

DRAFT

Minutes of the Grant County Fiscal Court February 23, 2015

Call to Order

Judge/Executive Stephen Wood called to order Special Called meeting of the Grant County Fiscal Court.

Those in attendance were Judge/Executive Stephen P. Wood; Magistrates Jacquelyn Riley, Bobby Newman, and Shawna Coldiron; County Attorney Joe Taylor; Sheriff Chuck Dills; County Clerk Tabatha Clemons; and Deputy Judge/Executive & Fiscal Court Clerk Scott Kimmich.

Citizens in attendance were: Brian Maines, Steve Coldiron, Charles Givin, Bobby Burgess, and Brenden Dills.

Invocation and Pledge of Allegiance

Judge Wood led in the Pledge and called upon Jerry Carmichael, Minister Grant County Church of Christ to offer the invocation.

Review and Approval of the Agenda

Judge Wood presented the Agenda for approval. He advised that inasmuch as this is a Special Called meeting nothing can be added to the agenda, although items can be withdrawn. Magistrate Riley offered a motion to approve and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Approval of the Minutes

Judge Wood presented the minutes of the meeting held February 2, 2015 for consideration. Magistrate Riley offered a motion to approve with corrections having been provided to the clerk and Magistrate Coldiron seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Orders

Executive Order 15-21 (Action is requested)

Judge Wood requested the clerk to report Order 15-21 appointing Brenda Wilson to a 4-year term on the Grant County Board of Tax Appeals. Magistrate Coldiron offered a motion to approve and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Order 15-22 (Action is requested)

Judge Wood requested the clerk to report Order 15-22 appointing Elliott Anderson to a 4-year term on the Grant County Board of Tax Appeals. Magistrate Riley offered a motion to approve and Magistrate Coldiron seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Order 15-23 (Action is requested)

Judge Wood requested the clerk to report Order 15-23 appointing Shirley Howard to a 4-year term on the Grant County Sanitary Sewer District Board. Magistrate Newman offered a motion to approve and Magistrate Riley seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Order 15-24 (Action is requested)

Judge Wood requested the clerk to report Order 15-24 appointing Robert Worthington to a 4-year term on the Grant County Sanitary Sewer District Board. Magistrate Coldiron offered a motion to approve and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Order 15-25 (Action is requested)

Judge Wood requested the clerk to report Order 15-25 appointing Logan Murphy to a 4-year term on the Grant County Sanitary Sewer District Board. Magistrate Riley offered a motion to approve and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Executive Order 15-26 (Action is requested)

Judge Wood requested the clerk to report Order 15-26 re-appointing Charles Givin to the Bullock Pen Water District Board for a 4-year term of office. Magistrate Newman offered a motion to approve and Magistrate Coldiron seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Fiscal Matters

Judge Wood presented for the acknowledgement of the Fiscal Court the Treasurer's monthly Cash Position Report.

Judge Wood presented for the court's approval the claims list dated February 23, 2015 against the General, Road, and Jail Funds. Magistrate Riley moved approval of the Claims List upon confirmation the Claims Lists of the 23rd are inclusive of those listed on the Claims List of the

16th. Magistrate Coldiron seconded the motion.

Magistrate Coldiron questioned whether since the Magistrates actually approve the Claims List after the fact, is there a review to insure that the departments are purchasing items approved in the budget. Deputy Judge Kimmich advised that he and Judge Wood are reviewing Purchase Orders personally to insure that the departments are staying within the line items but inasmuch as the budget the county is currently operating under was adopted by a previous court there is really no way to verify specific item purchases. Kimmich explained that a review of the line items shows that most department are staying within the budgeted line items. He further explained the most recent foul weather has resulted in unexpected increases in spending in salt purchases and overtime at the Road Department.

Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

Resolution 15-02(D)

Judge Wood presented Resolution 15-02(D), a resolution approving line item transfers, within funds, to provide for the payment of bills. Magistrate Coldiron questioned whether after the transfer of \$100,000 from line item 01-9200-999 to cover the cost of the Sheriff's vehicles there remains \$50,000 in the line item as originally budgeted. Deputy Judge Kimmich said there had been transfers from within the line time to cover expenses both before the change of administrations in January and that there have been transfers made since the term began. He said very little remains in the transfer line item.

Following the explanation, Magistrate Coldiron moved approval of the line item transfers and Magistrate Riley seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted AYE. Motion carried unanimously.

NEW BUSINESS:

Judge Wood recognized Rob Hans, Chief District Engineer; Kevin Rust, Construction Branch Manager; Jerry Keith, Williamstown Office Supervisor; and Nick Reis, engineer in the Williamstown office, for the Kentucky Transportation Cabinet.

Judge Wood advised each year the KYTC makes an appearance before the court to announce their maintenance plans for the upcoming year and to seek the guidance of the court on other issues of importance to the court. In the event the court disagrees with the determinations that have been made, the court can express their opinions and that is reported to the Commissioner of the Rural Secondary Program and a final decision is made in Frankfort.

Mr. Hans expressed his appreciation to the court for the opportunity to appear before the court and advised this will be the last such appearance for Mr. Reis as he has transferred to the District Headquarters where he will be active in the construction section.

Mr. Hans explained that the county's share of the state road fund for maintenance on the rural secondary system is \$1,036,301. KYTC has programed \$141,000 for routine maintenance; 546,213 for resurfacing projects; and set aside approximately 15% in Flex Funds which is a

portion of the funds that KYTC would like to include in their program. However, Mr. Hans explained to the Court that Governor Beshear has for the past six years provided the Flex Funds in the operational budget and allowed the counties to use that portion on their own roads when the Court felt that this was a better use of the funds.

Mr. Reis explained the resurfacing projects the cabinet would like to complete include; KY 330 from U.S. 25 to Mile Post 7 and KY 1994 from KY 1942 to U.S. 25. If the court would agree to forgo the funds in the Flex account KYTC would also propose to do a resurfacing project on KY 2942 from Fairway Drive to U.S. 25 as well as a base stabilization project on the portion to KY 330 that is scheduled for resurfacing.

Ms. Riley questioned how the base stabilization project would differ from the resurfacing and was advised the resurfacing project would be for the placement of a 1" blacktop overlay. Some shoulder work would be done by state maintenance crews. However, there would be limited additional work on the road and that even with the base stabilization there would be little work on to address the slip issue.

Mrs. Coldiron questioned when the state needed to know the court's position on the plan and was advised the plan needs to be in Frankfort by March 15. She confirmed that if the Court approved the use of the Flex funds these are funds that otherwise would be available for county roads and was advised this was accurate.

Magistrate Newman questioned whether base and shoulder work was going to be done on any of the other projects in the plan and was advised the only work in the plan is for the overlay, no major shoulder work or base work. Mr. Hans advised there may be some minimal shoulder work that will be done by state crews, but nothing major. He expressed concern there this is a lot of shoulder work that is needed.

Deputy Judge Kimmich questioned whether the plan outlined is reflective of anticipated losses in the gas tax receipts. Mr. Hans advised that the state will see a negative impact on revenue as a result of gas tax, but this program is not directly impacted. He explained that the Commonwealth has already projected a loss of 4.3 cents per gallon in tax collections based on the wholesale price of gas and that absent action by the General Assembly, there will be an additional loss of 5 cents per gallon.

Mr. Kimmich suggested it may in the county's best interest to table the action before the court this evening and evaluate the potential loss of county receipts in the gas tax before agreeing the free up the Flex funds to the state.

After a continued discussion, Magistrate Coldiron made a motion to table this matter until the March 3 meeting. Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Clerk's Request for Board of Election Purchase

Judge Wood presented a request by County Clerk Tabatha Clemons to declare Harp Enterprises as a sole source vendor for election machine maintenance and programming and to proceed in the acquisition of a PC Workstation for Tally Software; fifty (50) Mobile Ballot Boxes; two (2)

Judge's Booth Controller; and two (2) DAU eSlate (HAVA compliant eSlate) at an aggregate cost of \$25,320.00.

It was reported this equipment is necessary given the increased age of the original voting machines and software acquired by the county through a grant as part of the Helping Americans Vote Act. These acquisitions are sole source in that Harp is the vendor from whom the original acquisition was made and the programs and equipment are proprietary.

Magistrate Riley moved approval of the request and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Resolution 15-08

Judge Wood presented for the consideration of the Court a Resolution of the Grant County Fiscal Court directing that the Grant County, Kentucky Public Properties Corporation shall be and is hereby authorized to proceed in the refinancing of the Grant County Justice Center.

It was reported this is a refinancing of existing bonds which has been requested by the Commonwealth of Kentucky, who is actually the party responsible for the payment of the debt on the center. This refinancing package will provide the Commonwealth with an estimated savings of \$467,876 over the life of the bonds and the Fiscal Court will receive \$46.788 for their participation in the refinancing. The amount paid to the county will be paid upon closing of the sale of the bonds. The final decision as to whether to proceed with the sale will take place at the time bids are received by the county's fiscal agent, Ross Sinclair, and Associates.

Magistrate Coldiron moved approval of the request and Magistrate Riley seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Resolution 15-08(A)

Judge Wood presented for the consideration of the Court, Resolution 15-08(A), a Resolution of the Grant County Fiscal Court directing that the Grant County, Kentucky Public Properties Corporation shall be and is hereby authorized to advertise for refinancing of the Grant County Justice Center.

Magistrate Newman moved approval of the request and Magistrate Coldiron seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

First Reading of Bond Ordinance

Judge Wood presented for First Reading and Ordinance of the Grant County Fiscal Court to proceed in the issuance of refinancing bonds on the Grant County Detention Center for the purpose of renovating the facility to meet life and safety standards.

Fiscal Court Clerk Scott Kimmich read the summary of the ordinance into the record and advised

the court there is no vote required on the first reading, the first reading is to move the process forward and provide for advertising and public hearings as required on this type of project.

Kimmich advised this action will enable the Grant County Fiscal Court to proceed in the sale of bonds, against the Grant County Detention Center, in the amount of 1.5 million to cover anticipated costs of repairs to bring the facility into compliance with life safety standards and to improve overall operational efficiencies.

The summary of the ordinance, as read into the record is as follows:

AN ORDINANCE OF THE COUNTY OF GRANT, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2015, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000 (WHICH AMOUNT MAY BE DECREASED AS NECESSARY) TO (I) REFUND IN ADVANCE OF MATURITY THE OUTSTANDING PRINCIPAL AMOUNT OF COUNTY OF GRANT, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010B, THE PROCEEDS OF WHICH WERE USED TO REFUND EARLIER SERIES OF OBLIGATIONS ISSUED TO FINANCE THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF THE GRANT COUNTY DETENTION FACILITY, AND (II) CONSTRUCT ADDITIONAL IMPROVEMENTS TO THE GRANT COUNTY DETENTION FACILITY; APPROVING THE FORM OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; AUTHORIZING AN ESCROW TRUST AGREEMENT; MAINTAINING THE HERETOFORE CREATED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE BOND PURCHASER FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.

Request of the City of Williamstown Housing Authority

Judge Wood advised the City of Williamstown, acting on behalf of the Williamstown Housing Authority is asking the Fiscal Court to grant relief from deed restrictions on a parcel or property, (.168 acres) deeded to the Authority by the County, identified as property in Helton Heights, to be used for recreational purposes. The relief sought by the Authority would lift the restrictions on the specific parcel identified in the lease and allow the authority to establish a recreational area at a different location on the site, yet to be identified.

Judge Wood reported the request is being made as the Williamstown Housing Authority has made provisions to develop 20 units of multi-family residential units in at the end of Helton Heights using \$600,000 in low income tax credits through the Kentucky Housing Corporation.

The project will be built by a development firm in Cincinnati and managed by the authority. The rental units will not be directly subsidized by the United States Department of Housing and Urban Development and the city will collect a payment in lieu of taxes, estimated at \$6,000 per year.

The County, Library, Schools, and other special districts will receive no compensation in lieu of

property taxes based on the market value of the development. The plan calls for the units to be built on the site where the current recreational equipment is located.

The County is not a participant in the development, receives no monetary benefit from the project and has no oversight responsibility for the project. The County's only involvement rests in the request for relief from the deed restrictions.

Magistrate Riley moved approval of the request and Judge Wood seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

OLD BUSINESS, IF ANY:

There was no old business to come before the court.

EXECUTIVE SESSION:

Judge Wood requested a motion to enter Executive Session pursuant to the provisions of KRS 61.810 (1) (f), which provides an exception to the open meeting for the purpose of discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested.

Magistrate Riley moved approval of the request and Magistrate Newman seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Judge Wood requested a motion to return to open session. Magistrate Riley moved approval of the request and Magistrate Coldiron seconded the motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Judge Wood requested approval of Executive Order 15-09 providing the for the employment of Brian Oldiges as Grant County Recreation and Outreach Coordinator as a full-time at will employee at an annual salary of \$34,000.

Magistrate Coldiron moved approval of the recommendation and Magistrate Riley seconded the motion. Magistrate Riley explained that she had reviewed the record and the application of the nominee and felt the experience of the individual recommended justified hiring someone with his expertise from outside the county. Judge Wood explained that Mr. Oldiges had informed him of his plans to relocate to Grant County if he were hired into the position,

Upon a roll call vote Magistrate Newman voted NO, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

Judge Wood requested approval of Executive Order 15-20 providing for the employment of Larry Fornash as Parks Custodian at a rate of \$13.00 per hour.

Magistrate Newman moved approval of the recommendation and Magistrate Riley seconded the

motion. Upon a roll call vote Magistrate Newman voted AYE, Magistrate Coldiron voted AYE, Magistrate Riley voted AYE, and Judge Wood voted aye.

JUDGE EXECUTIVE/S REPORT

HVAC at Detention Center:

Deputy Judge Kimmich advised the Fiscal Court that the Requests for Proposals had been submitted by three vendors after having been contacted by 6 vendors seeking packets. The three vendors were Thermal Products of Lexington, Kentucky with a cost of \$42,654.09; Howe Electrical from Dry Ridge at a cost of \$40,633.00, and Keifer Heating and Air of Bellevue, Kentucky at a cost of \$28,538.00.

Deputy Judge Kimmich advised the Court all proponents had bid on like equipment; materials and labor; and that the low proponent has been contacted and confirmed he can meet the conditions set forth including tying the units into the smoke evacuation system.

Deputy Judge Kimmich advised inasmuch as this had not been recorded as an item for a vote, he would seek action of the court to ratify his actions at the March 3, meeting.

CITIZENS ADDRESS

Judge Wood advised there would be no citizen's address because this was a special meeting of the fiscal court.

ADJOURNMENT

Judge Wood requested a motion to adjourn Fiscal Court to the hour of 7:00 p.m. EST on March 3, 2015, or until the call of the chair. Magistrate Riley moved approval of the request and Magistrate Coldiron seconded the motion.

The Court adjourned on a voice vote.

Signed:

Stephen P. Wood
Grant County Judge/Executive