

**RUSSELL COUNTY FISCAL COURT  
REGULAR MEETING  
MONDAY MAY 10, 2021  
5:30 P.M.**

The Russell County Fiscal Court held their regular monthly meeting on Monday May 10, 2021 at 5:30 p.m. 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 and County Treasurer Kim Fenske.

**WELCOME, PLEDGE & OPENING PRAYER:** Judge Robertson welcomed those present and led everyone in the pledge followed by a prayer by Brother Billy Silverman.

**MINUTES:** Judge Robertson presented the minutes from the April 12, 2021 regular meeting. Magistrate Holt made a motion to approve the minutes with Magistrate Johnson 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 Richardson 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: Corrections Assist \$7,785.55; Prescription Co-pay \$704.23; Nurse Visits \$122.03; State Inmate Housing \$59,389.30; Social Security \$200.00; Old Bills \$97.10; Booking Fees \$2,188.79; Vending Commission \$33.08; Phone Commission \$2,897.26; Per Diem \$4,919.76; Interest \$70.88; Transfer from General \$167,559.00 for a total income of \$245,966.98. The expenses were \$179,334.11 which makes a difference of income and expenses \$66,632.87. The average inmates for the month was 122. There was 23½ hours overtime. As of today there are 60 state inmates, 6 from Clinton County and 50 from Russell County for a total of 116 inmates. Magistrate Holt made a motion to accept the detention center report with Magistrate Waddell seconding. The roll call was unanimous.

**SHERIFF'S REPORT:** Sheriff Polston provided his report for the month of April. He stated there were 649 calls for service; 36 arrests; 9 mental health transports; 27 Criminal Summons; 123 court paper served; 3262 court security transport miles; and 29 vehicle inspections. He stated his office collected \$127,731.42 tax bills from April 1 through April 30<sup>th</sup>. Magistrate Garner made a motion to accept the report with Magistrate Waddell seconding. The roll call was unanimous.

**TREASURER'S MONTHLY SETTLEMENT REPORT & PRE-APPROVED MONTHLY AE TRANSFERS:** Treasurer Fenske read the totals of each fund: General \$1,809,708.81; Road \$420,060.62; Jail \$698,941.63; LGEA \$5,738.97; ASAP 137,038.07; Grants \$0; Emergency Shelter \$4,428.05; Tourism \$8,063.70; Dispatch \$56,513.84; Airport \$70,487.67; Airport Project \$28,204.21; DFC \$12,101.21; Airport Board \$72,006.27; Airport Terminal \$0.00; ABC \$55,211.58; ARPA \$0 for a total of \$3,378,504.63. Treasurer Fenske stated the general and ABC accounts were out of balance by \$1,350.00 due to a deposit being made into the wrong account. She stated she would ask the court for approval to transfer the amount into the correct account at tonight's meeting to correct the mistake. She stated the pre-approved monthly AE transfers were also included in the packet. Magistrate Garner made a motion to approve the monthly and quarterly settlement reports and accept the pre-approved AE transfers with Magistrate Richardson seconding. The roll call was unanimous.

**2<sup>nd</sup> READING ORDINANCE 21-03 FISCAL COURT 2021-2022 BUDGET AND RECURRING EXPENSES:** Treasurer Fenske read the budget ordinance. The totals were General \$3,501,386.00; Road \$1,610,353.00; Detention Center \$2,491,281.00; LGEA \$11,774.00; ASAP \$147,720.00; Grants \$117,500.00; Emergency Shelter \$6,506.00; Tourism \$147,700.00; 911 Dispatch \$521,972.00; Airport General \$194,077.00; Airport Project \$867,698.00; DFC \$12,102.00; Airport Board \$87,112.00; Airport Terminal Project \$449,892.00; ABC \$152,430.00 for a total of all budget funds of 10,319,503.00. The budget was approved by the State Local Finance Officer from Department of Local Government on April 28, 2021. Magistrate Holt made a motion to accept the budget ordinance and recurring expenses with Magistrate Garner seconding. The roll call was unanimous.

**TRANSFER \$1,350.00 FROM ABC TO GENERAL TO CORRECT DEPOSIT ERROR:** Judge Robertson stated we needed to transfer \$1,350.00 from the ABC fund to the General fund to correct the deposit error Treasurer Fenske

spoke about. Magistrate Richardson made a motion to do the transfer with Magistrate Waddell seconding. The roll call was unanimous.

**OPEN BIDS FOR JANITORIAL SUPPLIES:** Judge Robertson stated we had received two bids. There were bids from Norvex and Danville Office Supply on janitorial supplies. Judge Robertson stated we generally will accept all bids to give the court the opportunity to shop to get the best price amongst all bidders. Magistrate Richardson made a motion to accept all bids so the county could shop for the best price per product and Magistrate Garner seconded the motion. The roll call was unanimous

**OPEN BIDS FOR FUEL, OIL, CHIP & SEAL, HOT MIX, BLACKTOP, POTHOLE PATCH, ROCK & TILE:** Judge Robertson opened the bids as follows:

- Fuel, **Southern Petroleum** - rack price plus \$.02 per gallon excluding applicable freight and tax. Magistrate Johnson made a motion to accept the fuel bid from Southern Petroleum with Magistrate Richardson seconding. The roll call was unanimous.
- Asphalt, **Selby Asphalt Maintenance** - will provide the following services to the Russell County in connection with road maintenance and repair, such as asphalt repair, repair of cracks, rock & tile work, emergency storm debris removal & emergency road services, sealing, pavement markings, backhoe & skid steer services and snow removal. For asphalt repair – any and all areas will be prepped (dug out, cleaned out, and/or filled with gravel.) This will be done so by Selby Asphalt Maintenance. In recent negotiations with Gaddie Shammrock asphalt prices will be quoted on a weekly basis to ensure you getting the lowest asphalt prices possible. With this pricing we respectfully ask to quote each job on a job to job basis. This is due to the fact that some asphalt will be coming out of the Columbia plant and some will be coming out of the Albany plant. Any job quoted in advance in the effect that asphalt goes up before the job is completed you will only pay the quoted price. (Rock will be extra\* \*Along with a modest Fuel Surcharge.\* All repairs must be approved by someone designated by the Road Foreman, County Judge, or Magistrate of said District. Terms are net 30 days from completion of work performed. Magistrate Garner made a motion to accept the bid from Selby Asphalt with Magistrate Waddell seconding. The roll call was unanimous.
- Road Oil, **Hudson Materials** – RS2 \$2.32 per gallon, SS-1H \$2.32 per gallon, Enviro \$3.65 per gallon, Pug Mill \$.30 per gallon. If in a case you order a partial load under 5300 gallons you will add \$.16 cents per gallon. Prices are subject to change with increase or decrease of raw material costs or state index. Judge Robertson made the recommendation we accept the bid. Magistrate Johnson made a motion to accept this bid with Magistrate Waddell seconding. The roll call was unanimous.
- Chip Seal, **Gaddie Shamrock** – A rate of \$0.30 per ton will be paid for each mile beyond the 10 mile radius with minimum hauling being \$3.00 per ton; the following prices include labor and equipment per mile furnished by Gaddie, single seal 12 feet & under road width \$3500.00, 13 thru 18 feet road width \$4,800.00; double seal 12 feet & under road width \$4,800.00, 13 thru 18 feet road width \$6,500.00. The county is responsible for furnishing the oil and stone for chipping and preparing and shaping the roads. If prep work is done by Gaddie Shamrock, all equipment used will have a charge of \$100.00 per hour per unit. A price of \$1,400.00 per road will be charged for moving for roads .40 miles and under. A minimum daily charge of \$3,500.00 (final decision to be discussed with foreman David Branham). Magistrate Johnson made the motion to accept the bid and Magistrate Garner seconded the motion. The roll call was unanimous.
- Stone, **Gaddie Shamrock** – F.O.B. Adair: #3 stone \$6.15 per ton; # 57 & 68 stone \$7.15 per ton; #8 stone \$7.15 per ton; #610 & DGA stone \$6.15 per ton; crusher run \$5.50 per ton; zero stone \$6.15 per ton – F.O.B. Russell: #3 stone \$9.75 per ton; #57 & 68 stone \$10.15 per ton; #8 stone \$10.15 per ton; #610 & DGA stone \$9.75 per ton; zero stone \$10.00 per ton. Stockpiling from Columbia Quarry to Jabez \$.20 per ton mile from quarry location; stockpiling from Russell County site \$.20 per ton mile from quarry location. A minimum haul of \$2.65 per ton will be applied to haul within 12 miles of the nearest quarry. A rate of \$0.20 per ton will be paid for each

mile beyond the 12 mile distance. Magistrate Johnson made the motion to accept the bid with Magistrate Richardson seconding. The roll call was unanimous.

- **Hot Mix, Gaddie Shamrock** – Bid price of \$81.00 is based on the price index of \$475.00 per liquid ton. With every \$10.00 increase in the cost of liquid asphalt per ton over this amount, the base index will increase \$1.00 per ton. This index will also work in reverse as prices decline. Prices will be determined by the Kentucky Average Price index at the time of actual work performed. The F.O.B. price is \$64.00 per ton based on the current Ky. Highway Index price. At Gaddie's discretion, any tonnage amount under 100 tons at any specific location will be \$25.00 premium can be added to index price. An additional \$3.00 per ton will be added to haul when paving in Jabez area. Also noted, all quoted prices will fluctuate with the KY Highway Index price. All hot mix, materials, workmanship and equipment meet with the Kentucky Department of Transportation's specifications. Terms of accounts are net 30 days. This bid is valid for thirty days. The following prices will remain in effect for a one-year period. Gaddie Shamrock maintains the option with the County to extend this agreement for more than one year if agreed upon by both parties. Magistrate Johnson made a motion to accept the bid with Magistrate Richardson seconding. The roll call was unanimous.

**WORKFORCE INNOVATION & OPPORTUNITY INTERLOCAL AGREEMENT:** Judge Robertson stated this was an agreement we had been asked to sign by the Lake Cumberland Add office. He stated it was something we normally do with the other counties in the district. Magistrate Garner made a motion to accept the Interlocal agreement with Magistrate Holt seconding. The roll call was unanimous.

**RESOLUTION 21-04 UTILITY ASSISTANCE PROJECT:** Judge Robertson asked Chari Bennett of the Lake Cumberland Area Development District to explain this. Ms. Bennett came before the court and state this was a CDBG grant the ADD office was applying for to provide utility assistance for those folks impacted by Covid. Magistrate Waddell made a motion to accept resolution 21-04 with Magistrate Richardson seconding. The roll call was unanimous.

**PREAPPROVAL TO PAY LIBRARY WHEN FLOOD CONTROL MONEY COMES IN:** Judge Robertson stated that we are expecting the flood control money from the federal government any day. When it comes we are required to give 18% of it to the library. Since it is generally received this time of year and it's close to the end of our fiscal year he asked for pre-approval to pay the library as soon as it comes in. Magistrate Garner made a motion to pre-approve to pay the library when the flood control money comes in. Magistrate Richardson seconded. The roll call was unanimous.

**AMBULANCE BOARD APPOINTMENT:** Judge Robertson stated he had an ambulance board appointment that was coming due. He stated he Mr. Randy Marcum's first term was expiring on 6/9/21. He recommended appointing him to a second term beginning 6/10/21 through 6/9/24. Magistrate Garner made a motion to accept the judge's recommendation with Magistrate Waddell seconding. The roll call was unanimous.

**HEALTH CARE RENEWAL:** Judge Robertson stated we had received the renewal rates for the healthcare plans for the county. He stated he spoke with our local former agent and had advised her what the rates were and she had stated she couldn't compete with those so there was no need to bid them at this time. He went on to state the rate for the \$750 deductible plan increased by 1.65%; the \$1000 deductible plan increased by 1.68% and the \$1500 deductible plan increased by 1.73%. He stated these rates would be good through 6/30/22. Magistrate Waddell made a motion to accept the new rates with Magistrate Richardson seconding. The roll call was unanimous.

**SURPLUS SALES AUCTION:** Judge Robertson asked for the courts approval to set up a surplus auction for some various equipment that was no longer being used or was usable. He stated he would like to contact McKinley Auction to see if that was something they could help implement. Magistrate Holt made a motion to have to judge to set this up with Magistrate Richardson seconding. The roll call was unanimous.

**CARES ACT FUNDING TRANSPARENCY:** Judge Robertson stated at last month's meeting there were questions that came up in regards to where all the CARES money went and in what amounts as well as some concern on who made those decisions. He stated in the packet was all the information including the minutes where the court had made those decisions and voted for to approve all of them during open court.

**ROAD CHANGES:** Judge Robertson stated there were a couple of road changes. Treasurer Fenske stated the first was Rosin Ridge Road CR-1188 in District 1. She stated the current length was 1.328 miles and we needed to extend it to 1.407 miles in order to connect it to another road. The second change was to take in Port of Call Drive also in District 1 which is .610 miles in length. Magistrate Waddell made a motion to make the change on Rosin Ridge Road with Magistrate Garner seconding. The roll call was unanimous. Magistrate Waddell also made a motion to take in Port of Call Drive with Magistrate Garner seconding. The roll call was unanimous.

**OTHER BUSINESS:**

Judge Robertson stated he had a tourism board member, Mr. Michael Kennedy who was the General Manager at State Dock, that was no longer eligible to be on the board and he had received a letter from the hotel/motel association recommending Mr. David Dyson of Rowena Marina to replace him for the remainder of the term which would expire 6/30/23. Judge Robertson stated it would be his recommendation to appoint Mr. Dyson. Magistrate Garner made the motion to accept the recommendation to appoint Mr. David Dyson to the remaining term with Magistrate Waddell seconding. The roll call was unanimous.

Judge Robertson stated the alcohol sales were up quite a bit from last month. He stated we collected about \$8,382.29 for the month of March sales which were collected in April. He stated out of that amount the county paid \$1,517.19 to the City of Jamestown for their share of the sales.

Judge Robertson stated we had Resolution 21-05 which was for the Sheriff's office so they could apply for another School Resource Officer for Jamestown Elementary. Sheriff Polston stated it had been part of his campaign and it was still his mission to keep our children safe and this was an avenue his office could pursue to help. He asked for the courts support so they could apply for the grant. Magistrate Garner made a motion to adopt Resolution 21-05 with Magistrate Richardson seconding. The roll call was unanimous.

Magistrate Garner stated he wanted to let the court know how things were going with the recycle center. He stated County Attorney Shearer had drawn up the contract between Russell and Pulaski County which stipulates Pulaski would furnish the trailer and haul the materials and they would pay Russell County 70% of all materials that are recycled. Magistrate Garner made the motion to accept the contract between the two counties and Magistrate Johnson seconded. The roll call was unanimous.

Magistrate Garner also wanted to bring up the condition of the recycle building. He stated the roof was leaking and some of the trusses were rotting. He stated several of the magistrates had gotten bids to repair the damage. Dunbar Contracting's bid came in at \$10,000 for labor only and the county would be responsible for the timber and metal. Magistrate Garner stated he got a bid from Charles Smith who was at least 2-3 months out and that bid was \$3100 plus material. Magistrate Holt stated he had gotten a bid from Donnie Cooper which was \$25 per hour and we provide all the materials. He also stated he could get started in a week or so. Magistrate Garner made a motion to go with Donnie Cooper and have to him to fix all the things that needed to be done on the building. Magistrate Richardson seconded the motion. The roll call was unanimous.

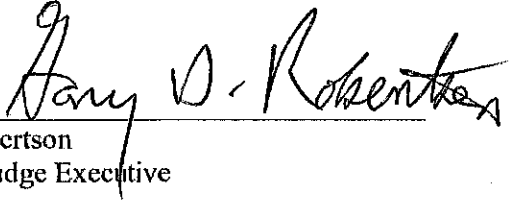
Sheriff Polston wanted to let the court know where he was deputies. He stated he had 6 deputies and 2 school resource officers and possibly 1 to 2 more in the future but his office is here to protect the citizens of the county.

Judge Robertson stated Ms. Barbara O'Neil was in the courtroom to discuss with the court her desire for the county to implement a leash law in the county. She went on to state she was and had been having many issues with her neighbors dogs as well as getting her mail delivered because the neighbor dogs had done damage to the mail carrier's vehicle. She stated she had exhausted all her resources and wanted the court to consider the leash law. The court listened to her concerns but did not want to move on the leash law because there wasn't one throughout the state and it couldn't be enforced.

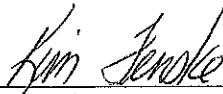
Magistrate Garner stated since the judge didn't have the information yet on the lease trucks how about them looking to buy some used trucks. He stated they could all look around for some good used trucks with low mileage and bring back what they've found at the next meeting. Judge Robertson stated if there was money in the budget for it ok, to which Magistrate Garner stated there was 1.8 million in the general fund so that should cover it. He stated he felt sure the money could be found. Judge Robertson stated he felt it would be better to purchase a brand new one and make payments on it.

Judge Robertson stated Mr. Cameron Tiller had also signed up to speak to the court. Mr. Tiller came before the court and presented his concerns with the signing of the resolution concerning the Solar Farm and the long lasting effects this farm would have on adjoining property.

**ADJOURN:** With nothing further to discuss, Magistrate Garner made a motion to adjourn with Magistrate Richardson seconding. All was in favor. The meeting adjourned at 7:05 p.m.



Gary Robertson  
County Judge Executive



Kim Fenske  
County Treasurer & Fiscal Court Clerk