

**RUSSELL COUNTY FISCAL COURT  
CALLED MEETING  
MONDAY JULY 18, 2016  
10:00 A.M.**

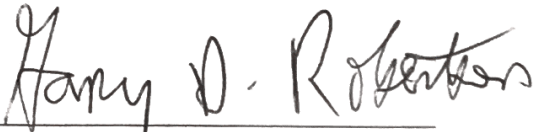
The Russell County Fiscal Court held a called meeting on Monday, July 18, 2016 at 10:00 a.m. at the Russell County Courthouse. Those in attendance were County Judge Executive Gary D. Robertson, Magistrates Terry Waddell, Patrick Loy, Ronald Johnson, Steve Richardson, Larry Holt, County Attorney Kevin Shearer, Deputy Judge Chris Ramsey and County Treasurer Kim Fenske.

**PAY BILLS:** Judge Robertson stated we had some bills that needed to be paid that had come in since the last meeting. Magistrate Richardson made a motion to pay the bills with Magistrate Loy seconding. The roll call was unanimous.

**2<sup>nd</sup> READING AMENDED ORDINANCE 16-01 – ALCOHOL BEVERAGE CONTROL:** Judge Robertson stated we needed to amend Ordinance 16-01 regarding Alcohol Beverage Control. He stated this was due primarily to changes voted on by the Legislature back in the spring that would be taking effect on July 15, 2016. County Attorney Shearer read the recommended changes. Judge Robertson asked the court if they had any questions or discussion. He stated he believed the ordinance, the way it is written, is not trying to change anything the state is not already allowing and that we were just trying to stay in compliance with state regulations. He stated in his opinion, he didn't think with this ordinance, if we don't amend it, that it would override the KRS regulations the state has if anyone challenges it. Magistrate Holt asked County Attorney Shearer how close this amended ordinance was to the KRS regulations and County Attorney Shearer answered "we're in line, this would be in line with regulations set forth not only in the statutes but in the administrative regulations set forth on this particular topic". Magistrate Holt made a motion to accept the amended ordinance 16-01 and stated he felt we needed to do so to protect the county from liability and the state had put in a lot of time putting in regulations and he feels for one we don't need to buck them. Magistrate Waddell seconded the motion. Roll call was Magistrate Holt – Yes; Magistrate Waddell – Yes; Magistrate Richardson – No; Magistrate Loy – No; Magistrate Johnson – No. Judge Robertson stated the amended ordinance does not pass, defeated 3 to 2. He also stated just for the record, he wanted it to show his vote as being Yes which would make it a tie. Even though it won't change anything it just shows that he thinks we should make the changes because we will just open ourselves up for some kind of litigation when we try to oversee this in the way we are required to do and he feels we should stay in line with state regulations.

**2<sup>nd</sup> READING ORDINANCE 16-08 – ALCOHOL BEVERAGE CONTROL SUNDAY SALES:** County Attorney Shearer read the ordinance. Judge Robertson pointed out that in the packets for the Magistrates was an article showing the financial impact that tourism had throughout the state of Kentucky was \$13.7 billion. In our 10 county area, Russell County was 3<sup>rd</sup> behind Pulaski County and Taylor County. He stated Russell County had \$47,609,688.00 in tourism expenditures in 2015 with employment at 1863 (the figure shows seasonal & part time employment). Russell County was 2<sup>nd</sup> in employment behind Pulaski County which had 2043. Also included in the packets was an updated chart showing the revenue from alcohol sales in the county since going wet which is about \$15,016.51 just in regulatory fees. He asked if there was any discussion regarding the Sunday sales Ordinance 16-08. Magistrate Holt stated he couldn't vote both ways, and his constituents in his district (all 3 precincts) voted for alcohol sales and when he walked through the doors of the fiscal court room he checked his personal feelings at the door because he was elected by the people to represent them. He stated the way he is going to vote has nothing to do with his personal feelings but would be the way the people that elected him chose. Judge Robertson asked if there was any more discussion. Magistrate Holt made a motion to adopt Ordinance 16-08 Alcohol Beverage Control Sunday sales with Magistrate Waddell seconding. Roll call was Magistrate Waddell – Yes; Magistrate Holt – Yes; Magistrate Johnson – No; Magistrate Richardson – No; Magistrate Loy – No. Judge Robertson stated the vote was 3 to 2 and the ordinance fails.

**ADJOURN:** Magistrate Holt made a motion to adjourn with Magistrate Waddell seconding. All was in favor. The meeting adjourned at 10:22 a.m.



\_\_\_\_\_  
Gary Robertson  
County Judge Executive



\_\_\_\_\_  
Kim Fenske  
Fiscal Court Clerk