



## Meeting Minutes

July 5, 2016

7:00 P.M.

*(Note this meeting was held on a Tuesday as the Monday upon which the court was to meet was a national holiday.)*

### **CALL TO ORDER**

Judge/Executive Stephen Wood called to order the July 5, 2016 meeting of the Grant County Fiscal Court and called upon Deputy Judge/Fiscal Court Clerk Scott Kimmich to lead in the invocation.

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

Guests: Missy Preston, Howard and Cindy Chipman, William Spalding, Klint Bruce (Assistant Road Supervisor), Bobby Webb, and Teresa Wood.

### **REVIEW AND APPROVAL OF THE AGENDA**

Judge Wood requested motion to approve the agenda which was offered by Magistrate Newman and seconded by Magistrate Coldiron. There being no discussion Judge Wood directed the clerk to call the roll whereupon Judge Wood and Magistrates Newman and 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 June 20, 2016, and offered a motion for approval which 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.

Judge Wood requested a motion to approve the minutes of Special Meeting held on June 22, 2016, which was offered by Magistrate Newman and seconded by Judge Wood. 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 the Special Meeting held on June 25, 2016 which was offered by Magistrate Coldiron and seconded by Magistrate Newman. There being no discussion Judge Wood directed the clerk to call the roll whereupon Judge Wood and Magistrates Newman and Coldiron voted in the affirmative and Magistrate Riley requested that her vote be recorded as present but not voting.

### **DELEGATIONS:**

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

**FISCAL MATTERS:**

Judge Wood presented for approval the claims against the General, Jail, and Road funds dated July 6, 2016 and requested a motion to approve same. Magistrate Riley moved approval and Magistrate Coldiron 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 and requested a motion to acknowledge the authorization of the County Treasurer to stop payment on check 23382 drawn on the General Fund and made payable to Mr. Robert Flege in the amount of \$25.00 as he did not attend the poll worker training; check 23070 to Eric Hutton in the amount of \$25.00 as the check is 90 days past issuance; and check 23079 to Cody Trenkamp as the check is 90 days past issuance. Magistrate Newman moved approval and Magistrate Coldiron 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 advised that the record shall reflect the Fiscal Court's acknowledgement of the Treasurer's Monthly Cash Position Report.

Judge Wood presented a recommendation of the administration and County Treasurer to approve the transfer of funds from General Fund and Certificates of Deposit to the Jail Fund to provide for the payment of the of the Jail Debt Service in the amount of \$421,622.

Judge Wood advised the treasurer has recommended and the administration concurs in the need to cash the certificate of deposit, for the express purpose of paying the Jail Debt Service, to be reinvested in certificates upon receipt of state funds related to the Jail, and collection of taxes. He advised the court that in many counties, at the first of the fiscal year, it is necessary to borrow funds to cover debt service or "first of year expenses" such as liability insurance. In the situation of Grant County, the rate of interest to borrow funds on a short term basis would exceed that which we are receiving on the CD, therefore it is better to in essence borrow from ourselves and repay the loan as proceeds arrive.

Magistrate Riley confirmed this action will require the court to cash in the last remaining certificates of deposit.

Magistrate Coldiron suggested it in the county's best interest to see if the county can transfer payment dates on some of the insurance or bond service to a point in time each fiscal year when the county is not so strapped for cash. Deputy Judge Kimmich advised he is contact with representatives of KACO, the county insurance carrier, and Brian Skinner of Ross Sinclair, the county's financial advisors, to determine if the bond payment date can be shifted without significant penalty.

Magistrate Riley indicated that if the fee were a one-time occurrence it may be something worth evaluating.

Deputy Judge Kimmich will report on this matter to the Fiscal Court at the next meeting.

Judge Wood made a motion to transfer the funds as requested by the County Treasurer and concurred in by the Administration and Magistrate Coldiron seconded the motion. There being no discussion Judge Wood directed the clerk to call the roll whereupon Judge Wood and Magistrates Newman and

Coldiron voted in the affirmative and Magistrate Riley voted NO.

**NEW BUSINESS:**

Judge Wood presented Executive Order 16-22

Deputy Judge Kimmich advised this is a reorganization commendation of the Judge/Executive to create the position of Building Supervisor as provided for in the 2016-2017 budget which will be funded through the cancellation of current outside sourced contracts for services, as expressed in the budget caucus. Pursuant to the Reorganization provision of the Administrative Code, this order cannot take effect until 15 days have passed since its introduction to the Fiscal Court, as is the case when a new positions is created. The Judge/Executive will advertise for the position, but cannot offer or fill the position until the time has lapsed.

Magistrate Newman moved approval of Executive Order 16-22 and Magistrate Coldiron seconded the motion. 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 first reading Ordinance 07-2016-693.

Deputy Judge Kimmich reported this is:

**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.**

Kimmich further noted, Kriss Lowery of Kriss Lowery and Associates presented the staff report. (See file for complete report). Mrs. Lowery stated the recommendation was Approval, of the requested Map Amendment based on the following findings: 1. The proposed amendment is in conformance with the Comprehensive Plan. 2. The zoning regulations state that lots in the R1A district must have an adequate public or private water supply and must provide a health department approved waste disposal system. The proposal is consistent with the basic requirements of the zoning regulations for the R1A zone. 3. The existing barn does not currently meet the minimum front yard depth and building setback line of 50 in the A1 zone. The barn will continue to be non-conforming. If the map amendment is approved, it will not meet the minimum front yard requirement of 40ft. and will be more non-conforming to the required dedication of road right-of-way.

Magistrate Newman said he had expressed concerns to Judge Wood about this zone change not being for 5 acres or more to be compliant with the zoning regulations but when he read the report it indicated this is appropriate and he was satisfied with the ordinance moving forward.

Judge Wood presented for the court's consideration Resolution 16-09 and ask the Clerk to report.

Deputy Judge Kimmich reported:

**RESOLUTION 16-09 IS A RESOLUTION OF THE GRANT COUNTY FISCAL COURT PROVIDING AUTHORIZATION FOR THE COUNTY JUDGE/EXECUTIVE TO ADVERTISE FOR, ACCEPT, AND AWARD BIDS FOR THE PAVING OF EIBECK LAND PURUSANT TO THE DEVELOPMENT AGEEMENT BY AND BETWEEN THE COUNTY OF GRANT, THE CITY OF WILLIAMSTOWN AND THE DEVELOPERS OF THE ARC, AND PROVING THAT UPON COMPLETION OF THE PAVING THE COUNTY ATTORNEY BE AND IS HEREBY DIRECTED TO TAKE ACTION TO EFFECUATE THE TRANSFER OF THE PUBLIC RIGHT OF WAY UPON WHICH THE ROADWAY HAS BEEN BUILT TO THE CITY OF WILLIAMSTOWN, KENTUCKY.**

Kimmich further advised the court the development agreement which provided for the establishment of a joint relationship for the installation of infrastructure necessary for the construction of the Ark was crafted in such as manner as to require the County to secure the right of way for the construction of a roadway to meet county road specifications, along Eibeck Lane, including paving, upon the opening of the Ark. Inasmuch as time is of the essence, it is requested that the Judge/Executive be authorized to proceed in bidding the project and proceeding with surfacing.

Judge Wood expressed that this was a commitment made by the county before the current court arrived and the cost of the project would have to be borne by the current court. He said he has been unaware of the commitment until he was contacted by the Ark representatives requesting the paving to be completed. He advised the Magistrates the cost may exceed \$100,000.

Magistrate Newman questioned whether there was sufficient base to complete the project and Klint Bruce, Assistant Road Supervisor, spoke out and advised he agreed with Mr. Newman that there was not sufficient base.

Magistrate Riley questioned whether determining the capacity of the base would be part of the bidding and was advised it would.

Magistrate Newman moved approval of the passage of Resolution 16-09 and Magistrate Coldiron 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 EXECUTIVE/S REPORT:**

Judge/Executive Stephen Wood advised that the ribbon cutting at the Ark had taken place today and he hoped everyone would visit the facility. He said it is a wonderful opportunity in the community and that as additional features are completed the park will become even more of a recreation destination.

Magistrate Newman advised he enjoyed the day's festivities, but cautioned those visiting the Ark to wear comfortable walking shoes.

Judge Wood also reported that the Health Department is doing a great job in promoting an information campaign concerning the Zika virus. He advised there have been diagnosed cases in Kentucky and that everyone should be cautious of areas where mosquitos can be found, particularly standing water.

**ADJOURNMENT:**

Judge Wood requested a motion to adjourn until the hour of 7:00 p.m., Wednesday, July 18, 2016. Magistrate Newman moved approval and Magistrate Coldiron seconded the motion. There being no discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Signed:

Stephen P. Wood  
Grant County Judge/Executive