

The **regular meeting** of the Boyle County Fiscal Court was held on **August 22, 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  
Magistrate Steve Sleeper

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

**Judge Bottom** called the meeting to order.

**Magistrate Bodner** gave the invocation.

**Judge Bottom** led the Court in the Pledge of Allegiance.

**Finance Officer Elaina Plyman** discussed the September 9, 2023, Surplus Sale. Finance Officer Plyman reviewed the surplus list from Public Works, Recycling, EMS, I.T., and EMS. Magistrate Cullen made the motion to approve the lists for the Surplus Sale. Magistrate Gay seconded the motion. The motion passed with all members voting in favor.

**Finance Officer Elaina Plyman** presented the bills for approval in the amount of \$322,875.35, with the additional add-on bills of Linex \$825.00, Parksville Water District \$89,466.47, Amvets \$500.00 and Boyle County Clerk \$10.00, for a total of \$413,676.82. Magistrate Gay made the motion to approve the bills. Magistrate Sleeper 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 \$195.00, with the General Fund \$165.00 and the EMS Fund \$30.00. Magistrate Gay made the motion to approve the budget transfers as presented. Magistrate Sleeper seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

**County Treasurer Darlene Lanham** presented the Cash Transfers, Public Works Fund to the General Fund of \$196,400.00, General Fund to the EMS Fund of \$200,000.00, and Jail Restricted Fund to Boyle County Jail Fund \$10,154.25. Magistrate Ellis made the motion to approve the cash transfers. Magistrate Harmon seconded the motion. Magistrate Bodner asked about the \$196,400.00 to the General Fund from Public Works. Treasurer Lanham stated it was reimbursement for road work. The motion passed with all Magistrates voting in favor.

**County Treasurer Darlene Lanham** discussed adding seven new Line Items to the (99) Tax Administration Fund: Net Profits - Boyle, Payroll Tax – Boyle, Net Profits - Danville, Payroll Tax – Danville, Commission, Interest – Danville, and Interest - Boyle. Magistrate Sleeper made the motion to approve adding the new Line Items to the 23/24 budget. Magistrate Gay seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor.

**County Treasurer Darlene Lanham** reminded the taxing districts that their audits were due. If they were not submitted to the Department of Local Government, the Fiscal Court would need a copy before continuing with the tax rates. Magistrate Ellis recommended deferring action on noncompliant special tax districts. County Attorney Chris Herron stated that per statute, the Court could not defer but could ask them to come back with the information.

**County Attorney Chris Herron** read the second reading of Ordinance 110.4, an Ordinance Establishing the Updated Geographic Boundaries for Magisterial Districts in Boyle County. Magistrate Cullen made the motion to approve Ordinance 110.4. Magistrate Ellis seconded the motion. Magistrate Ellis explained that redistricting happens every ten years, and the new districts will go into effect after the November election. The motion passed with all Magistrates voting in favor. Magistrate Ellis recommended having the new district maps on the boylecountyky.gov website.

**Judge Bottom** welcomed Little Mr. and Miss Kentucky, Brooklynn Staton, and Hudson Middleton. They both live in Magistrate Bodner district.

**Judge Bottom** discussed the International Overdose Awareness Day Proclamation. Magistrate Gay made the motion to approve the proclamation. Magistrate Bodner seconded the motion. The motion passed with all Magistrates voting in favor.

**Boyle County Library Director Georgia de Araujo** presented the Library Tax rates of Real Property Tax of 7.4 cents, Personal Property Rate of 9.31 cents, and Vehicle Tax Rate of 3.5 cents per \$100.00. Magistrate Ellis made the motion to approve the Library Tax Rates. Magistrate Gay seconded the motion. The rates are less than last year. Magistrate Ellis asked if the Library's audit was up to date. Director de Araujo stated it was. Magistrate Cullen asked the Library Board to consider that the tax rate was for all of Boyle County and that Perryville and Junction City could use a satellite library. Director de Araujo stated that the Library Board was developing a new strategic plan. Magistrate Cullen stated it was not always easy for taxpayers to get to Danville to take advantage of the Library's services. Director de Araujo stated that the Library Board wants to hear from all the communities. Judge Bottom asked if the Library Board would entertain a donated building. Director de Araujo stated that the Library Board would love to have that discussion. Magistrate Ellis agreed strongly that the Library should consider satellite offices. The motion passed with all Magistrates voting in favor.

**Danny Lay with the Boyle County Conservation District** presented the Conservation District Tax Rate of 1 cent per \$100.00, which is the compensating rate. Mr. Lay informed the Court that the Conservation District was up to date with their Audits. Magistrate Gay made the motion to approve the Conservation Soil Tax Rate. Magistrate Ellis seconded the motion. The motion passed with all Magistrates voting in favor.

**Boyle County Extension District Agent Alethea Bruzek** presented the Extension Tax rates of Real Property Tax of 9.0 cents, Personal Property Rate of 21.27, and Vehicle Tax Rate of 1.30 cents per \$100.00. Agent Bruzek stated these were the compensating rates. Magistrate Cullen disagrees and feels they are not the compensating rate. Magistrate Gay made the motion to approve the Boyle County Extension Tax Rates. Magistrate Sleeper seconded the motion. Magistrate Cullen asked why the Extension District went up while everyone else went down, saying that using these tax rates would raise the Extension District's tax income by \$300,000.00. He would like the Extension District to rework the tax rates and return before the Court. Agent Bruzek stated that the University of Kentucky supplies the tax information. Magistrate Ellis asked if the Extension District Audits were up to date. Agent Bruzek assured the Court they were. Magistrate Ellis stated there seemed to be a few years missing. He would like the Extension District Agent to come back before the Court with proof of audit and explain why their tax rates were higher than last year. Magistrate Cullen stated that the property assessments were higher this year, and the Extension District would receive more taxes without raising tax rates. County Attorney Chris Herron stated that the large difference between Real Property and Personal Property tax rates allows the Extension District to use the substitute rate. He would like to hear the Extension District's plan to close the gap between the Real and Personal Property tax rates. Magistrate Ellis stated that the compensating rate is at or around 4%, which means that in ten years, that is an exponential increase. County Attorney Chris Herron stated that based on the numbers shown, the Extension District will receive \$700,000.00 more than Boyle County. The Extension Board did approve the rates. The motion failed, with all Magistrates voting against approving the Extension Districts Tax Rates.

Boyle County Citizen Dennis Steiner asked if there was manipulation of the numbers going on. County Attorney Chris Herron stated that having the Real and Personal Property rates so far apart allowed for using the substitute rate. Magistrate Ellis stated that Senate Bill 5 passed two and a half years ago. It addressed the fact that Fiscal Courts had no recourse for this type of exchange. It is now required that the special taxing districts come before the Court, allowing the Court a clearer and better understanding of their taxing practices. To Magistrate Ellis's knowledge, the Extension District is the only district that has ever taken the substitute rate. Judge Bottom suggested having a special meeting on August 29, 2023, to allow the Extension District to come in and explain in more detail. Magistrate Cullen asked for justification for the \$300,000.00 more taxes the Extension District would receive. Magistrate Gay stated that the Extension District was operating within the law.

Due to illness, **Fire Chief Donnie Sexton** could not attend the Fiscal Court Meeting with the Fire Board Tax Rates. He will be placed on the Special Called Fiscal Court Agenda.

**Economic Development Authority Chairman Terry Crowley** gave the Court an update. He was appointed Chairman in June, and the EDA has had two meetings since. They have reviewed their bylaws and the paperwork that formed the agency, and they have found flaws but nothing that changes the

intent of the EDA. Some issues will need to be corrected in the EDA documentation. The Interlocal Agreement and the Ordinance are not in sync. EDA officers have been elected, with Judge Bottom appointed EDA Secretary-Treasurer. Chairman Crowley is tasked with developing an EDA budget.” Chairman Crowley feels the EDA has become clear on what their role is. The EDA is a public arm for property acquisition for development in support of job growth. Magistrate Sleeper and Judge Bottom are the Fiscal Court representatives on the EDA. Chairman Crowley stated he wanted to clear up some misinformation. With the 22/23 fiscal year ending, he was asked to request the EDA budgeted funds by the Judge, the Judge’s office, and Danville City. The EDA deposited the County and Danville City funds into the new EDA account. The EDA bylaws have been passed, and they are operating through them. Chairman Crowley asked that any EDA questions be addressed to him. He advised that the County entered into an Interlocal Agreement that requires the County to fund equally with Danville City, but a project is not a requirement for funding. Chairman Crowley presented a copy of Danville City’s resolution and would like the County to pass a similar resolution. Magistrate Ellis thanked Chairman Crowley for how much was accomplished at the last EDA meeting. Magistrate Ellis asked if the EDA phone message still only names Danville, not Boyle County. Chairman Crowley stated that he was unaware of an EDA phone message and would have to investigate. Magistrate Ellis asked what Chairman Crowley’s thoughts were on spec buildings. Chairman Crowley stated he was unsure that spec buildings were the way to go. Judge Bottom stated she was greatly encouraged by the EDA meeting.

**Benjamin U’sellis with Spectrum** updated how the Spectrum Project was going. Spectrum is installing fiber to 2,500 homes in Boyle County. In phase one, Spectrum has connected 100 homes or 15 miles of fiber. Spectrum first designs the project, looking at homes and poles. The design is usually a seven-month process. After the design process, it is sent to the pole owners for permission to attach the fiber to their poles. Spectrum has plenty of crews ready to work and plenty of material. Spectrum is sending out thousands of pole permits a month, putting a strain on Inter-County Energy, Kentucky Utilities, and other pole owners. Magistrate Cullen asked if there was any way to fast-track the pole permits. Mr. U’sellis explained that many poles must be replaced to accommodate another line. Spectrum pays for the replacements, but the Electrical Company must do the work. Magistrate Cullen asked if they were still working within the 24-month timeframe. Mr. U’sellis stated they were. Inter-County Energy President Jerry Carter stated that there have been meetings with Spectrum. The Public Service Commission regulates Inter-County Energy, and there are guidelines and tariffs they must follow. After Spectrum sends its design to Inter-County Energy, Inter-County Energy has to approve or send it back to Spectrum to redo part of the design in case of an issue. Inter-County Energy then sends Spectrum an invoice, and payment must be made before they can start replacing poles. In anticipation of this project, Inter-County has 200 poles in excess, waiting to begin the replacements. Mr. U’sellis explained that Spectrum had activated no new homes, but they have continued to build. Magistrate Cullen stated that this was a huge project for everyone involved and asked for patience. The more questions Spectrum has to respond to, the less time they devote to the project. Magistrate Cullen asked Spectrum to give the Court quarterly updates. Mr. U’sellis stated that all the pole permits should be in by the end of the year, which will give a better understanding of how the project will proceed. Tracey Gifford with Spectrum asked the Court to help get the word out to citizens that Spectrum may be in the pastures looking at poles. Magistrate Ellis discussed unmarked trucks. Mr. Gifford stated that was an issue and that it is a requirement that trucks be marked and to please contact Spectrum if an unmarked truck is working for Spectrum.

**Laura Pritchard and John Turner** with the Danville-Boyle County Humane Society Board discussed the Animal Control/Danville-Boyle County Society Board Agreement. The Humane Society has met and asked for the four changes.

1 ) Page 4, Part I (K): DBCHS asked that we insert, “Animals running-at-large or abandoned shall be accepted in accordance with Boyle County Ordinance 842.1 and KRS Chapter 258 and DBCHS Policy & Procedure.”

Ms. Pritchard stated the change should say “and Boyle County Animal Control Policy & Procedures,” not “and DBCHS Policy & Procedure.”

2) Page 4, Part 2 (E): Provide adequate working space for ACOs and Shelter Director, including a minimum of 8 kennels that will be used for animals accepted by the ACO’s, two (2) isolation kennels, the two (2) cat cages in the treatment room and any other necessary kennels to house animals for which BCAC has assumed custody at the discretion of DBCHS.

Ms. Pritchard stated that DBCHS is asking for a conversation if the amount of kennels exceeds more than eight kennels. Magistrate Cullen asked whom they were conversing with, and Ms. Pritchard stated that

the conversation should be had with the DBCHS Executive Director. Judge Bottom stated that the Court did not agree with leaving the language in the agreement.

3) Page 6, (B) and (C):

B. BCFC and BCAC agrees to the sole responsibility for shelter intake and shall accept from Boyle County residents all animals that are running-at-large (Boyle County Ordinance 842.1, Section II, pg. 5) and/or abandoned (Boyle County Ordinance 842.1. Section IV, E.(1));

Ms. Pritchard explained that as long as B only referred to animals running at large, there was no need to remove the “sole responsibility.”

C. Should an owner wish to surrender custody of their animal, the decision to accept the animal shall be solely at the discretion of the DBCHS with consideration given to space available and BCAC capacity;

Magistrate Gay agreed with letting the DBCHS have complete responsibility for surrendered animals. Magistrate Cullen foresees issues with people trying to surrender animals, being denied, and then letting the animals run at large. Ms. Pritchard stated that abandoning an animal is against the law and must be handled by law enforcement.

K. Medications shall be purchased, stored, and secured by DBCHS, BCFC & BCAC.

Judge Bottom discussed adding the word *Controlled* before “medication” and removing the DBCHS. Magistrate Sleeper stated that the State Veterinarian Inspector recommended that the County purchase the controlled substances. Magistrate Ellis is worried over the possible County’s liability of having the medicine in a building not secured by the County. Magistrate Gay explained that only licensed ACOs would have control over the medicine. County Attorney Chris Herron stated that as of this time, the County did not have a license for controlled substances and would be contracting out for any service that requires their use. The Fiscal Court agrees to remove the DBCHS and add “Controlled Medication” to K.

Judge Bottom stated the only disagreement is 2) Page 4, Part 2 (E): The Court is not in agreement with leaving at the discretion of DBCHS. Ms. Pritchard will take this before the DBCHS Board, and the Humane Society Agreement will be placed on the special called August 29, 2023, Fiscal Court Agenda.

**Magistrate Sleeper** discussed implementing a volunteer Citizens Animal Control Advisory Board. The purpose will be to advise, educate, and help network with rescue operations. Magistrate Sleeper made the motion to approve implementing a Citizens Animal Control Advisory Board. Magistrate Cullen seconded the motion. The advisory board will be appointed from a large group of concerned citizens. It will be subject to open meeting statutes as an advisory board to the Fiscal Court. The motion passed with all Magistrates voting in favor. Magistrate Gay thanked Magistrate Sleeper for his hard work.

**EMS Director Mike Rogers** discussed the purchase of two stretchers and two Lucas devices for \$96,823.46. The total budgeted amount for those items is \$112,000.00. Magistrate Cullen made the motion to approve purchasing two stretchers and two Lucas devices from Stryker, pending sole source proof. Magistrate Bodner seconded the motion. The motion passed with all Magistrates voting in favor.

**EMS Director Mike Rogers** discussed Kassi Centers attending Paramedic School. The total price of the class will be \$11,087.49. Paramedic School expense is in the EMS budget. Magistrate Cullen made the motion to approve Kassi Centers attending Paramedic School for \$11,087.49. Magistrate Bodner seconded the motion. Magistrate Ellis asked if there was a reimbursement clause if Kassi Centers did not complete the contract. Director Rogers stated there was, and it requires employment for 24 months. The motion passed with all Magistrates voting in favor.

**Boyle County Jailor Brian Wofford** discussed the New Vista Agreement. New Vista is the jail’s mental health provider. County Attorney Chris Herron looked over the agreement and approved. Magistrate Gay made the motion to approve the New Vista Agreement. Magistrate Cullen seconded the motion. Magistrate Gay amended his motion to approve the New Vista Business Agreement and the New Vista Service Agreement. Magistrate Cullen amended his second. The motion passed with all Magistrates voting in favor.

**County Administrator Julie Wagner** discussed EMS land acquisition. EMS has been looking for a downtown property for a satellite EMS station. A 1/3 acre parcel is on Main Street across from the Red Rooster. The County has reached out to the property owner and agreed on the price of \$105,000.00. Magistrate Cullen made the motion to approve the purchase of the property and for Judge Bottom to sign all documents needed to obtain ownership of the property. Magistrate Gay seconded the motion. County Attorney Chris Herron has completed a title opinion and found no liens. Judge Bottom stated it was not in a flood plain. The motion passed with all Magistrates voting in favor.

Magistrate reports:

**Magistrate Cullen** gave the Sheriff's Committee report. Two out of the three needed deputies have been hired. The Sheriff's office has 12 full-time and two part-time deputies, 6 SROs, 1 Sheriff IT, 14 Court Security Deputies, and three office staff employees. They had 920 calls in July. Magistrate Cullen made the motion to approve the Sheriff's Committee report. Magistrate Ellis seconded the motion. There was no discussion. The motion passed with all Magistrates voting in favor. Magistrate Cullen discussed the completed tank painting and cement work at the Veterans Memorial.

**Magistrate Gay** reminded the Court that Centre College was returning, with classes starting next week. Finn's Ice Cream shop had just opened in his district.

**Magistrate Sleeper** reminded everyone that there was a free concert at Latimer Heights on August 22, 2023.

**Magistrate Ellis** asked the Public Works Road Supervisor Roger Johnson about the newly purchased Lift's safety gear status. Road Supervisor Johnson stated that safety gear had been ordered. Magistrate Ellis stated that many trees in his district needed to be cut, and the Lift would be cost-saving. He reminded everyone of the Forkland Festival during Christmas. The Veterans Day Luncheon will be in November. He will be attending the Annexation debate on Friday.

**Magistrate Bodner** asked Public Works Road Supervisor Roger Johnson if any roads in her district had been paved. Road Supervisor Johnson advised that the funding for road paving had just been received. He will be getting in touch with Allen Company to set up dates. Magistrate Bodner is still working on the parks. Judge Bottom stated that the Court will keep digging to find a grant for which the parks will qualify.

**Magistrate Harmon** discussed the coming restaurants in his district. He hopes to have his eye surgery by the end of the week.

**Magistrate Cullen** discussed the Job Fair and Expo at the Showroom on September 28, 2023, from 10:00 a.m. to 2:00 p.m. A "Run the Runway" 5k will be at the Danville/Boyle County Airport on September 30, 2023. The 5k will benefit the Dream Flight Charities.

**Magistrate Ellis** informed the Court that a rally to save the Crawford House is scheduled for September 9, 2023. The Crawford House is a large piece of the Civil War.

**Magistrate Gay** reminded the Court that Household Hazardous Waste Day will be this Saturday.

**County Attorney Chris Herron** discussed the phone calls received about the "Making Jesus Famous Festival" at Constitution Square. His research showed that the festival did not break any laws as long as the Court did not exclude other groups from using Constitution Square. He discussed the upcoming sports events at the schools.

**Judge Bottom** informed the Court that the P & Z Comp Plan public hearing will be on August 24, 2023, at the Showroom from 6:00 p.m. to 8 p.m. The Little Cherub Sale will be held on August 25<sup>th</sup> and 26<sup>th</sup>. A big Boyle County Rebels game against LCA on August 26 starts at 5:00 p.m. September 7, 2023, is the Investment in Youth Sale at the old barn at the Fairgrounds. September 16, 2023, is the Constitution Square Festival.

**Solid Waste Director Angie Muncy** reminded the Court that the Household Hazardous Waste Event will be on August 26, 2023, from 8:30 to 1:00. There will be hamburgers and hotdogs.

**Magistrate Cullen** made a motion to adjourn. Magistrate Bodner 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