

**RUSSELL COUNTY FISCAL COURT
REGULAR MEETING
MONDAY FEBRUARY 11, 2019
6:00 P.M.**

The Russell County Fiscal Court held their regular monthly meeting on Monday February 11, 2019 at 6:00 p.m. at the Russell County Courthouse. Those in attendance were County Judge Executive Gary D. Robertson, Magistrates Terry Waddell, Mickey Garner, Ronald Johnson, Steve Richardson, Larry Holt, County Attorney Kevin Shearer, Attorney Don Byrom, and County Treasurer Kim Fenske.

WELCOME, PLEDGE & OPENING PRAYER: Judge Robertson welcomed all those present and led everyone in the pledge followed by a prayer by Jailer Bobby Dunbar.

MINUTES: Judge Robertson presented the minutes from the January 14, 2019 regular meeting and the special called meeting on January 28, 2019. Magistrate Johnson made a motion to approve the minutes with Magistrate Richardson seconding. The roll call was unanimous.

PAY BILLS: Judge Robertson submitted a list of regular bills to be approved along with a list of bills that came in late. Magistrate Holt made a motion to pay the bills with Magistrate Waddell seconding. The roll call was unanimous.

DETENTION CENTER REPORT: Jailer Dunbar read the jail report as follows: Local Corrections Assist \$17,246.90; Prescription Co-pay \$311.33; Nurse Visits \$102.90; HB 452 \$297.69; DUI Fees \$688.76; State Inmate Housing \$65,531.94; Social Security \$400.00; HB 413 \$1,667.54; Canteen Profit Donation \$6,250.00; Traffic School \$5.46; Old Bill \$101.75; Booking Fees \$1,521.79; Fee Claim \$313.10; Phone Commission \$3,046.80; Per Diem \$2,065.07; Wage Garnishment Admin Fee \$10.00; Bond Interest \$23.26; Interest \$76.12; Transfer from General \$538,015.00 for a total income of \$637,675.41. The expenses were \$215,854.51 which makes a difference of income and expenses (\$421,820.90). The difference between expenses and receipts without the general fund transfer was (\$116,194.10). The average inmates for the month was 145. There was 21 ½ hours overtime. As of today there are 66 state inmates, 12 from Clinton County, and 66 from Russell County for a total of 140 inmates. Magistrate Richardson made a motion to accept the detention center report with Magistrate Waddell seconding. The roll call was unanimous.

DETENTION CENTER BUDGET FOR FISCAL YEAR 19-20: The 2019-2020 jail budget was also presented to the fiscal court. Judge Robertson stated this would not be voted on at this time because it will be incorporated into the full fiscal court budget which we will vote on when complete.

TREASURER'S MONTHLY SETTLEMENT REPORT: Treasurer Fenske read the totals of each fund: General \$1,373,599.80; Road \$351,968.58; Jail \$918,716.18; LGEA \$10,640.15; ASAP \$104,383.85; Grants \$42,035.09 Tourism \$3,198.55; Dispatch \$166,806.19; Airport \$29,033.86; Airport Project \$28,572.98; DFC \$12,101.21; Airport Board \$32,641.33; ABC \$44,192.67 for a total of \$3,117,890.44. Treasurer Fenske stated all accounts were reconciled and in balance. Magistrate Waddell made a motion to accept the settlement report with Magistrate Richardson seconding. The roll call was unanimous.

KYTC COMMISSIONER TOMBLYN – RUSSELL COUNTY INFRACTURE: Judge Robertson introduced the Commissioner of Rural Roads & Municipal Aid to the court. The Commissioner came before the court and thanked them for allowing him to speak. He stated he and some of his staff were making their rounds throughout the state to see what types of needs were going on at the grass roots. He spoke of some of the infrastructural needs that were being addressed at the state level and asked the court and audience to share with him any of their concerns. There was some discussion regarding traffic flow on 127, the on and off ramps and new access road for the 910 exit on the Cumberland Parkway as well as the possibility of lights being needed at the junction of 127 and the on and off ramps of the Cumberland Parkway. Commissioner Tomblyn concluded by asking the court to let him or his staff know of any concerns or needs.

RC CLERK – 2018 FINAL FEE SETTLEMENT REPORT: Treasurer Fenske stated the Clerk had presented the excess fees at the last court meeting and the final amount for the settlement report was \$4,108,439.75. Magistrate Garner made a motion to accept the final settlement report with Magistrate Waddell seconding. The roll call was unanimous.

RC SHERIFF – 2018 FINAL FEE SETTLEMENT REPORT: Sheriff Polston stated he had an excess fees check to present to the court in the amount of \$900.00. He also asked the court's approval to allow his office to pursue some grants. He stated one was for an overtime grant and the other was an equipment/vehicle grant. Magistrate Garner made a motion to accept the excess fee check with Magistrate Waddell seconding. The roll call was unanimous. Judge Robertson stated he would entertain a motion to allow the sheriff's office to apply for the grants. Magistrate Garner made a motion to allow the sheriff's office to apply for the grants. Magistrate Waddell seconded the motion. The roll call was unanimous. Sheriff Polston then provided his monthly report.

RC ATTORNEY – K9: County Attorney Shearer stated after last month's meeting regarding the selling of surplus property, he began to think about how the court would have to handle the selling of the K9 deputies at the Sheriff's office if the need ever arose. He stated the K-9's were essentially county owned property but they are of a different character than other county owned property. He stated in his legal opinion he felt the selling of them would not fall under the same guidelines as other surplus properties. He stated he had contacted KACo to get their opinion as well and they concurred that if the situation did arise when we would need to either sell the K-9 or put one out of service, they not be considered as surplus property because of the specialized training of the K-9 as well as the handler. He stated he felt the county would have some type of a liability issue if we did try to sell the K-9's to just anyone that wasn't trained. County Attorney Shearer recommended the court to make any K-9 that is owned by the county to be considered as non-surplus property. Magistrate Richardson made a motion to accept the County Attorney's recommendation to make the K-9's owned by the county as non-surplus property. Magistrate Waddell seconded the motion. The roll call was unanimous.

2ND READING OF ORDINANCE 19-01 - OCCUPATIONAL TAX: Judge Robertson stated the ordinance had a sunset clause in it and it was coming due in April. He stated we extended the sunset clause by another 4 years. County Attorney Shearer read the Occupation Tax Ordinance 19-01. Judge Robertson made the recommendation to adopt the ordinance. Magistrate Richardson made a motion to accept the ordinance with Magistrate Garner seconding. The roll call was unanimous.

1ST READING OF ORDINANCE 19-02 – ABC ORDINANCE: Judge Robertson stated we had the first reading of Ordinance 19-02 which was for Alcohol Beverage Control. County Attorney Shearer read the Alcohol Beverage Control Ordinance changes. He stated the biggest change was allowing Sunday sales but there were some other housekeeping changes that put the county ordinance in line with the ABC KRS. There was some discussion regarding the reason for some of the changes. Judge Robertson stated the changes were proposed changes that had been recommended by the ABC Administrator's office and they would be voted to either be accepted or not at next month's meeting when we do the 2nd reading.

RESCUE SQUAD AFFILIATION AGREEMENT: Judge Robertson asked HM Bottom to address the court regarding the affiliation agreement. HM came before the court and explained what the agreement entailed and stated it was something we did every year. Magistrate Holt made a motion to enter into the affiliation agreement with Magistrate Richardson seconding. The roll call was unanimous.

OTHER BUSINESS: Judge Robertson stated he had a correction to the terms of a couple of his appointments to the Tourism Board. He stated the terms for Stephen Eastin and Eric West should end on 6/30/21. He stated originally he had their term ending on 12/31/21 but since the Tourism Board changed their bi-laws to go to a 7/1-6/30 fiscal year he needed to change the ending of the terms to coincide with this. Magistrate Waddell made the motion to accept the term change with Magistrate Garner seconding. The roll call was unanimous.

Judge Robertson stated we had **Resolution 19-03** which he had received from Alligator 2. He stated it was a resolution asking for the county's support in their economic endeavors. Magistrate Johnson made a motion to accept Resolution 19-03 with Magistrate Richardson seconding. The roll call was unanimous.

Judge Robertson stated we had **Resolution 19-02** which is from the KCJEA which is a resolution supporting the modernization of Kentucky's Transportation Funding Mechanisms to address transportation funding needs throughout the commonwealth. Magistrate Garner made a motion to pass the resolution with Magistrate Waddell seconding. The roll call was unanimous.

Judge Robertson stated the ABC report totals were down for the month. He stated \$7,889.42 were collected for sales during the month of December and \$1,843.28 was paid to the city of Jamestown for their share of Sunday sales.

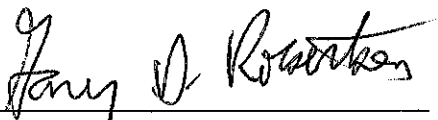
Judge Robertson stated he wanted to take the time to thank Tim Roy and Brian Cooper of Jax Cool Convenience Store for their kindness during the most recent cold period. He stated they had secured 15 rooms at local hotels to provide a warm place for those in need in the community.

Judge Robertson asked if anyone else had anything. Magistrate Holt asked about the status of the 911 Inter-Local agreement with the Ambulance Board. Judge Robertson stated he had spoken to them last month and nothing had been done yet.

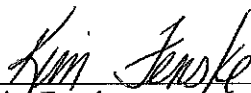
Magistrate Richardson asked County Attorney Shearer if he had a chance to review the ordinance for county blight issues to which County Attorney Shearer said he had. He stated there were particular procedures we would have to follow in order to remediate the situation. Judge Robertson asked if this was the ordinance already in place which County Attorney Shearer said yes. Mr. Shearer stated if the court wanted to move forward and start enforcing the ordinance then we would have to identify the locations, provide warnings and or citations and then move forward in whatever fashion the court deemed necessary. Mr. Shearer stated the court may want to review the ordinance and bring it up to date in order to address some of the specific concerns residents are complaining about which would be his recommendation. It was agreed to have County Attorney Shearer take a closer look at the ordinance and bring his recommendations for revisions to the next court meeting in March.

Treasurer Fenske stated she was preparing the budget and had received the CPI information for the next fiscal year. She asked for the court's approval to apply the 1.9% CPI to all county employee salaries as well as the magistrates. Magistrate Johnson made the motion to apply the 1.9% for a cost of living adjustment to all county employees as well as the magistrates for fiscal year 19-20. Magistrate Garner seconded the motion. The roll call was unanimous.

ADJOURN: Magistrate Richardson made a motion to adjourn with Magistrate Waddell seconding. All was in favor. The meeting adjourned at 6:58 p.m.



Gary Robertson
County Judge Executive



Kim Fenske
County Treasurer