

The Gant County Fiscal Court met in Regular Session on Monday, May 19, 2008, 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, Present; 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: Bernard Mardis-Cable TV, Alexandra Young, Sheriff Chuck Dills and son, Brennen Dills. Judge Link then updated on the Additions/Deletions to the Agenda. The Reports of the County Treasurer will be deleted until the next meeting since he was out of town over the weekend and not in the office today and we do not have them for tonight.

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Motion of Richard Austin and seconded by Brian Linder it is hereby ordered to approve the minutes of the May 05, 2008, 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, votes Yes; 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 May, 2008, along with the transfers needed to pay said claims. He asked if there were any questions about them. He stated that the General Fund was about double this time as we were paying the annual payment to the Mental Health District which is money we take in and then pay out as a pass through which was \$80,000.00, and also updated that at this time of the year you will see a lot of transfers between line items to pay the bills for some departments who

perhaps did not budget enough in one line item and a little more in another one and these are being done within each department's budget.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve Claims No. 01-1176 thru 01-1236 in the amount of \$153,002.02 paid out of the General Expense Fund; Claims No. 02-501 thru 02-518 in the amount of \$3,925.34 paid out of the Road Fund; Claims No. 03-0386 and 03-401 thru 03-0424 in the amount of \$78,335.46 paid out of the Jail Fund and Claim No. 04-0000043 thru 04-0000046 in the amount of \$11,604.21 paid out of the L.G.E.A. Fund; for the month of May, 2008, 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, votes Yes; 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 Coroner's Report for March and April. No action is required.

It is as follows:

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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-1A) on 2.1901 acres of land located on the north side of Kentucky Rt. #491 approximately 0.51 miles east of Rogers Road, Grant County, Kentucky, owned by applicant Emogene Smoot. It is as follows: He also presented for a first reading Ordinance No. 05-2008-617 relating to an Amendment to the Grant County Zoning Map for said applicant, along with the Notice to run in the local paper showing second reading to be on Monday, June 02, 2008, at 7:00 PM or as soon thereafter as possible, if approved. They are as follows:

Motion of Bobby Young and seconded by Brian Linder it is hereby ordered to approve the Recommendation of the Grant County Planning Commission for a Zone Change for applicant Emogene Smoot as presented, and to further approve the first reading of Ordinance No. 05-2008-617 relating to an Amendment to the Grant County Zoning Map for said applicant, along with the Notice to run in the local paper 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, votes Yes; 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 a first reading Ordinance No. 06-2008-618 relating to the Establishment of a 25 MPH Speed Limit on Corinth-Stringtown Road (CR 1126), along with the Notice to run in the local paper showing second reading to be on June 02, 2008, at 7:00 P.M or as soon thereafter as possible, if approved. They are as follows:

Magistrate Austin asked if we could request that Harrison County share in getting this Speed Limit on the rest of the road and Judge Link said he would contact Judge Barnett to inform him that we have had the first reading of our Ordinance setting this speed and see if that could be done in Harrison County.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve the first reading of Ordinance No. 06-2008-618 relating to the Establishment of a 25 MPH Speed Limit on Corinth-Stringtown Road (CR 1126), along with the Notice to run in the local paper 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, votes Yes; 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 a first reading Ordinance No. 07-2008-619 relating to the

Establishment of a 20 MPH Speed Limit on Huff Road (CR 1301), along with the Notice to run in the local paper showing second reading to be on Monday, June 02, 2008, at 7:00 PM or as soon thereafter as possible if approved. They are as follows:

Motion of Brian Linder and seconded by Bobby Young it is hereby ordered to approve the first reading of Ordinance No. 07-2008-619 relating to the Establishment of a 20 MPH Speed Limit on Huff Road, along with the Notice to run in the local paper 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, votes Yes; 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 Sheriff Chuck Dills 45 Pages of the Sheriff's Report of Tax Claims purchased for Taxing Districts (Certificate of Delinquency) for the 2007 Taxes on Real Estate, which sale of tax claims was held at the Courthouse door on the 19<sup>th</sup> day of April, 2008, at 10:00 A.M. for which no purchaser appeared at the sale and which was purchased by the Sheriff for the Taxing Districts. List is as follows: Sheriff Dills was present to answer questions. Judge Link asked County Attorney Jack Gatlin if these are approved are they then turned over to his office for collection. Mr. Gatlin stated that he actually has already been sending out the collection letters and has been doing that for the last couple of weeks and said this is a big collection season for them. He also updated on the process that his office goes thru in collection. Letters are first sent out indicating the tax is due and that this is what the new bill is. They give them thirty days to come into the office and make payment and when they do not hear from them, we feel that the best strategy for collection is actually to file a small claims action.

They don't attempt to foreclose on the property because that can be time consuming and an expensive junket and quite frankly we are not in the position that we want to force these people out of their homes, we just want to collect the tax. So it has been a long standing policy of his office, and he thinks it is a very sound policy, that he just file small claims actions and we have relatively high success rate in getting the money collected that way. Judge Link asked Sheriff Dills if he had an opinion whether the delinquent taxes that are being presented to us, are they more than usual, or are they about the same as we normally deal with on an annual basis. Sheriff Dills said they normally would be about the same, but they should be down because they had a Tax Bill Sale and sold \$18,000.00 worth of taxes. Judge Link asked if some of those were sold to firms outside of the state. Sheriff Dills said "No they were within the state. They are the most that we have ever sold at a Sheriff's Sale". Jack Gatlin said he would like to give some Kudos out to the Sheriff. He knows that we had an issue develop about two weeks prior to the tax sale and it looked like there was going to be a demand from different taxing entities that are out there that buy these that are quite frankly an absolute scam and we need to work with the Legislative to try to stop that; however, they were wanting to buy all of the tax bills which then would have evoked the State of Kentucky to step in and purchase all of those tax bills. There is a statute that requires that quite frankly and fortunately the Sheriff was able to negotiate a deal with these tax companies keeping that from happening which was good on two fronts. One it capped the taxpayers in the State of Kentucky from having to forward the bill which the Statute requires. Secondly, it assisted with some budgetary issues with both the County Clerk's Office and his office because obviously a source of our funding is the delinquent fees on these taxes, so we are

very appreciative to the Sheriff and I know Leatha is as well and he thinks the taxpayers of Kentucky should be as well because that is a little known glitch that is out there that if you have a demand for more than 10% of the tax bills to be sold at the Sheriff's Sale the State has to actually come in and shut it down and purchase those tax bills which again seems like a fraud on the system but that is the way it is. Judge Link said that the Sheriff showed a great deal of wisdom and leadership on that day which happened to be on a Saturday and he and the Sheriff both worked Saturday morning and he almost shut down the sale two or three times because of the behavior of those folks. He said he thought they were asking if there was a total included in this, is there Sheriff, to your knowledge, is there a total of the taxes that are delinquent. Sheriff Dills said there was approximately \$170,000.00. It was a splendid collection and there is actually the largest, and he was speaking to our past Sheriff, Randy Middleton, and he doesn't recall ever having a tax bill of that magnitude that he ever had before, and he recalled several thousand dollars in tax bill sales. This was right at 10% and he calculated to make sure they stayed under the 10% threshold and this was like \$118,700.00. He said they were real pleased with the collection rate being as the economy is down right now. There is a lot more that he feels that is paying in the delinquent time that the tax bill wasn't being paid, and something that he actually feels will help relieve some of this and people will get them paid during the discount period next year will be that they will be accepting all major credit cards. This year it was just the Discover Card, but next year he has contracted with a company who will actually pass that fee onto the person paying that bill and that will be an alternative to getting them paid during the discount period on their credit cards. The Court having examined said List of Certificate of Delinquency for tax year 2007, the

following Motion was made:

Motion of Brian Linder and seconded by Bobby Young it is hereby ordered to accept the Sheriff's List of Certificate of Delinquency on Real Estate taxes for the year 2007 as presented, and that the Sheriff be allowed proper credit for same, and the state, county and other Taxing Districts shall retain a lien on same. Said List contains 23 Pages on Revenue Form 62A359-A (1-00), 13 Pages on Revenue Form 62A372-A (2-93), and 9 Pages on Revenue Form 62A362-A (2-83), and same are to be made a part of the minutes of this Court. It is also directed that the County Attorney take legal action for collection of the Certificate of Delinquency.

The following votes were taken: Richard Austin, Magistrate 1<sup>st</sup> District, votes Yes; Brian Linder, Magistrate 2<sup>nd</sup> District, votes Yes; 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 opened up discussion for the 'Good of the County'. He said that anyone could address the Court at this time. Judge Link reported that Magistrate Young and his daughter Courtney Jo attended the Drive-In Movies at the Park on Friday night and it was very successful. He did check with Tabatha today and asked her how many people were there and she said there was about 125 in attendance and he told her to not let Bobby count at church. Magistrate Young said that there was a lot, fifty, but she was probably closer than he was. He said for those who don't know, the county bought a blow up movie screen and it is just that. You just hook it to an electrical cord and it just blows up and it is a nice speaker system, nice video that the picture on the screen is very good, and like the Judge said, Courtney Jo and he sat in the back of his pickup truck in their lawn chairs and sat there and listened to the movie, but some of those that were sitting in their vehicles with the windows up could tune the radios to the movies and hear

the speakers over there in the sound system in their cars, so it was a fun time. We had popcorn and snacks and everything as well, and we really enjoyed it. Judge Link said, “Good, and I think there will be other Friday nights. It looks like it is going to be a popular program this year, and we encourage everyone to take part of that and get out and have fun with your family and exercise a little nostalgia for some of you that are about his age, and he thinks you will find it to be a good family entertainment. Let me also say we are very appreciative of the Magistrates cooperating with Tabatha to bring that program about and as he understands it there is no charge. We are making that available to the people of this community, so he appreciates the Court’s generosity”. Magistrate Young said that the Soccer Boosters volunteered their time to park vehicles and they ran the concession stand as well, so there was plenty of help for Tabatha when she got there. Judge Link said “Good”. He also reminded everyone to Vote tomorrow. He said that he knew this might not be shown until later, but hear it from us first. We encourage everyone to get out and take part in democracy tomorrow and vote and exercise your right to vote. Magistrate Young mentioned Memorial Day. Judge Link said Memorial Day was on Monday and updated that there will be a service here at 11:00 AM and Sally Edwards will be the speaker. She lost her son. Her son gave the ultimate sacrifice to the country, so she is a “Gold Star Mom” and he thinks she will have a very good perspective on what it means to make that sacrifice on Memorial Day as we come together as a community and honor those that have made that extreme ultimate sacrifice. He hopes it is excellent weather and hopes that all will come and listen to Sally and give her your respect and your thunderous applause at the end when she gets finished. In some small way we will try to honor her as well. He thinks you will also be impressed by the ROTC

Program at the Grant County High School and the difference that those guys, Sergeant Chafey I believe is his name, is making in the lives of young people down there, boys and girls alike. So it is great to have them and they will be participating and you will be quiet impressed as they march in step. County Attorney Jack Gatlin stated that for all those who have followed the travels and adventures of Ed Lorenz he has now completed his journey from San Diego to St. Augustine by bicycle. That was a journey that was exactly 3,000 miles on the nose. He did it in about 44 days and he talked to Ed about an hour ago and he said he is planning his next journey. So the real Ed is coming out. He likes to bicycle and pedal all over the country. Interesting journey. He hopes at some point he comes to some functions and talks about it because he thinks it was a neat experience for him. Judge Link said so he traveled from San Francisco to St. Augustine...Mr. Gatlin said from San Diego to St. Augustine. Judge Link said, so he had the wind at his back. Mr. Gatlin said "Sometimes yes, sometimes no". Judge Link said for him to tell Ed we think he had the wind to his back which that is good. Mr. Gatlin said "Well knowing Ed, I am sure he is watching". Judge Link said, "Ok, and Ed, we challenge you to ride from St. Augustine to Maine because that is all up hill, isn't it Jack. He said it probably is, it probably is, in January, right?" Judge Link said "In January. Real men, boys, real men".

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Judge Link reminded the Fiscal Court that the next Caucus meeting will be on Tuesday, May 27, 2008, at 5:30 P.M., and that the next meeting of the Fiscal Court will be on Monday, June 02, 2008, at 7:00 P.M.

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Motion of Bobby Young and seconded by Brian Linder it is hereby ordered to Adjourn until Monday, June 02, 2008, 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, votes Yes; 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