



**Minutes
Grant County Fiscal Court
October 24, 2016
7:00 P.M.**

CALL TO ORDER

Judge Wood called to order the October 24th. meeting of the Grant County Fiscal Court and advised inasmuch as there is a quorum of the court present, the court was legally constituted to do business.

Those in attendance were:

Judge/Executive Stephen Wood, Magistrates Jacquelyn Riley, Bobby Newman and Shawna Coldiron, Deputy Judge Scott Kimmich, Sheriff Chuck Dills, Chief Deputy Jailer Lisa Mentrup, Missy Preston-Detention Center Bookkeeper, and Klint Bruce, Assistant Road Supervisor.

Guests were: Mayor Jimmy Wells

INVOCATION AND PLEDGE OF ALLEGIANCE

Judge Wood advised that inasmuch as Justin Lipscomb was not present, he would offer the invocation and lead in the Pledge of Allegiance.

REVIEW AND APPROVAL OF THE AGENDA

Judge Wood requested a motion to approve the agenda as presented. 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 voted in the affirmative.

APPROVAL OF THE MINUTES

Judge Wood presented the Minutes of the Meeting held October 3, 2016 for approval. Magistrate Riley moved approval predicated on changes submitted to the clerk in advance and Magistrate Newman seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

DELEGATIONS:

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

FISCAL MATTERS:

Judge Wood presented for review and approval the transfers sufficient to pay the claims list dated October 24, 2016 against the General, Road, and Jail Funds.

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 voted in the affirmative.

Judge Wood presented for approval the claims list dated October 6, 2016, for utilities, against the General and Road Funds as set forth the standing order providing for the prepayment of utilities to avoid late fees.

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

Judge Wood presented for review and approval the claims list dated October 24, 2016 against the General, Road, and Jail Funds.

Magistrate Riley moved approval and Magistrate Newman seconded the motion. There was a discussion concerning the tents and tables and chairs for the Senior Bash and all agreed it was a great event but the cost seemed high. Deputy Judge Kimmich said he had been advised the costs were higher than previous years and Judge Wood stated that he would talk with the Recreation Director and report back to the court.

There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

Judge Wood presented a request from the County Treasurer to proceed in voiding for check #23862 drawn on the General Fund in the amount of \$150.00 as the check had been cut to the wrong vendor.

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 voted in the affirmative.

EXECUTIVE ORDERS:

Judge Wood presented to the fiscal court for acknowledgement purposes an amendment to Order 16-25, which will be recorded in the minutes as Order 16-25(A).

Judge Wood advised it is necessary for the Fiscal Court to amend to Executive Order 16-25, appointing Barbara Chaney to the Northern Kentucky Council on Aging, changing the expiration date on said appointment from February 2, 2017 to June 30, 2017, as requested by the Northern Kentucky Area Development District.

Executive Order 16-26

Judge Wood presented Executive Order 16-26 and requested the clerk to report.

The Clerk reported the Order:

WHEREAS, The Kentucky Revised Statute and Grant County Administrative Code provides the County Judge/Executive shall possess the power and authority to reorganize County Government departments and agencies unless affirmative action is taken to reject said order, and;

WHEREAS, The Grant County Administrative Code provides that the Magistrates must receive the Order 15 days before the intended order is to be effective, and;

WHEREAS, Judge/Executive Stephen P. Wood has determined and subsequently advised the Magistrates that it is his determination that the interests of the residents of Grant County can best be served through the appointment of an independent bipartisan citizens group to assist in the evaluation of the operation and maintenance of the Grant County Detention Center, and;

WHEREAS, the Grant County Jailer has agreed to work with the Judge/Executive in allowing the citizens to visit the Detention Center with the Judge/Executive.

NOW, THEREFORE, I, Stephen P. Wood, Grant County Judge/Executive, do hereby order:

1. There shall be created in the County of Grant, Kentucky, and the Grant County Jail Advisory Commission, hereinafter referred to as "the Commission".
2. The Commission, which shall be chaired by the Grant County Judge/Executive, shall consist of 4 additional citizens of Grant County, Kentucky.
3. The Commission shall for administrative purposes be attached to the Office of the County Judge/Executive and subject to the Open Meetings and Open Records provisions of the Kentucky Revised Statutes.
4. The membership of the Commission shall be appointed to a two-year term of office upon nomination by the Judge/Executive and confirmation by the Fiscal Court. Membership shall reflect a mix in party registration so as to provide for a bipartisan view of issues and conditions faced by the Fiscal Court and the Jailer.
5. The initial appointees shall serve a term of office which shall extend from their date of their appointment until February 1, 2019.
6. In no event shall any member serve more than three consecutive terms on the Commission after which they must remain off the board for a period of not less than 2 years before they are eligible for reappointment.
7. In the event a vacancy should occur on the Commission, the Judge/Executive shall appoint a replacement who shall serve the remainder of the term of the members whose place they are filling.
8. An appointee appointed to fill an unexpired term shall be considered to have served a full term in the event the vacant term exceeds 12 months of service.
9. No member of the Commission shall at the time of their appointment, or for a period of one year preceding their appointment, be or have been an employee of the Grant County Detention Center, have a contract with the Detention Center for services to be rendered on behalf of the Detention Center or have an immediate family member employed by or engaged in a contractual relationship with the Detention Center.

10. Any member of the Commission who moves their residence from Grant County shall be determined to have forfeited their position on the Commission and the Judge/Executive shall appoint a replacement who shall serve the unexpired.
11. The members of the Commission shall be required to attend a training session by the Kentucky Department of Corrections on those issues determined relevant to the safe and healthy maintenance of a detention center by the Kentucky Commissioner of Corrections.
12. The Commission shall meet on a monthly basis to visit the detention center and tender a report of their findings to the Fiscal Court.
13. Deficiencies noted in the inspection by the Commission shall be reported to the Jailer who shall be given a reasonable time to correct the deficiency. However, in no event shall more than 30 days be granted to remedy the situation after which the deficiency shall be reported to both the County and Commonwealth's Attorney.
14. Those individuals hereby nominated for confirmation to serve an initial term on the Commission for a term of office to commence on November 8, 2016 and to expire on February 1, 2019 shall be:

Ms. Carolyn Thomas Thompson
Dry Ridge, KY

Mr. Barry Greene
Crittenden, KY

Mr. Ralph East
Crittenden, KY

Mr. Mike Taylor
Williamstown, KY

15. This order shall become effective on November 8, 2016.

Magistrate Riley expressed she is glad to see that this is being done and that the county is continuing to move forward in a positive manner at the detention center. She said she was unaware there would be an order presented with names, and has the names of an individual she would like to see put on the commission if there was a willingness to expand the commission to five members. She put forth the name of Debbie Lucas Angel.

Judge Wood said he was not necessarily opposed to the expansion the commission but that he had already reached out to the individuals whose names he has placed before the court and does not want to slow or stop the process.

Deputy Judge/Clerk Scott Kimmich advised the court that no action was necessarily required on the order as it is prepared based on the Reorganizational Powers of the Judge/Executive and action to approve is not necessary, conversely, pursuant to the statute and administrative code the order shall become effective unless overturned by the Fiscal Court within 15 days of presentation to the court.

Ms. Preston, Detention Center Bookkeeper, advised the court that there may be a problem with one of the nominees in that Ralph East maintains a soda machine in the lobby of the Detention Center and this may present a conflict with the terms outlined in the jail commission rules.

Judge Wood said he was unaware of this and would reach out to Mr. East to determine whether he was more interested in serving on the commission or maintaining his concession operation at the jail. He said if Mr. East were to step aside he would be pleased to consider Ms. Angel as a replacement on the commission.

Ms. Preston also questioned whether the rules would prevent someone from serving who has had a family member incarcerated at the jail. A discussion took place concerning whether an individual who has or has had someone in the detention center could serve and Sheriff Dills advised it was his opinion that type of requirement may be difficult as on any given day a family member of anyone could be picked up. The court agreed this was not currently in the rules governing the commission and they were not inclined to place it in the order.

ORDINANCES AND RESOLUTIONS

Judge Wood requested the clerk report for second reading and final passage, Ordinance 08-2016-697.

The Clerk advised the ordinance has been advertised pursuant to state law and no comments have been received in the office in writing or orally. He reported:

AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT PROVIDING FOR AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016-2017 TO PROVIDE FOR THE BORROWING OF \$350,000 AND FOR THE PLACEMENT OF SAID FUNDS IN THE GENERAL FUND.

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

Judge Wood requested the clerk report for second reading and final passage, Ordinance 10-2016-698.

The Clerk advised the ordinance has been advertised pursuant to state law and no comments have been received in the office in writing or orally. He reported:

AN ORDINANCE OF THE FISCAL COURT OF THE COUNTY OF GRANT, KENTUCKY, ADOPTING THE RECOMMENDATION AND FINDINGS OF FACTS OF THE GRANT COUNTY PLANNING AND ZONING COMMISSION FOR A REQUEST OF DAVID & TESS KNOBLOCH 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 2.0 ACRE SITE LOCATED ON THE SOUTHWEST SIDE OF SIPPLE RD, APPROXIMATELY 0.275 MILES NORTH OF ARNOLD'S CREEK RD GRANT COUNTY, KENTUCKY.

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

Judge Wood requested the clerk report for second reading and final passage, Ordinance 10-2016-699.

The Clerk advised the ordinance has been advertised pursuant to state law and no comments have been received in the office in writing or orally. He reported:

AN ORDINANCE OF THE FISCAL COURT OF THE COUNTY OF GRANT, KENTUCKY, ADOPTING THE RECOMMENDATION AND FINDINGS OF FACTS OF THE GRANT COUNTY PLANNING AND ZONING COMMISSION FOR A REQUEST OF JAMES & BILLIE JO HENAGE 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 3.3312 ACRE SITE LOCATED ON THE EAST SIDE OF DRY RIDGE MT. ZION RD AND 0.90 MILES NORTH OF KY ROUTE #22 (TAFT HIGHWAY), GRANT COUNTY, KENTUCKY.

Magistrate Newman moved approval and Magistrate Riley seconded the motion for final passage of the ordinance. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

Judge Wood requested the clerk report for reading, Ordinance 10-2016-700, and advised inasmuch as this was first reading there would be no formal vote required.

The clerk reported:

AN ORDINANCE OF THE GRANT COUNTY FISCAL COURT AMENDING THE COUNTY CODE OF ORDINANCES TO PROVIDE FOR AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF GRANT KENTUCKY AND THE CITIES OF CORINTH, CRITTENDEN, DRY RIDGE, AND WILLIAMSTOWN AND THE COMMONWEALTH OF KENTUCKY, JUSTICE AND PUBLIC SAFETY CABINET, KENTUCKY STATE POLICE, TO PROVIDE FOR 911 SERVICES IN GRANT COUNTY, KENTUCKY AND REPEALING THE APPROPRIATE PROVISIONS OF ANY ORDINANCES PREVIOUSLY APPROVED.

Magistrate Newman said there are a lot of questions in the community about 911 and he is really concerned about it. He said the reports are the state police have jumped the rates a lot this year and there is some strong feelings on the 911 board that this was not done right.

Deputy Judge Kimmich advised the court that the Ordinance for the interlocal agreement is necessary to provide a mechanism for the rate change by KSP but the remainder of the language has been pulled from the previous agreement. This agreement is good for two years after which action will be necessary again.

Judge Wood reported that action will be required by all the cities to maintain the 911 services and Mayor Wells advised the cities have approved or are in the process of approving the agreement but acknowledged the 10% increase by the state was something that was unexpected and unexplained. He went on to advise the court that at this particular juncture the community is kind stuck in the situation where approval of the contract remains the most viable option.

Judge Wood advised a letter has gone from his office to Deputy Secretary of Justice Jonathon Grate asking for a breakdown of the costs from the state.

Messrs. Kimmich and Wells confirmed the state police representative, Kevin Woosley, has put the board on notice that absent increased fees at this level the KSP were prepared to discontinue service within 30 days. Both advised the new agreement will provide for a 90 day opt out so that in the future a decision of this magnitude will not require immediate action to maintain dispatch services.

Magistrate Newman reaffirmed this issue is in his mind too important to be delayed and that the state needs to be put on notice through KACO that communities are not being adequately protected in the

legislation that is passing in Frankfort. He said we need to get out local legislators engaged in this and make sure they are aware of these rate increases and ask them to work for us in the next session to help resolve some of the 911 funding issues.

Judge Wood agreed this issue will be brought back before the court in the coming weeks as the 911 board makes further recommendations on how to proceed.

NEW BUSINESS:

Judge Wood advised the court bids for blacktopping have been received and Eaton Asphalt was the low bidder, however there are no guarantees of the company that they can complete the work this construction season.

Deputy Judge Kimmich advised timeliness of putting down the blacktop was listed as a condition of consideration in the bids and advised the court that consideration may be given to rejecting all bids based on the lack of commitment to complete the work. He expressed that perhaps bidding the work in the spring may result in lower overall costs.

Magistrate Newman advised he has a family member in the blacktop industry and does not believe that the costs will be appreciably lower in the spring. He said he felt the court should award the bid and make getting Dry Ridge Mt. Zion from the top of the hill to the intersection with Sherman Mt. Zion Road a top priority. He said that road is not even in his district but it is in terrible shape and gets a lot of traffic.

Assistant Road Supervisor Klint Bruce advised he thought the court should go ahead and let the bids on the work.

Magistrate Newman moved to accept the bid of Eaton Asphalt in the amount of \$95,258.50 for Dry Ridge Mt. Zion Road; \$86,236 for Violet Road; \$37,849.50 for Mason Road; and \$85,485 for Bennett Road. Magistrate Riley seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

OLD BUSINESS, IF ANY:

There was no old business to come before the court.

ADMINISTRATIVE/DEPARTMENTAL REPORTING:

Judge Wood reported on the previous question of costs for pauper burials advising Deputy Judge Kimmich has reviewed this matter with Patricia Conrad, County Finance Officer, and it was determined the amount paid to Stanley Funeral Homes was for a pauper burial as well as the transport of the remains of a separate decedent to the State Medical Examiner for an autopsy per the direction of the County Coroner.

Magistrate Newman questioned if there was a policy in place saying funeral home is to be contracted for this service and was advised there is a very definitive policy in place and that it requires a funeral home in the county. Further, in the event a pauper burial is requested, the funeral director is required to confirm if there are assets greater than \$100.00 in the name of the decedent and if so the county does not participate.

Mr. Newman said he is in favor of the program but he wants to make sure there are protective measures in place to guard against any abuses of the service. He said, unfortunately the number of

deaths in the county as a result of drug overdoses is going up and this is something the fiscal court will probably be seeing more of in the months ahead.

Deputy Judge Kimmich also advised the court that on the next claims list there will be a request of the coroner for reimbursement for the purchase of a walk-in cooler which he purchased, capable of holding three bodies on a gurney, for the coroner's office. The total cost, including the rewiring of the unit that was required upon relocation to his office, was less than \$2,500. The court agreed this was something they would support.

JUDGE EXECUTIVE/S REPORT:

Judge/Executive Stephen Wood said he had nothing additional to report to the court.

CITIZEN'S ADDRESS

There were no citizens seeking recognition of the court.

EXECUTIVE SESSION

Judge Wood asked for a motion to retire to Executive Session to discuss legal matters.

Magistrate Coldiron moved to enter into Executive Session pursuant to KRS 61.810 (1) (c), pending or potential litigation against the county. Judge Wood seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.


Judge Wood requested a motion to the court to reconvene in open session. Magistrate Coldiron moved approval of the request and Magistrate Newman seconded the motion. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

Judge Wood advised there was no action to be taken as a result of executive session.

ADJOURNMENT

Judge Wood asked for a motion to adjourn until Monday, November 7, 2016, or until the call of the Chair. Motion was made by Magistrate Riley and seconded by Magistrate Coldiron. There being no further discussion Judge Wood directed the clerk to call the roll, whereupon all members voted in the affirmative.

SIGNED:



Stephen P. Wood
Grant County Judge/Executive