

The **regular meeting** of the Boyle County Fiscal Court was held on **July 25, 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 Barry Harmon
Magistrate Jason Cullen
Magistrate Jamey Gay

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

Judge Bottom called the meeting to order.

The Fiscal Court meeting was properly advertised, and a quorum was present.

Judge Bottom gave the invocation.

Judge Bottom led the Court in the Pledge of Allegiance.

Judge Bottom presented the minutes for the June 27, 2023 meeting. Magistrate Cullen made the motion to approve the minutes. Magistrate Bodner seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Judge Bottom presented the minutes for the July 11, 2023 meeting. Magistrate Gay made the motion to approve the minutes. Magistrate Cullen seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Finance Officer Elaina Plyman presented the bills for approval in the amount of \$1,002,284.91. Magistrate Gay made the motion to approve the bills. Magistrate Bodner seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

County Treasurer Darlene Lanham presented the Budget Transfers. The total budget transfer is \$51,706.00, with the General Fund being \$2,850.00, E911 Fund \$1606.00, and Joint Jail Fund \$47,250.00. Magistrate Bodner made the motion to approve the budget transfers as presented. Magistrate Ellis seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

County Treasurer Darlene Lanham presented the Cash Transfers, General Fund To Public Works Fund of \$150,000.00, General Fund to EMS Fund of \$200,000.00, and General Fund to Joint Jail \$229,393.19, and General Fund to Fleet Mgmt Fund of \$10,000.00. Magistrate Bodner 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. Treasurer Lanham informed the Court that she included a monthly statement and a report summary of checks written last month.

EMS Captain Tim Bryant introduced new employee EMT Robert Wagenseller.

Building Inspector Rusty Cox gave the Court an update. There have been around 120 permits, 36 single-family dwellings, 3 manufactured housing, and 1 multi-family dwelling. Most are being built in the Junction City area. Magistrate Ellis asked about a burned-out house on Minors Branch. Judge Bottom stated she had spoken with Solid Waste Director Angie Muncy about the house on Minors Branch. Director Muncy will send another letter before turning the matter over to County Attorney Chris Herron. Magistrate Ellis discussed having Ordinances and an enforcement officer and still not having answers on what is happening on Nield Road. Magistrate Cullen stated that it was up to the Court to give the Ordinances "teeth." Judge Bottom agreed that was something the Court needed to review.

Judge Bottom proposed appointing Building Inspector Rusty Cox as Flood Plain Director. Magistrate Gay made the motion to approve appointing Rusty Cox as the Flood Plain Director. Magistrate Bodner seconded the motion. Inspector Cox will be working closely with Planning & Zoning. Magistrate Cullen asked if there would be any compensation. Judge Bottom explained that compensation was not currently in the budget. Magistrate Cullen asked if people are required a permit to build agricultural

buildings. Inspector Cox explained that only dwellings are required to be inspected. Magistrate Cullen asked if they could be required to sign an affidavit stating that the building was for agricultural use only, had not been inspected, and may not be up to code. Magistrate Ellis feels this may further burden farmers and encourages careful wording of any ordinances. Inspector Cox explained that if there are at least ten acres and the farmer builds a house, he can not inspect the home. Magistrate Cullen worries about farm buildings being turned into homes that have not been inspected. Inspector Cox will look into what can be done. The appointment was approved, with all Magistrates voting in favor.

Angela Garner spoke to the Fiscal Court about promoting Indigenous People in Kentucky. Ms. Garner discussed the Cherokee Marker in Stanford and the State Resolution of Indigenous People's Day. She asked that the Court consider passing an ordinance that eliminates the use of Native American team names in Boyle County. Magistrate Cullen stated that the possibility of an ordinance would need to go before the County Attorney. Judge Bottom agreed and stated she would give the information to County Attorney Chris Herron, and if it were favorable, her office would contact her to come back for the reading. Ms. Garner asked the Court also to consider an Indigenous People's Day Celebration.

HMB Structural Engineer Lora Boller discussed the Buster Pike Bridge project. HMB is still trying to work with the railroad. The railroad intends to change the track elevation; without the finish rail elevation, HMB can not put in the bridge. Magistrate Cullen asked to have a representative from the railroad come and answer why they are not fulfilling their promises of getting things done promptly. Engineer Boller would like to be part of the discussion with the railroad. Judge Bottom stated she would reach out to the railroad. Engineer Boller asked that District 7 be part of the meeting.

Tourism Commission (CVB) Director Kendall Clinton informed the Court that the room tax revenue is larger than last year's budget. This year's room tax revenue will be budgeted at \$322,000,000.00. CVB is still working on collecting the AirBnB taxes. The CVB will get around \$12,500.00 in Co-op money from the State. The ARPA funds left over will be used on brochures, sponsoring a nationally televised fishing show, social media, hospitality training, and "wayfinding" signs. CVB is currently working on a photo/video project. The CVB is working with other counties to bring an eight-episode singer-songwriter series. There has already been some discussion on how to keep up the local stone fences. Magistrate Ellis suggested contacting Tennessee Tourism, which passed a statute preserving their stone fences. Director Clinton asked for State Fair volunteers. Magistrate Cullen suggested that Director Clinton and Magistrate Bodner get together and discuss the bike trail that Magistrate Bodner is working to bring to Boyle County. He discussed the possibility of satellite libraries in Perryville and Junction City. Magistrate Cullen suggested that the CVB work with Centre College as their new sports complex will be a huge draw to Boyle County. He asks that the CVB work with The Birthplace of Kentucky Committee and get the text tour off the ground at Constitution Square.

Magistrate Gay read Magistrate Sleeper's Animal Control Report into the record. Magistrate Sleeper was absent from the meeting. The Animal Control and Boyle County Humane Society agreement continues to be revised. Magistrate Sleeper would like to propose an Animal Care and Control Initiative with the following elements:

- Enhanced comprehensive training and certification for all ACOs.
- Provision of Professional uniforms.
- An Annual Community Animal Care and Control Event.
- The development and implementation of a Citizens Animal Care and Control Advisory Committee.

Magistrate Gay made the motion to approve the Animal Control Report. Magistrate Bodner seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Magistrate Ellis made the motion to table the Humane Society Agreement discussion until the next Fiscal Court meeting. Magistrate Cullen seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Magistrate Gay left the meeting.

Boyle County Sheriff Taylor Bottom discussed the Sheriff's Office 2nd quarter report. The Court acknowledges the receipt of the report. Sheriff Bottom introduced a new employee Detective Kyle Lyons.

Boyle County Clerk Casey McCoy discussed the County Clerk's 2nd quarter report. The Court acknowledges the receipt of the report. Clerk McCoy informed the Court that the new election equipment would not be ready until after the November election. Magistrate Ellis requested a list of every Boyle County road broken into magisterial districts.

Payroll Officer Shannon Greene asked for approval of Magistrate Harmon's training incentive. Magistrate Cullen made the motion to approve Magistrate Harmon's training incentive. Magistrate Bodner seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Judge Bottom discussed the Janitorial Bids. There was one bid received, McKinney Cleaning Service. The annual amount will be \$60,750.84. Magistrate Cullen made the motion to approve the Janitorial bid from McKinney Cleaning Service. Magistrate Ellis seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Public Works Supervisor Roger Johnson discussed the County accepting a new road, Bill Silvey Road, and two additions to existing roads in the Hunt Farm Subdivision. Magistrate Cullen made the motion to approve accepting the new roads in the Hunt Farm Subdivision. Magistrate Harmon seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Public Works Supervisor Roger Johnson introduced new hire, Ryder Schindler.

Judge Bottom asked for an update on the storm clean-up. Supervisor Johnson stated that the roads were clear and Public Works was picking up debris. Magistrate Bodner asked about the County's mowing schedule. Supervisor Johnson stated that the Public Works was on schedule, but the mowing crew was cleaning up debris today. Judge Bottom stated that many of the mowing complaints were on State Roads. The State has a long arm broken down, with no estimated time for fixing it. Magistrate Bodner asked about a drop-off on Cream Ridge. Supervisor Johnson stated it is very close to a driveway, but he is looking into filling the drop-off with dirt. Supervisor Johnson said he received an email about water running into a man's driveway. It appears that a curb has been tampered with for golf cart usage, causing the water displacement. Magistrate Cullen will get together with Supervisor Johnson and look into the problem. The Public Works division is still two employees short.

Judge Bottom recognized Danville Council Man Rick Serres as being in the audience.

Magistrate reports:

Magistrate Harmon did not have anything in his district to report.

Magistrate Cullen stated that his district was looking good. He was reporting all the accidents on KY Hwy 52. He hopes that reporting all of them will show how badly Ky Hwy 52 needs to be fixed.

Magistrate Cullen is upset about the \$100,000.00 Danville Boyle County Economic Development Authority (EDA) Funds that the County released. The EDA had never requested any appropriation funding. The Court earmarked the EDA Funds for projects the County would want to participate in. Danville City Manager Earl Coffey and EDA Director Terry Crowley requested the release of the funds to open a checking account. Magistrate Cullen made a motion to reduce the County's EDA 23/24 budget to zero and that no EDA funds will be released without Fiscal Court approval. Magistrate Ellis seconded the motion. Magistrate Cullen asked if the Court was statutorily allowed to change how the EDA funds were released. Judge Bottom stated, to her knowledge, the Court could. Treasurer Darlene Lanham explained that the Court did approve the EDA payment as part of the bills on June 27, 2023. Magistrate Cullen stated that during the budget meeting, he requested the EDA funds be held in a separate account by the Court, and the EDA could come and request the Court release some of those funds for projects. Judge Bottom explained that it was a misunderstanding on her part. County Administrator Julie Wagner stated that changing the EDA budget to zero for the 23/24 budget would allow the County to match Danville City's contribution of \$50,000.00 each year for the past two years. Magistrate Ellis discussed the legal aspect of EDA not having signed by-laws. He has grave concerns and would like Judge Bottom appointed as EDA Board Secretary-Treasurer. Magistrate Ellis would like to request that the funds be returned to the Fiscal Court. Judge Bottom informed the Court that Magistrate Sleeper and herself are now a part of the EDA Committee, and there has only been one meeting. Magistrate Cullen explained that if the Court did not zero out the 23/24 budgeted amount for the EDA, they could also come in and request this year's amount. Judge Bottom requested some time for the EDA to reorganize. There is another meeting set, but it will take time. Magistrate Cullen stated it was a lot of money to ask for to open a bank account. Administrator Wagner explained that they requested the full amount at the end of the fiscal year. There was no more discussion. The motion passed with all Magistrates voting in favor.

Magistrate Cullen made a motion to send the EDA a formal letter requesting that the \$100,000.00 be returned. Magistrate Ellis seconded the motion. Magistrate Bodner asked to confirm if the money came

from the 22/23 budget. Judge Bottom stated it did. Judge Bottom asked if it could be considered a good-faith effort to partner. Magistrate Bodner looks at it as matching Danville City's contribution. Magistrate Ellis feels it is more of a message of cooperation and collaboration that is sorely needed with the EDA. He feels it is taking a stand for their constituents and not allowing the continued history of the Economic Development Partnership (EDP) problems. Magistrate Cullen reiterated that the EDA did not request appropriations. Judge Bottom stated it was a misunderstanding and thought the money was budgeted for the EDP. A letter requesting the money be returned could be sent, but there was no guarantee that they will. Magistrate Ellis stated they were not a legal entity until they had by-laws. Magistrate Cullen wants the EDA to follow the appropriations guidelines. Magistrate Cullen and Magistrate Ellis amended the motion. The motion is now to send the EDA a formal letter requesting the \$100,000.00 be returned due to no request, with the money to be held in escrow. In the future, appropriation guidelines must be followed. The motion passed with all Magistrates voting in favor.

Magistrate Ellis is concerned about the State being short one long-arm mower and the impact on drivers in Boyle County. He asked if he could contact Jailer Wofford and see if inmates could weed-eat some overgrown intersections. Magistrate Ellis still has not heard from our Spectrum representative. Judge Bottom will try to contact Spectrum and have someone come and give an update. Magistrate Ellis thanked everyone who came to the Turtle Derby. The Boyle County Rebels football team has recently won and is working on their 4th state championship.

Magistrate Bodner expressed her concern about some state roads. She will start emulating Magistrate Ellis and send out emails with pictures. Magistrate Bodner is still waiting to hear about the Junction City Park grant. She will contact CVB Director Kendall Clinton about the bike park. She is getting lots of calls about Spectrum and Animal Control.

Judge Bottom announced the birth of her newest grandson, Canon Lee Bottom. This weekend is the Don't Sleep Event at Millennium Park. The Fiscal Court does support them with appropriations. She reminded everyone of the signup sheet for the State Fair. Danville Councilman Rick Serres informed the Court that Parks & Rec will meet on August 10, 2023. The time and place have not been finalized.

Magistrate Bodner made a motion to adjourn. Magistrate Cullen seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

Respectfully submitted,

Trille L. Bottom
Boyle County Judge Executive