



Meeting Minutes

July 18, 2016

7:00 P.M.

CALL TO ORDER

Judge/Executive Stephen Wood called to order the July 18, 2016 meeting of the Grant County Fiscal Court and called upon Rev. Terry Leap to lead in the invocation.

Those present: Judge/Executive Stephen P. Wood, Magistrates Riley, and Coldiron, County Attorney Joe Taylor, Sheriff Chuck Dills, Deputy Judge/Fiscal Court Clerk Scott Kimmich

Guests: Missy Preston, Howard and Cindy Chipman, William Spalding, Mike Webster, Jailer Chris Hankins, Richard Gator, James Dressman, John Souder, Jeremy Rice, Jackie Rice, Steve Coldiron, Rev. Terry Leap, James Rhoton, Judge Steve Bates (Retired Circuit Judge), Pete Whaley, Bill Adkins, Les Whalen, Paul Knarr, Bobby Webb, and Teresa Wood.

REVIEW AND APPROVAL OF THE AGENDA

Judge Wood requested motion to approve the agenda which was offered by Magistrate Coldiron and seconded by Judge Wood. There being no discussion Judge Wood directed the clerk to call the roll whereupon Judge Wood and Magistrate Coldiron voted in the affirmative while Magistrate Riley voted NO.

APPROVAL OF THE MINUTES

Judge Wood requested a motion to approve the minutes of the meeting held July 5, 2016, and a motion to approve same was offered by Magistrate Coldiron and seconded by Magistrate Coldiron. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood requested a motion to approve the minutes of Special Meeting held on July 12, 2016, which was offered by Magistrate Riley to approve same as presented and the motion was seconded by Magistrate Coldiron. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

DELEGATIONS:

Judge Wood advised there were no delegations seeking recognition of the court.

FISCAL MATTERS:

Judge Wood presented for approval the Court Order Transfer of funds to provide for the payment of

insurance premiums for FY 2016-2017. Magistrate Coldiron first confirmed that the premiums are being paid from the current budget and was advised by Deputy Judge/ Fiscal Court Clerk Scott Kimmich that the changes were a result of premiums exceeding the budgeted estimates. Magistrate Coldiron moved approval of same and Magistrate Riley seconded the motion. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented claims against the General, Jail, and Road funds for utility bills previously paid pursuant to a standing order. Magistrate Coldiron moved approval and Magistrate Riley seconded the motion. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented claims against the General, Jail, and Road funds dated July 18, 2016 and requested a motion to approve same. Magistrate Riley moved approval and Judge Wood seconded the motion. There being no discussion Judge Wood directed the clerk to call the roll whereupon Judge Wood and Magistrate Riley voted in the affirmative and Magistrate Coldiron voted in the affirmative on all claims other than those related to the payment of bills to Owen Electric upon which she requested the record reflect she was present but not voting.

NEW BUSINESS:

Judge Wood presented a communication from the Grant County Board of Health advising the local board has met and determined to maintain the same rate as last year, which is 2.8 cents per \$100.00 valuation.

Magistrate Coldiron moved to acknowledge the rate and notify the Health District of the court's action. Magistrate Riley offered a second on the motion before the body. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

ORDINANCES AND RESOLUTIONS:

Judge Wood presented for Second Reading and final passage, Ordinance 07-2016-693.

Deputy Judge/ Fiscal Court Clerk Kimmich reported:

AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT CONCURRING IN THE FINDINGS OF THE GRANT COUNTY PLANNING COMMISSION FOR A REQUEST OF CLYDE & LINDA DOUGHERTY ESTATE FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ONE (A-1) TO RESIDENTIAL ONE-A (R-1A) ON A 1.5329 ACRE SITE LOCATED ON THE EAST SIDE OF BATON ROUGE ROAD, 2.4 MILES WEST OF US 25, GRANT COUNTY, KENTUCKY.

Magistrate Coldiron moved approval of the second reading and final passage of Ordinance 07-2016-693 and Magistrate Riley seconded the motion. There being no discussion on the matter, Judge Wood directed a roll call whereupon all members present voted in the affirmative.

Resolution 16-11

Judge Wood advised the Court would next consider Resolution 16-11.

The Honorable Steve Bates, Retired Circuit Judge of the 15th Circuit, requested the consideration of the court to make a few comments before the court proceeded with action on the items related to the Detention Center.

Judge Wood recognized Judge Bates for his comments.

Judge Bates explained that he had served for 29 years as Circuit Court Judge and comes before the court this evening to speak as a taxpayer of Grant County with the life experience to have insight into the issues the court is confronting. He also explained he was speaking as a representative of the Judiciary in the community, having spent three hours working on this issue and talking with the Circuit, and District Judges, Commonwealth's and County Attorneys, and the Sheriff, all of whom are opposed to the decision to close the jail. He expressed there was deep concern related to the decision to close the detention center from a cost perspective as well as a time and efficiency perspective in the management of the judiciary.

Judge Bates said he wanted to reassure the court he was before them to discuss the time of the decision, not the merit of the decision. He said he was not speaking on behalf of the employees or the Jailer, rather he was seeking to insure that the Fiscal Court had all the facts before them in making a decision of this magnitude.

Judge Bates expressed to the court that his experience on the bench reflects that there will be a continuing increase in cases in the county and that the Grant already has the responsibility to transport more than double those of Owen County, where there is no operational jail.

Judge Bates expressed his belief that there needs to be a comprehensive independent financial analysis of the detention center, performed by forensic accountants, to ascertain whether from a financial perspective this is the best long term action for the court. He also expressed that it was his belief the timing of the decision, given that there has been no contracts secured for housing of inmates, is ill advised.

Magistrate Coldiron said this was not a decision the court had reached overnight and read from the text of a resolution passed in May in which the Fiscal Court advised of their intent to look at an all options approach to corrections in Grant County moving forward after a state auditor's report showed some expenditures inappropriate and others for which there was no documentation to determine whether they were appropriate or not. Mrs. Coldiron went on to express her frustration that she had sought information from the jail since taking office and has repeatedly been unsuccessful. She said she has requested reports from the facility concerning jail population and today she had to literally go through Jail Tracker, an independent firm, and look at the charges of every defendant to determine if they were a county inmate. She said this should not be the situation, where elected officials cannot get information about the jail.

Magistrate Riley expressed her frustration that the detention center has been a point of controversy for years, particularly in the last 18 months and no one has expressed an interest in resolving the problems until the court took strong action last week. She said as a former employee of the facility she was very upset with the way the current jail administration has refused to work with the Fiscal Court. She said that the feedback she has been receiving from people in Grant County, and in her district

specifically, has been overwhelmingly supportive of closing the facility. She said this is a purely financial decision and she is unwilling to allow the facility at 212 Barnes Road to bankrupt this county on her watch.

Judge Bates said he was not arguing the merit of the decision, just the timing. He asked the court to withhold action on the resolutions on the agenda to continue to gather data.

Mr. Richard Gator, a representative of the Kentucky Transportation Cabinet, expressed concern about the roadside contracts and expressed his support for the efforts of the staff at the detention center in providing this service over the years it has been in place. He said there had always been a plan to place a third unit at the Grant County Detention Center to help service the 11 counties in the district.

Judge Wood requested Deputy Judge/Fiscal Court Clerk Scott Kimmich to report Resolution 16-11. Kimmich read the resolution, referenced herein, and attached hereto, a summary of which is listed below:

A RESOLUTION OF THE GRANT COUNTY FISCAL COURT REQUESTING THAT THE COUNTY JAILER PREPARE AND SUBMIT A COMPLETE INVENTORY OF ALL FURNITURE, FIXTURES, EQUIPMENT, AND VEHICLES, INCLUDING BUT NOT LIMITED TO THOSE ACQUIRED THROUGH THE USE OF COMMISSARY FUNDS AND AUTHORIZING AND DIRECTING THAT GARRY L. EDMONDSON, ATTORNEY AT LAW, ACTING ON BEHALF OF THE GRANT COUNTY FISCAL COURT, SEEK ACTION OF THE GRANT CIRCUIT COURT TO PREVENT THE SALE, TRANSFER, OR DISPOSITION OF ANY PROPERTY, EQUIPMENT, VEHICLES OR FIXTURES AT THE GRANT COUNTY DETENTION CENTER, INCLUDING BUT NOT LIMITED TO THOSE ACQUIRED USING COMMISSARY FUNDS, WITHOUT THE EXPRESS APPROVAL, GRANTED THROUGH AN ACTION OF THE GRANT COUNTY FISCAL COURT.

Judge Wood moved approval of Resolution 16-11 and Magistrate Coldiron seconded the motion. There being no further discussion before the body Judge Wood directed a roll call vote whereupon all members present voted in the affirmative.

Resolution 16-12

Judge Wood presented for the court's consideration **Resolution 16-12** and requested the Deputy Judge/Fiscal Court Clerk to report same. Kimmich read the resolution, referenced herein, and attached hereto, a summary of this is listed below:

A RESOLUTION OF THE GRANT COUNTY FISCAL COURT PROVIDING FOR BUDGET LINE ITEM TRANSFERS IN THE GRANT COUNTY DETENTION CENTER IN ACCORDANCE WITH THE DIRECTION OF THE COURT TO CURTAIL SPENDING IN PREPARATION FOR THE PHASED CLOSEOUT OF THE GRANT COUNTY DETENTION CENTER.

Magistrate Riley explained this contract is simply transferring funds to a reserve fund within the Jail Fund, as the detention center sees declining population, as there will be no revenue to fund the budget as originally approved.

Magistrate Coldiron reiterated that a resolution of the court is reversible if conditions change in the

county and the determination is made that maintaining some type of facility is in the county's best interest. She said these are precautionary actions to protect the county's long term financial interests.

Magistrate Coldiron moved approval of Resolution 16-12 and Magistrate Riley seconded the motion. There being no further discussion before the body Judge Wood directed a roll call vote whereupon all members present voted in the affirmative.

Ordinance 07-2016-694

Judge Wood presented for First Reading, Ordinance 07-2016-694, and called upon Deputy Judge/Fiscal Court Clerk Scott Kimmich to report the ordinance.

Kimmich presented the ordinance by title and summary as follows:

**AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT AMENDING THE
TEXT ATTACHMENT TO THE GRANT COUNTY BUDGET FOR FISCAL YEAR
2016-2017.**

JUDGE EXECUTIVE'S REPORT:

Judge/Executive Stephen Wood stated the actions taken tonight are in the county's best long term interests from a financial perspective, if someone can demonstrate to the contrary the court has the ability to revisit the issue of closing the detention center. He said the court will work with the employees to seek other employment opportunities and has already begun to reach out to other counties.

Mr. Paul Knarr rose to address the court and Judge Wood recognized him. Mr. Knarr began to speak, making personal attacks on the court and Judge Wood gaveled him out of order and asked him to sit down. When he refused to take his seat, Judge Wood asked for a motion to adjourn which was offered by Magistrate Coldiron. Mr. Knarr continued to talk.

ADJOURNMENT:

Judge Wood exercised the prerogative of the Chair, and gaveled the meeting adjourned.

Signed:

Stephen P. Wood
Grant County Judge/Executive