



## GRANT COUNTY FISCAL COURT

### Minutes

August 1, 2016

7:00 P.M.

#### CALL TO ORDER

Judge/Executive Stephen Wood called the meeting to order and called upon Leon Brown, Minister, Grant County Church of Christ, to lead in the invocation. Judge Wood led in the Pledge of Allegiance.

Those in attendance:

Judge Stephen Wood, Magistrates Bobby Newman, Shawna Coldiron, Jacquelyn Riley, County Attorney Joe Taylor, County Sheriff Chuck Dills, Jailer Chris Hankins, District Court Judge Thomas Funk, Deputy Judge/Fiscal Court Clerk Scott Kimmich.

Guests:

Rev. Leon Brown, Pete Whaley, Bill Adkins, Howard and Cindy Chipman, James Dressman, Deputy Sheriff Mike Webster, Lucie Clemons, Michael Robinson.

#### REVIEW AND APPROVAL OF THE AGENDA

Judge Wood presented the Agenda for approval of the court and Magistrate Coldiron moved to approve and Magistrate Newman seconded the motion. There being no further 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.

#### APPROVAL OF THE MINUTES

Judge Wood presented the minutes of the meeting held July 18, 2016 for approval of the court and Magistrate Coldiron moved approval and Magistrate Riley seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented the minutes of the special meeting held on July 28, 2016 for approval of the court and Magistrate Coldiron moved approval and Magistrate Newman seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

### FISCAL MATTERS:

Judge Wood presented for approval of court the requested transfer to cover claims as recommended by the Finance Officer. Magistrate Coldiron moved approval and Magistrate Riley seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented for approval of court the claims against the General, Jail, and Road funds dated August 1, 2016. Magistrate Newman moved approval and Magistrate Coldiron seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented a request of the County Treasurer to void check #014788 in the amount of \$41.28 as the claim was made payable to the Boone County Sheriff and should have been made payable to the Boone County Fiscal Court for signs for the Road Department. Magistrate Newman moved approval and Magistrate Coldiron seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented a request of the County Treasurer Action to void check #23174 from the General Fund in the amount of \$25.00 made payable to Danielle Haley, as the check was issued more than 90 days ago. Magistrate Riley moved approval and Magistrate Coldiron seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

### NEW BUSINESS:

Judge Wood presented a request to approve and authorize the County Judge/Executive to enter into the County Road Aid Cooperative Program Agreement for 2016-17 in the total amount of \$883,761.87 of which 97% of the funds will be made available to the county for road projects this year and three percent will be held by the Commonwealth in the Emergency Road Fund Pool. He explained Grant County has long participated in the pool and directly benefitted from the use of these funds in emergency road repair situations.

Magistrate Coldiron moved approval and Magistrate Riley seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented a request for the court to formally approve "nunc-pro-tunc", a contract by and between the County and the Fair Board for the use of a road grader to perform work at the Grant County Fairgrounds.

It was explained upon receipt of the request from the Fair Board to be able to use the county road department grader at the Fairgrounds, Judge Wood asked Deputy Judge Kimmich and County Attorney Taylor to look into the potentiality of such an arrangement. Upon researching the matter it was agreed that opinions of the Attorney General, dating back a number of years make such arrangements possible when a public good is being derived from the actions of the two parties. Specifically, in McQuillian Municipal Corporations (3<sup>rd</sup> Ed. 1995) is states **"further it is not essential that the entire community, or even a considerable portion of it, should directly enjoy or participate in the improvement in order to make it a public one. Generally, a public purpose has for its objective the promotion of public health, safety, morals, general welfare, security,**

**prosperity, and contentment of all, or at least a substantial part of the inhabitants or residents."**

Based on this definition and legal opinions on point, the contract before the court was crafted, has been approved as to form and classification by the county attorney and final concurrence is requested.

Judge Wood asked for a motion to approve the contract with the Fair Board and the motion was offered by Magistrate Riley and seconded by Magistrate Newman. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

Judge Wood presented for the information of the Court, the Pendleton County Water District has filed their Annual Report, and announced a copy is on file in the office of the County Judge/Executive for anyone who wishes to review the document.

Judge Wood presented for the information of the Court, that the Kentucky Transportation Cabinet has put the county on notice that the Statewide Transportation Improvement Plan (STIP) for FY 2017-2020 has been posted for public inspection on the KYTC website. This document will be available on the state website through Tuesday, August 16, 2016. Comments can be submitted to the cabinet via Patty Dunaway, State Highway Engineer, 200 Mero Street, 6<sup>th</sup>. Floor, Frankfort, KY 40622.

Judge Wood presented for concurrence of the court a recommendation to proceed in awarding the contract for the paving of Eibeck Lane to Bluegrass Paving in the amount of \$56,000. Bluegrass is the firm determined to represent the "lowest and best price" upon evaluation of the bids submitted by Bluegrass Paving, Eaton Asphalt, and Reigler Blacktop.

Judge Wood asked for a motion to approve the bid to Bluegrass Paving and the motion was offered by Magistrate Newman and seconded by Magistrate Coldiron. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

**ORDINANCES AND RESOLUTIONS; IF ANY:**

**First Reading of Ordinance 08-2016-695**

Judge Wood directed the clerk to report for First Reading Ordinance 08-2016-695. He advised inasmuch as this is a first reading no formal action is requested.

The Fiscal Court Clerk reported:

ORDINANCE 08-2016-695 IS AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT ADOPTING THE FINDINGS OF THE GRANT COUNTY PLANNING COMMISSION AND APPROVING A REQUEST OF DONNA BLACKBURN 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 2.83 ACRE SITE LOCATED ON THE WEST SIDE OF SHERMAN MT. ZION ROAD, 317.98 FEET SOUTH OF CRITTENDEN MT. ZION ROAD, GRANT COUNTY, KENTUCKY.

**First Reading of Ordinance 08-2016-696**

Judge Wood directed the clerk to report for First Reading Ordinance 08-2016-696. He advised

inasmuch as this is a first reading no formal action is requested.

The Fiscal Court Clerk reported:

ORDINANCE 08-2016-696 IS AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT ADOPTING THE FINDINGS OF THE GRANT COUNTY PLANNING COMMISSION AND APPROVING A REQUEST OF MARCELLA GILLUM 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 1.2714 ACRE SITE LOCATED ON THE SOUTHWEST SIDE OF NAPOLEON ZION STATION ROAD, 0.15 MILES SOUTH OF CONCORD ROAD, GRANT COUNTY, KENTUCKY.

#### **Second Reading of Ordinance 07-2016-694**

Judge Wood requested a motion to table the second reading of Ordinance 07-2016-694, until the hour of 7:00 on August 15, 2016.

Magistrate Riley moved approval and Magistrate Coldiron seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.

#### **OLD BUSINESS, IF ANY:**

#### **EXECUTIVE SESSION: IF ANY:**

Judge Wood advised there would be no Executive Session.

#### **ADMINISTRATIVE/DEPARTMENTAL REPORTING:**

Judge Wood advised there would be no Administrative or Departmental Reporting.

#### **JUDGE EXECUTIVE/S REPORT:**

Judge/Executive Stephen Wood advised the court would stand in recess for approximately 1 hour or until the call of the Chair.

Judge Executive Steve Wood called the meeting back into session.

#### **ADJOURNMENT**

Judge Wood requested a motion to adjourn the court until the hour of 7:00 p.m., Monday, August 15, 2016, or until the call of the Chair.

Magistrate Coldiron moved approval and Magistrate Newman seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll whereupon all members present voted in the affirmative.