

The Gant County Fiscal Court met in Regular Session on Monday, August 20, 2007, at 7:00 P.M. at the Grant County Courthouse in Williamstown, Kentucky 41097, with Richard Austin, Magistrate 1st District, Present; Brian Linder, Magistrate 2nd District, Present; Bobby Young, Magistrate 3rd District, Present, and Hon. Darrell Link, County Judge/Executive, Present and Presiding.

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Judge Link welcomed all those who were present to show their interest in local government. He opened in prayer and then led in the Pledge of Allegiance. Those present were: Bernard Mardis-Cable TV, Logan and Bonnie Murphy, Attorneys Ruth Baxter and Phil Taliaferro and all those on the following list. Jamie Baker-Nantz and daughter Katie came in during the meeting. There may have been some who did not sign the Register Sheet also. Judge Link updated on the additions/deletions to the Agenda.

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Motion of Richard Austin and seconded by Brian Linder it is hereby ordered to approve the minutes of the August 06, 2007, meeting as presented.

The following votes were taken: Richard Austin, Magistrate 1st District, votes Yes; Brian Linder, Magistrate 2nd District, votes Yes; Bobby Young, Magistrate 3rd 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 August, 2007, along with the transfers needed to pay said claims. He asked if there were any questions about them.

Motion of Bobby Young and seconded by Brian Linder it is hereby ordered to approve Claims No. 01-0172 thru 01- 0215 in the amount of \$29,640.64 paid out of the General Expense Fund; Claims No. 02-0082 thru 02-0092 in the amount of \$46,252.24 paid out of the Road Fund, Claims No. 03-0070 thru 03-0098 in the amount of \$49,582.00 paid out

of the Jail Fund, and Claim No. 04-0000021 in the amount of \$500.00 paid out of the L.G.E.A. Fund for the month of August, 2007, along with the transfers presented to pay said claims.

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

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Judge Link presented for a second reading Ordinance No. 06-2007-606 Enacting and Adopting a Supplement to the Code of Ordinances of the county of Grant, Kentucky, along with the Notice to run in the local paper showing adoption if approved. They are as follows:

Motion of Brian Linder and seconded by Bobby Young it is hereby ordered to approve the second reading of Ordinance No. 06-2007-606 Enacting and Adopting a Supplement to the Code of Ordinances of the county of Grant, Kentucky, along with the Notice to run in the local paper showing adoption as presented.

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

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Judge Link presented for a second reading Ordinance No. 07-2007-607 relating to an Amendment to the Grant County Zoning Map for applicant Dennis VanHaitsma, along with the Notice to run in the local paper showing second adoption, if approved. They are as follows:

Motion of Brian Linder and seconded by Richard Austin it is hereby ordered to approve the second reading of Ordinance No. 07-2007-607 relating to an Amendment to the Grant County Zoning Map for applicant Dennis VanHaitsma, along with the Notice to

run in the local paper showing adoption as presented.

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

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Judge Link said the next item on the Agenda was the one that all of the audience was here on tonight. Judge Link explained that the packet of information was provided to the Magistrates at the Caucus meeting on Monday evening and he was able to take the time and define the process to the majority of those here tonight as to what these Magistrates have before them and what they are going to be asked to do. He said that as he informed them at the meeting, this meeting this evening is likewise not a public hearing. The Magistrates have, he is sure, taken the information that has been provided to them under prayerful thought and deliberated over the contents of this record, and as he told everyone last Monday evening, he is certain that there is sufficient information within this record that they actually can support their stand or any stand they may take this evening. He said regardless of the outcome he hopes that everyone feels like at the end of this evening that they have played no small part in whatever that outcome is. He hopes that no one sees themselves as winning or losing. As he told them the decision they have to make is a difficult one, he is sure. It always is but nevertheless he feels like the decision that they not only will make this evening but all the Monday nights that is before them over the next three years and four months that are left when there is nobody here and the room is empty, that is when their integrity most shines thru. Just as on those nights when you are not here, he knows they will make great decisions and he knows that they will make one this evening. At this time he presented to the Court for their review and action the

Recommendation of the Grant County Planning Commission for a Zone Change from Agricultural One (A-1) to Residential One E (R1E) for applicant Katherine Winn for the proposed Springhill Subdivision. It is as follows: He asked if anyone was ready to make a Motion regarding this Recommendation. Magistrate Bobby Young made the following Motion.

Motion of Bobby Young it is hereby ordered to deny the Zone Change form A-1 to R1E as requested, and thus reject the recommendations of the planning commission for a map amendment. I attended the Planning and Zoning meeting and the comprehensive minutes of that meeting accurately reflect the evidence and arguments for and against the requested amendment. For the purposes of this motion I conclude that the proposed Zone change is not in agreement with the 2001 Updated Comprehensive Plan for the following reasons: The permitted residential densities should be calculated on the basis of net developable land, excluding street rights-of way and other public land dedication. It shall also be compatible with adjacent land uses, and the proposed increase of density does not function as a transition between incompatible land uses. (a.) This development fails to consider the incompatible land uses of high density residential and agricultural uses. Residential subdivisions at densities greater than one unit per net acre must be served by central water and sanitary sewer systems in a cost effective and efficient manner so as to not encourage sprawl or “leap-frog” development opportunities. (a.) This development of higher density residential development fails to be contiguous to already built-up areas so as to minimize such costs of public facilities like water, sewer, police and fire services. All higher density developments should be based on the physical limitations of the land, its proximity to public services, the characteristics of the road network in the area of the

proposed development, the proximity of compatible land uses and, the overall design of the proposal including proper buffering between land uses. (a.) This development fails to adequately consider the type, condition and available capacity of the current roadway (Lebanon Road) that would see significant increase from the proposed development. (b.) This development fails to consider the nearest development within an incorporated area. Annexation to the City of Crittenden should be required.

Judge Link said this was the longest Motion he ever heard in all of his life and Magistrate Young asked if Judge Link wanted him to read it again. Judge Link said “I don’t think so; I have been conversing with Ed”. Judge Link said he had a Motion on the floor to deny the Zone Change and to reject the Recommendation of the Planning Commission. Magistrate Young said “That is correct”. Judge Link then asked if there was a second to the Motion. **It was seconded by Magistrate Brian Linder.**

Judge Link asked Magistrate Young if he could have what he just read and said we just want to make sure what you read for the record is made a part of the minutes. Magistrate Young said “Yes”, and gave it to Judge Link. It is as follows:

Judge Link said again we have a Motion to deny the Zone Change and reject the Recommendation of the Planning Commission and the Motion was duly seconded by Magistrate Linder. He asked if there was any discussion on the Motion. No one responded. He asked if the Motion was understood. No one responded. He again said a Motion has been made to deny the Zone Change and reject the Recommendation of the Planning Commission. We have a Motion and a second. No discussion. Judge Link stated “A Yes vote is to deny the Zone Change. A No vote will be not to deny the Zone

Change”.

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

Judge Link said the Zone Change is denied and the Recommendation of the Planning Commission is rejected. The information that Magistrate Young read this evening will be entered into the record and will be made a part of the minutes as we move forward at our next meeting, and he advised the Counselors in the audience that if they needed that information we will make it available to them. He then said that we were going to move on to the rest of the business which will take five or ten minutes to finish and said out of courtesy that many in the audience work long days, not that we don't, but you might want to leave and if you do so you may leave at this time and he will give them all the time they need to leave the room and then we will pick up with our business and continue forward. Most everyone left at this time.

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Judge Link presented some information from the Northern Kentucky A.D.D. regarding the ADF Funds for the 2007-2008 fiscal year and updated on the process required for these funds. It is as follows: He requested that the Fiscal Court members be named as the Project Selection Committee for these funds.

Motion of Richard Austin and seconded by Brian Linder it is hereby ordered to appoint the Grant County Fiscal Court, i.e. Magistrates Richard Austin, Brian Linder, Bobby Young, and Darrell Link, County Judge/Executive, to serve as the Project Selection Committee for the 2007-2008 fiscal year ADF Funds.

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

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Judge Link presented the Guidelines and Rating Criteria for the ADF Funds for the 2007-2008 fiscal year for review and approval so we can advertise and solicit interest to make application for these ADF funds. He said that as the Court learned when they were campaigning and went from door to door you found out that there was a great demand for access to internet services. He thinks we have an opportunity to make these funds available so that we can begin to meet the demand that exists in our rural community in the county of Grant, so he is going to ask that they adopt these Guidelines for the ADF funds which he read to the Court. They are as follows:

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve the Guidelines and Rating Criteria for the ADF Funds for the 2007-2008 fiscal year as presented.

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

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Judge Link presented a Report showing that a Public Hearing was held this morning at 8:30 A.M. regarding the tax rate of 0.144 which is the 4% increase tax rate on each \$100.00 valuation on all taxable real property for Grant County, Kentucky, for the 2007-2008 Fiscal Year. No one responded by mail or in person at the hearing to provide comments. It is as follows: He said that this Tax Rate is the same that was approved last year and is the current tax rate.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered by the Court that the Ad Valorem Tax Rate of Fourteen and Four Tenths (0.144) which is the 4% increase tax rate on each ONE HUNDRED DOLLARS (\$100.00) valuation on all

taxable real property for Grant County, Kentucky, for county purposes, be and the same is hereby levied for the General Fund of Grant County, Kentucky, for the 2007-2008 fiscal year. The same to be collected by the Sheriff of Grant County, Kentucky, and be accounted therefore by him according to law.

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

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Judge Link presented the County Treasurer's Monthly Cash Position Report for July-No action is required. It is as follows: He said that the County Treasurer's Annual Financial Report for 2006-2007 Fiscal Year would be deleted until the next meeting.

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Judge Link opened up discussion for the 'Good of the County'. He said that anyone could address the Court at this time. No one did. Magistrate Linder reported that his property had been vandalized on Saturday morning, Saturday evening or Sunday morning. He noted that the Sheriff's Office has been off of patrol in Dry Ridge since July 01st and it didn't take very long. He lives in Dry Ridge and this raises some concern. Judge Link stated that he was sorry he and his family had to suffer and that they were distraught and this does raise some concern. Sheriff Chuck Dills was present and expressed his thanks to all those who supported the "Shop with a Cop Golf Scramble" that was held on Friday. He said that around \$4,000.00 was brought in for a good cause and people really showed their support for this cause and it will help twenty or twenty five children in the community to have a nice Christmas that maybe they would not have had otherwise. He appreciated the people and the local businesses that supported this event. Judge Link said that is a great program and said that he appreciated them for

thinking forward to ensure that children who may otherwise go without gifts or some needs at Christmas and you all anticipate that and ensure that it doesn't happen and he thanked them all. He also expressed his appreciation to the public and local business for supporting this event.

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Judge Link reminded the Fiscal Court that the next Caucus meeting will be on Monday, August 27 2007, at 5:30 P.M, and that the next meeting of the Fiscal Court will be on Tuesday, September 04, 2007, at 7:00 P.M. He also updated that the Magistrates and he, along with the Parks and Recreation Director, would be traveling Wednesday to go look at some Parks and Recreational facilities in Shelby County, Woodford County and Georgetown. They will review their facilities and ask the staff some questions on how they are funded and sustained and how they go about meeting the needs of the population in their counties. He said that recreation continues to be a great interest to this Court and we are trying to find the wherewithal to meet those demands and needs, and as in all things it is a very difficult task, but he thinks they are up to the challenge. He said if anybody would like to join them to show up at 7:45 AM and we will make sure you have room to ride and will assure you that there will be no decisions made or no votes taken.

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Motion of Richard Austin and seconded by Brian Linder it is hereby ordered to

Adjourn until Tuesday, September 04, 2007, at 7:00 P.M.

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

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GRANT COUNTY JUDGE/EXECUTIVE