistrate Brian Linder called him last week and he is wanting to facilitate some meetings and then the whole Court will participate in those, and hopefully will bring about a solution. He recommended to Magistrate Linder that he would probably call the Northern Kentucky Independent Health District in as they are experts in relation to the treatment of sanitation, and let them help guide us as to what that ultimate solution might be. At some point we will have to engage Ed Lorenz in his professional service so we can ensure the funds as we use them can be used in a manner that will be ultimately described, so that is unknown to the Court, as well. We do have some challenges but he is looking forward to getting that project off the ground as those folks need to be served a little better than they have been.

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Judge Link requested a Motion to Declare as Surplus to the Needs of the County a 1992 Ford Crown Vic, Vin. No. 2FACP72W3NX240774 formerly used by the Courthouse Custodians, and to authorize him to dispose of same as he deems fit. He updated that this vehicle is no longer road worthy and is pretty well junk and is sitting in the County Barn Parking lot and needs to be included in the Auction with the Sheriff's vehicles.

Motion of Bobby Young and seconded by Richard Austin it is hereby ordered to declare as Surplus to the needs of the county a 1992 Ford Crown Vic, VIN No.

2FACP72W3NX240774, and to authorize the Judge/Executive to dispose of said vehicle as he deems necessary according to law.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link updated on the Bid Received from Republic Services of Kentucky, LLC for Provision of Capacity for Disposal of Municipal Solid Waste Generated by Grant County for a Twenty (20) Year period, and stated that the Grant County Solid Waste Management District 109 Board was recommending the Fiscal Court to reject the bid that was presented. He then requested a Motion accepting the 109 Board's Recommendation, and also requested that the Grant County Solid Waste Management District 109 Board be authorized to negotiate the terms of the agreement with Republic Services of Kentucky, LLC, for this service. Discussion was held on putting a timeline on the 109 Board for making the negotiations. County Attorney Ed Lorenz said he feels that the 109 Board will be very rapid in this as he feels that Brian Miles and David Schmitt are very good. He said he would not anticipate it would take longer than 30 or 60 days. He recommends not putting a timetable on it at this time unless it gets bogged down later on and the Court could revisit that again if that happens. Judge Link agreed but said that if no progress is being made within a reasonable time we will ask them to come to the table to see why a decision has not been made and to help resolve the issue.

Motion of Bobby Young and seconded by Richard Austin it is hereby ordered to accept the Grant County Solid Waste Management District 109 Board's Recommendation to Reject the Bid from Republic Services of Kentucky, LLC for Provision of Capacity for Disposal of Municipal Solid Waste Generated by Grant County for a Twenty (20) Year period, and to further authorize the Grant County Solid Waste Management District 109 Board to negotiate the terms of agreement with Republic Services of Kentucky, LLC, for this service.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented the County Treasurer's Quarterly Financial Report for October-December 2006. No action is required. It is as follows: He also presented a Statistical Report for Calendar Year 2006 from Sheriff Chuck Dills which he reviewed with the Court. No action is required. It is as follows: He said that it appears that the City of Dry Ridge is getting their money's worth in regards to the service provided by the Sheriff's Department.

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Judge Link announced that Open discussion for the "Good of the County" would be at this time and said that anyone who wanted to address the Court could do so. Magistrate Austin complimented the Road Department on keeping the roads in good shape. He knows they have been taxed with the amount of help they have and said the weather is not looking good for tonight. He is sure they will be taxed again the next few days, but he encouraged everyone to drive careful and be patient and if they find some place that needs service or something needs to be done to call the County Judge's office and let them know so they can get someone out there to take care of it. Judge Link said "Absolutely. Any time a citizen of the county sees a need for a service regarding a road to call the office, even if it is a state maintained highway, and we will engage the responsible party to respond to it in a timely manner." Magistrate Austin also stated that the Grant County Deposit Bank will be celebrating 125 years of operation in the county on February 16<sup>th</sup> and 17<sup>th</sup> and invited all to stop in at one of the bank branches and participate in their celebration. He said it has to be one of the older business in the

county. Judge Link said “Congratulations” to Grant County Deposit Bank for being a long standing financial institution that has served our county well. He also mentioned that this past year Bruce’s Grocery celebrated their 75<sup>th</sup> Year Anniversary and that is a pretty significant milestone as well for a small business that has served all of Grant County and actually serves the greater Cincinnati area. He said he was in there one Saturday and a fellow drove all the way out here from Cincinnati, Ohio, to pick up a part to do some plumbing. He said everything in the greater Cincinnati area was closed and somehow he found out about Bruce’s Grocery and came out here to get what he needed. Judge Link said it certainly is an institution. He also informed every one that Friday was “Wear Red Day” in awareness of Women’s Cancer Health issue and encouraged all to wear red and said he hoped it will somehow make a difference.

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Judge Link reminded the Fiscal Court that there will be a Caucus meeting at 5:30 P.M. on Monday, February 12, 2007, and that the next meeting of the Fiscal Court will be on Monday, February 19, 2007, at 7:00 P.M.

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Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to Adjourn until Monday, February 19, 2007, at 7:00 P.M.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, Absent; Bobby Young, Magistrate 3<sup>rd</sup> District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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GRANT COUNTY JUDGE/EXECUTIVE