

The **regular meeting** of the Boyle County Fiscal Court was held on **May 11, 2023**, at 9:00 a.m. in the Fiscal Court Room of the Boyle County Courthouse. The meeting was live-streamed on the Boyle County Media Channel for the public. Members present at the meeting were:

Judge Executive Trille Bottom
Magistrate Tom V. Ellis
Magistrate Paula Bodner
Magistrate Jamey Gay
Magistrate Steve Sleeper

Magistrate Barry Harmon is absent due to illness. Magistrate Cullen was not present.

Others present at the meeting were County Treasurer Darlene Lanham, Finance Officer Elaina Plyman, County Attorney Chris Herron, County Administrator Julie Wagner, and Fiscal Court Clerk Katina Wesley.

Judge Bottom called the meeting to order. Fiscal Court Clerk Katina Wesley confirmed that the press was notified, and there was a quorum.

Magistrate Bodner gave the invocation.

Judge Bottom led the Court in the Pledge of Allegiance.

Judge Bottom presented the minutes from April 25, 2023, Fiscal Court regular meeting. Magistrate Ellis made a motion to approve the minutes as presented. Magistrate Bodner seconded the motion. Magistrate Ellis stated he did have several issues with the minutes. First, he wanted it put in the minutes that Coroner Guerrant had reservations about the approach taken by Net Recovery. Second, fix the miss keying of CVB. Third, to clear up that Magistrate Gay's son was currently employed by Dinsmore & Shohl. Magistrate Ellis asked about having a public meeting before the second reading of the Centre College Bonds. Judge Bottom stated there would be one. Finally, Magistrate Ellis wanted it stressed that he stated during the discussion of Parks and Rec, that the County needed a new contract with the City of Danville to protect the constituents' interests and their funds. The motion was amended to the minutes approved as corrected. There was no discussion on the amended motion. The motion passed with all Magistrates voting in favor.

Finance Officer Elaina Plyman presented the bills for approval for \$3,825,546.26 with a late added bill from Quadient, raising the total to \$3,825,746.26. Magistrate Gay made the motion to approve the bills as presented. Magistrate Sleeper seconded the motion. Judge Bottom informed the Court that the payment to the BCTC Foundation is EMT training for EMA Director Brian Caldwell. Judge Bottom asked how many jumpsuits the bill to Charm-Tex covered. Finance Officer Elaina Plyman stated she was unsure but would be happy to go and look up the invoice. Magistrate Ellis asked that Finance Officer Plyman make sure the report is flipped correctly when emailed for the Magistrates to view on their iPads. Judge Bottom stated that the bill to Protech for software development upgrade was for County Administrator Julie Wagners' new computer. Unfortunately, her computer stopped working and could not be reinstated. Finally, Judge Bottom asked about the Sheriff's Office going to Valvoline and not to the County Mechanic, Tommy Robertson. Treasurer Lanham stated it may have been when County Mechanic Robertson had been on vacation. The motion passed with all Magistrates voting in favor.

County Treasurer Darlene Lanham presented the Budget Transfers. The total budget transfer is \$1,844,169.76, with the General Fund being \$1,768,256.76, Public Works Fund \$7,517.00, Joint Jail Fund \$1,276.00, EMS Fund 64,100.00, County Clerk Storage Fund \$3,000.00 and Opioid Fund \$20.00. Magistrate Gay made the motion to approve the budget transfers as presented. Magistrate Bodner seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

County Treasurer Darlene Lanham presented the total cash transfer as \$850,200.00. General Fund to EMS Fund \$200,000.00, and General Fund to ARPA Fund \$650,200.00. Magistrate Ellis made the motion to approve the Cash transfers. Magistrate Sleeper seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Judge Bottom called the public meeting for the second reading of Centre College Bond Ordinance 950.25. Bond Council Mark Franklin, with Dinsmore and Shohl, explained that the public hearing was a matter of federal law. The purpose is to allow the community to ask questions or comment about the bond or Centre College's projects. Judge Bottom asked if there were any comments on the Centre College Bond Ordinance 950.25. Centre College Vice Present Brian Hutzley thanked the County for its support, and the bond will be used to complete their capital projects. Magistrate Ellis stated he was

surprised about the public meeting. He asked if there was any notice of the public hearing. Judge Bottom stated there was a notice on the County's website and in the newspaper. Council Franklin explained that by federal law, it just needs to be published on the County's website. Magistrate Gay disclosed again that he is a former employee of Centre College, and his son is an employee of Dinsmore and Shohl. There was no more discussion. Judge Bottom ended the public hearing and proceeded with the second reading of Centre College Bond Ordinance 950.25. Magistrate Bodner made the motion to approve the second reading of the Centre College Bond Ordinance 950.25. Magistrate Ellis seconded the motion. The motion passed with all Magistrates voting in favor. Council Franklin stated that Dinsmore and Shohl would handle the proper publishing and contact Judge Bottom for signatures.

Judge Bottom presented the Building Safety Month Proclamation to Boyle County Building Inspector Rusty Cox. Inspector Cox recognized all the Code Officials, Fire Prevention Officials, and everyone in the building industry that contributed to having safe buildings. Magistrate Gay asked if Building Inspector Rusty Cox would please give a quarterly update to the Court. Inspector Cox stated he would be glad to come back and give a quarterly update.

Judge Bottom presented the May 2023 Mental Health Month Proclamation to Kathy Miles. Kathy Miles spoke about how she would love to come back to Court at some point to give updates on issues in the community with mental health. Mental health is more than just spending money on programs. The Court is setting a good example with cooperation.

Boyle County Clerk Casey McCoy presented the Clerk's Office's first-quarter report. The Court acknowledged the Boyle County Clerk's first-quarter report.

Boyle County Clerk Casey McCoy presented his 40-hour training incentive letter. Magistrate Bodner made the motion to approve Clerk McCoy's 40-hour training incentive. Magistrate Gay seconded the motion. The motion passed with all Magistrates voting in favor. Magistrate Ellis asked how many people had voted early. Clerk McCoy stated there had been 17 absentee voters. Magistrate Ellis stated that he would try to do something to boost that up throughout the County. Early voting started today at the Inter-County Energy building. Magistrate Ellis stated that Boyle County must beat the projected 10% voter turnout.

Boyle County Jailer Brian Wofford informed the Court that there were currently 66 Boyle County inmates, 20 Mercer County inmates, and two from other counties. In the past 72 hours, 28 inmates have been released, and 32 have been booked in. The jail will order a new oven that has already been approved to purchase out of the restricted account. Magistrate Ellis made the motion to approve paying the oven out of the restricted account upon receipt. Magistrate Gay seconded the motion. The motion passed with all Magistrates voting in favor.

Boyle County Jailer Brian Wofford discussed the hail damage to the IOP building. County Administrator Julie Wagner stated she would file an insurance claim.

Boyle County Jailer Brian Wofford discussed the jail inspection. The jail received its Certificate of Occupancy, with the only uncorrectable problem being overcrowding. There was a hot water plumbing issue that had to be fixed.

Boyle County Jailer Brian Wofford discussed a new dental healthcare agreement with WK Correct Dent. WK Correct Dent will be a cheaper alternative for inmate dental services. There is a \$400.00 flat rate to come to the jail and a rate of \$125.00 per inmate, which includes an x-ray, exam, and as many extractions as needed in one quadrant of the mouth. In addition, the jail will keep the local dentist for emergency visits. Magistrate Ellis made the motion to approve the WK Correct Dent agreement. Magistrate Bodner seconded the motion. Magistrate Ellis asked if there was any County responsibility for inmate dental reconstruction. Jailer Wofford stated that the jail has to cover basic tooth pulling or fillings. Judge Bottom read over some of the highlights of the agreement. County Attorney Chris Herron asked if they would be coming once a week. Jailer Wofford said they would only come if they had 12 inmates or more. Judge Bottom asked about the current dental price. Jailer Wofford stated that it was currently full price. The motion passed with all Magistrates voting in favor.

Boyle County Jailer Brian Wofford discussed buying a 2023 Honda side-by-side for the jail's Community Work Program. He presented three quotes and would like to purchase one locally from Floyd's Cycle for \$23,590.90. This includes the roof and windshield. The purchase will be from canteen money. Magistrate Bodner made the motion to purchase a side-by-side from Floyd's Cycle for use in the Jail's Community Work Program. Magistrate Gay seconded the motion. Magistrate Gay asked to clarify that the funds would come out of the Canteen Fund. Jailer Wofford confirmed that it was coming out of

canteen money. The side-by-side will help the inmates pick up garbage at fairs and festivals and help when they use lawn and garden equipment. Magistrate Ellis asked if inmates would be in riding in the side-by-side. Jailer Wofford stated they would. Treasurer Lanham reminded Jailer Wofford that the Court would need the title information for insurance purposes. Finance Officer Elaina Plyman asked who would be paying for the fuel. Jailer Wofford assured her it would be paid out of the canteen fund. Magistrate Ellis asked if inmates would drive the side-by-side. Jailer Wofford stated that only deputies would be driving. The motion passed with all Magistrates voting in favor.

Boyle County Jailer Brian Wofford discussed the Emergency Declaration allowing Jailer Wofford to sign a contract with Jail Tracker earlier than previously approved by the Court. At the last Fiscal Court Meeting, the Court voted to return to the Jailtracker software on July 1, 2023. Unfortunately, the jail's current software owner, Ejail, notified Jailer Wofford that they would be out of business before June 30, 2023. This would leave the jail without any software.

Boyle County Jailer Brian Wofford discussed the Combined Public Communications (CPC) agreement. CPC will install the tablets and services inmates use for visits and phone calls. CPC guarantees a minimum of \$110,000.00 yearly, more than the current company. CPC has a technology called Chirp that is like texting for inmates. In addition, the tech grant that the jail receives is also going up from \$25,000.00 to \$40,000.00, allowing the jail to purchase needed items like radios. Magistrate Ellis made the motion to approve the agreement with CPC. Magistrate Sleeper seconded the motion. The motion passed with all Magistrates voting in favor.

Boyle County Jailer Brian Wofford and Monica Sumner from Brandstetter Carroll discussed the architectural contract. Jailer Wofford asked to continue the contract because of how much they understand the needs of the Boyle County Jail. County Administrator Julie Wagner informed the Court that she pulled the original 2018 agreement and Brandstetter Carroll bid for the complete turn-key project. County Attorney Chris Herron believes the County does not need to rebid the project after considering the previous bid and contract with Brandstetter Carroll. Magistrate Ellis made the motion to proceed with the Brandstetter Carroll contract and allow Judge Bottom to sign. Magistrate Gay seconded the motion. Magistrate Ellis stated that the Court had an ongoing relationship with Monica Sumner and Brandstetter Carroll since the signing of the original contract. County Administrator Wagner asked if the disbanding of the Joint Jail would change the contract with Brandstetter Carroll. Monica Sumner stated it would not. The motion passed with all Magistrates voting in favor. Jailer Wofford reminded the Court of the urgency to find land for the jail project. Judge Bottom stated she has reached out and is waiting to hear back. Magistrate Ellis reminded the Court of how quickly everything could change when the General Assembly meets in January.

Boyle County Jailer Brian Wofford gave an update on the negotiation on the changing relationship between the Joint Jail and Mercer County. Jailer Wofford has submitted the first proposal to Judge Bottom, Magistrate Gay, and Magistrate Ellis, who both set on the Jail Committee. Jailer Wofford asked to sit down and review the proposal with them before bringing Mercer County into the discussion. Magistrate Ellis suggested County Attorney Chris Herron be in on the proposal also.

EMA Director Brian Caldwell discussed the Boyle County/City of Danville/City of Junction/City of Perryville Hazard Mitigation Plan and Resolution 23.05.11. The plan set forth how the County and Cities collaborate in an emergency. Magistrate Gay made the motion to approve the Plan and Resolution. Magistrate Sleeper seconded the motion. Magistrate Gay asked if the County could schedule an emergency exercise. EMA Director Caldwell stated he would be open to suggestions for when and where. Magistrate Gay feels it would be very informative with all the new people. Judge Bottom agreed and asked EMA Director Caldwell to get something scheduled. Magistrate Bodner stated that the Health Department had an emergency exercise for a chemical spill one year; later that year, there was an actual chemical spill. The motion passed with all Magistrates voting in favor.

Treasurer Darlene Lanham discussed the 2020-2021 audit. There were three findings.

- 1.) An accurate and complete 4th quarter report was not done. The former Treasurer did not complete the report before leaving.
- 2.) Did not have adequate control over cash transfers. The transfers are now written out and presented for the Court's approval.
- 3.) A SEFA was not prepared. Treasurer Lanham has been working with the auditors, and the SEFA is now caught up and in compliance. The 2021-2022 SEFA is completed and in compliance.

There was a comment on Capital Assets, but with the purchase of a module on Springbrook and the hiring of Financial Officer Elaina Plyman, the huge list is being narrowed down. The last Capital Assets list that Treasurer Lanham found was for Fiscal Year 2017-2018.

Magistrate Gay thanked Treasurer Lanham for taking corrective action. Judge Bottom reminded the Court that this audit was not a reflection on Treasurer Lanham. On the contrary, she worked very hard with the auditors to make this audit as clean as it was. Magistrate Bodner agreed with Judge Bottom. Magistrate Ellis stated that coming in on someone else's work is hard. The Court acknowledges the 2020-2021 audit report. Treasurer Lanham has sent the audit report to be published in the newspaper.

Treasurer Darlene Lanham discussed the Budget Amendment increasing the Transportation Cabinet Discretionary Fund by \$196,400.00. Magistrate Ellis made the motion to increase the Transportation Cabinet Discretionary Fund. Magistrate Bodner seconded the motion. The motion passed with all Magistrates voting in favor.

Boyle County Surveyor Richard Murphy discussed the Master Service Agreement with Volkert Inc. Volkert's council has reviewed his position as County Surveyor and the agreement and has found no conflict of interest. This agreement would allow him to do surveying as needed with the County. Magistrate Gay made the motion to approve the Master Service Agreement with Volkert. Magistrate Bodner seconded the motion. Magistrate Ellis suggested that he keep an eye on what is happening in Mercer County with the Solar Farm. The motion passed with all Magistrates voting in favor.

Judge Bottom discussed the Buster Pike Agreement with Norfolk Southern Railway Company. The agreement is for the reimbursement of \$20,000.00 for preliminary engineering costs. Magistrate Bodner made the motion to approve the agreement with Norfolk Southern. Magistrate Gay seconded the motion. County Attorney Chris Herron informed the Court that he reviewed the agreement, felt it was appropriate, and covered everything. The motion passed with all Magistrates voting in favor.

Administrator Julie Wagner discussed the ARPA Funds. There is talk of the Federal Government instituting a callback for money that has not been committed. The goal was to try and touch each department and relieve the County Budget. The recommendations are:

1. Animal Control	\$4,000.00	outfit AOC trucks with dog boxes
2. Sheriff's Office	\$195,000.00	3 Dodge Durango
3. Coroner	\$75,000.00	1 pickup
4. EMA	\$75,000.00	1 pickup
5. EMS	\$65,000.00	1 Dodge Durango
6. Recycling	\$155,000.00	1 pick up and 2 trash compactors
7. Public Works	\$225,000.00	1 Rubber Tire Loader
8. Tax Admin	\$8,000.00	1 copier and 3 scanners
9. Constitution Square	\$193,000.00	6 cabin roofs, repair post office, and jail cabins
10. IT Department	\$29,800.00	server, Macbook, firewall & EOC upgrades
11. Fleet Management	\$100,000.00	building addition at public works
12. Judge Executive	\$65,000.00	1 Dodge Durango

For a total of \$1,189,800.00

Magistrate Gay made the motion to approve the ARPA expenditures. Magistrate Ellis seconded the motion. Magistrate Ellis asked if any remaining monies could be moved to a different department. County Administrator Wagner stated that this is just an internal commitment and could be changed if need be. Magistrate Ellis stated that it was vital to commit the money in case of a Government callback. Magistrate Ellis explained that there was a possibility of going with a used vehicle for the Judge Executive. The vehicle will have the County's seal and identification on it. Magistrate Bodner would like the Court to look towards the Sheriff's Office if some monies are not spent. Magistrate Ellis would like to look into an extended warranty if used vehicles are bought and would not exclude other makes of vehicles. An amendment was made to the motion to include all makes of vehicles. The motion passed with all Magistrates voting in favor.

Sheriff Taylor Bottom presented the 2022 Local Tax Settlement. Magistrate Gay made the motion to approve the 2022 Local Tax Settlement. Magistrate Sleeper seconded the motion. The motion passed with all Magistrates voting in favor.

Judge Bottom discussed the open appointment on the Economic Development Authority Committee. Magistrate Sleeper has agreed to accept the appointment. Magistrate Bodner made the motion to approve the appointment of Magistrate Sleeper to the EDA Committee. Magistrate Gay seconded the motion. The motion passed with all Magistrates voting in favor.

Magistrate Bodner made the motion to go into **Executive Session: KRS 61.810 (1) (f) 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. This exception shall not be interpreted to permit discussion of general personnel matters in secret.** Magistrate Ellis seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Magistrate Gay made the motion to return to regular session with no action taken. Magistrate Sleeper seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Treasurer Lanham discussed the opportunity to purchase an eleven-month 4.75% interest CD with Farmer's Bank. Magistrate Gay made the motion to approve the CD purchase from Farmers Bank. Magistrate Bodner seconded the motion. Treasurer Lanham explained that the minimum was \$10,000.00. She recommends \$500,000.00. The motion was amended to include the amount of up to \$500,000.00. Magistrate Ellis seconded the amended motion. Magistrate Ellis asked if this needed to be bid out. County Attorney Chris Herron stated it did not. The motion passed with all members voting in favor.

Magistrate reports:

Magistrate Gay had nothing to report.

Magistrate Sleeper informed the Court he had attended the grand opening of a new clothing business in town. He went to Washington, D.C., last week with a group of high schoolers, and he highly recommends visiting the African-American Museum. Magistrate Sleeper spoke on how helping constituents was the most rewarding part of being a Magistrate.

Magistrate Ellis discussed the life-saving event at the Boyle County Jail. An inmate performed the Heimlich maneuver and saved another inmate's life. He informed the Court that County Administrator Wagner, Magistrate Cullen, and himself were working on the Constitution Square contracts and the need for more secure buildings. Unfortunately, the undertaking of changing the locks is more involved than previously thought. He has attended a second Solar meeting and has prepared a document that is a response to the reporter from the Advocate Messenger. He discussed the possible loss of 2,000 to 7,000 jobs if LGE KU takes over Wilkinson Farm. He wants to see what the Court can do to prevent this in Boyle County. County Attorney Chris Herron cautioned the Magistrates on speaking for the Court as a whole. Magistrate Ellis reminded everyone to get out and vote.

Magistrate Bodner wished Magistrate Harmon a continued speedy recovery. She is still working with the Junction City Parks. She recently discovered that it is owned by the Boyle County Schools but leased to Junction City for 100 years. Magistrate Bodner is still working on the Alum Springs Bike Park. The Environmental Protection Agency has released the Alum Springs Dump site. Therefore, it does look favorable to continue pursuing the possible bike park. There is a flooding problem on Gose Pike.

Judge Bottom discussed attending the Boyle County High School production of The Little Mermaid and the talent of those young adults. In addition, she has been trying to visit all the committees and board meetings to introduce herself. Finally, she wished Magistrate Harmon a speedy recovery and wished Magistrate Cullen safe travels.

Magistrate Bodner made a motion to adjourn. Magistrate Gay seconded the motion. The motion passed with all Magistrates voting in favor.

Respectfully submitted,

Trille L. Bottom
Boyle County Judge Executive