

Meeting Date; 08/11/2020
Meeting of; Madison County Fiscal Court
Meeting Type; Special Called

HONORABLE REAGAN TAYLOR COUNTY JUDGE EXECUTIVE PRESIDING

The Madison County Fiscal Court convened in special session on the 11th of August 2020 at 9:30AM via Zoom Video Conference. Present was the Honorable Reagan Taylor in the chair presiding and the following members of the Fiscal Court: Roger Barger, Tom Botkin, and John Tudor were present. Madison County Attorney Jennie Haymond, Madison County Sheriff Mike Coyle, and Madison County Clerk Kenny Barger were also present.

It being determined a quorum was present, the meeting was called to order.
Magistrate Tom Botkin led the court in prayer. Judge Taylor asked Sheriff Coyle to lead the Pledge of Allegiance.

IN RE: Proclamation for Madison County Health Department’s 90th Anniversary:

Judge Taylor recognized the Madison County Health Department’s 90th anniversary by proclaiming August 13, 2020 as Madison County Health Department Day. Judge Taylor explained the history of the health department and their service offerings. The value provided to Madison County may be illustrated through their vision “healthy people living and working in a healthy and safe community.”

Nancy Crewe, Director of Madison County Health Department, addressed the court to express her gratitude for the continuous support.

Kelley McBride, Public Information Officer for Madison County Health Department, addressed the court to showcase how community cooperation impacts the success of the department. McBride thanked stakeholders and expressed her pride in the work that’s being done.

Magistrate Botkin stated the health department does not always get the credit deserved. They work hard to accomplish their mission even in tough situations. Botkin expressed his appreciation for their employees.

Magistrate Barger stated his appreciation for the health department and the hard work that’s put in.

IN RE: Agenda Amendment:

Judge Taylor asked the court’s permission to amend the agenda, adding in Resolution 20-87: Fiscal Court Funding for Sheriff’s Department (De-escalation Training).

Motion by Tom Botkin seconded by Roger Barger to amend the agenda, adding in Resolution 20-87: Fiscal Court Funding for Sheriff’s Department (De-escalation Training).

Motion carried on roll call vote as follows:

Tom Botkin-Yes	Roger Barger-Yes
John Tudor-Yes	Reagan Taylor-Yes

IN RE: 2nd Reading Ordinance 20-18—Bluegrass Regional Radio Network Interlocal Agreement:

Chris Iseral, IT Director, addressed the court to present the second reading of Ordinance 20-18—Bluegrass Regional Radio Network Interlocal Agreement. This ordinance will repeal Ordinance 20-16. Upon approval this agreement will be entered by and between Madison County Fiscal Court, City of Georgetown/Scott County, and the University of Kentucky. Changes made concerned the addition of services provided to each entity.

Motion by John Tudor seconded by Roger Barger to approve the second reading of Ordinance 20-18—Bluegrass Regional Radio Network Interlocal Agreement.

Motion carried on roll call vote as follows:

Tom Botkin-Yes	Roger Barger-Yes
John Tudor-Yes	Reagan Taylor-Yes

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

IN RE: 2nd Reading Ordinance 20-20—Zone Change for 3241, 3245, and 3249 Old Kentucky Hwy 52:

Bert Thomas, Planning and Building Codes Director, addressed the court to present the first reading of Ordinance 20-20—Zone Change for 3241, 3245, and 3249 Old Kentucky HWY 52. The planning commission held a public hearing to consider the Land Use Change Request application from RC-7 (Rural Corridor Agriculture) to RC-1 (Rural Corridor Singly Family Residential). Findings of Fact and recommendation were presented to the court. The existing zone classification was considered to be inappropriate.

Motion by Tom Botkin seconded by Roger Barger to approve the second reading of Ordinance 20-20—Zone Change for 3241, 3245, and 3249 Old Kentucky Hwy 52.

Comments from audience:

Bobby Jones, Madison County Resident, addressed the court to express his concern for the zone change presented. "I would like to let it be known that I strongly oppose the proposed zone change noted above on Old Kentucky Hwy 52. My reasons are the same as we debated on the Moberly Road proposed change (Jack VanWinkle property). This land which is adjacent to the Moberly Road property is wet and will cause drainage problems to the area. I feel this was discussed at length at the Moberly Road proposed change that was ultimately voted down. It was noted at that time the Dove's Landing development has had water issues from its inception. Traffic problems could also be an issue. Again no one has given a plan other than change to RC-1. Does this mean 10 homes or 70 homes? Irvine Road already has its issue and Old Highway 52 is a small road. The Madison County Fairgrounds is located adjacent to this property and the Fair Board voiced their disapproval of the Moberly Road proposed change for numerous reasons all of which also pertain to this property. The no vote on the Moberly Road proposed change (Van Winkle property) should serve as a precedence that this land is not suitable for heavy residential development. My reasons could continue but feel redundant given this argument should have been settled with the no vote on the Moberly Road proposed change. This land is the same and the residences it will affect are the same."

Deborah Brewer, Madison County Resident, addressed the court to express her concern for the zone change presented. "Regarding the zone change for 3241, 3245, and 3249 on Old KY HWY 52—the road is too narrow for high volume traffic, land not laid out for increase volume of housing, and size of lots would decrease green space and safe living environment. These are the reasons I am against the zone changes."

Stephanie Gentry, Madison County Resident, addressed the court to voice her reservations concerning the potential zone change. "I am currently a resident of Moberly Road, and have recently her of a planned Zone change for 2141, 3145, and 3249, that includes building a new subdivision on the property. I have several reservations. Water is a serious issue, and I'm not sure how a developer or homeowner would handle moving the water. We have had to create swells in our property to direct water away form our driveway and home. We have had to install underground drains to push water away. Several of the neighbors along Moberly Road have 'ponds' and standing water in their yards after heavy rains. Traffic already gets backed up on 52 in the morning and in the afternoon. It takes several turns through the stop light next to the Shell station during these times. If we were to add more cars (due to more houses), this would exacerbate the problem. There is no sewage available. We had to install a septic system on our property. So, would every proposed home have its own septic system? I've seen pre-platted density of proposed 101 lot, give or take 5 lots. This is a huge population density situation. How will erosion control be taken care of? What about runoff? Is there a planned retention pond for the stormwater? There is an existing creek that runs along the property. What about the animals that live in this creek? I realize the population in Madison County is growing, and new houses need to be developed. I propose the property be split into mini farms of at least 5 acres each, which allow plenty of room for homes to be built, yet gives everyone space to spread out, and won't add stress to the existing infrastructure. Thank you for your consideration."

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

Tyler King, Madison County Resident, addressed the court to present his concerns for the proposed zone change. "I am writing in hopes that my concerns, and the concerns of my fellow neighbors in Rose Trace, do not fall upon deaf ears. There are legitimate concerns surrounding the zone changes for 3241, 3245, and 3249 Old Kentucky Hwy 52 and along Moberly Road. Some such concerns are related to green space, traffic congestion, surrounding property values, and unwanted attention from nefarious individuals. My family moved into Rose Trace two years ago for a handful of reasons, all reasons I just mentioned. We wanted more green space and land for our family to grow and expand, we wanted room for our children to be able to get outside and play and meet neighbors but not be on top of one another. Rose Trace offers this as we almost have 1.25 acres whereas our previous neighborhood (Hidden Hills) was like the new development being proposed. Homes on .25 acres or less and neighbors on top of each other. With more homes crammed into a small space due to tiny lots, we also invite an influx of traffic as well. We will have construction traffic, then followed by residential traffic. This will lead to the need for Old Hwy 52 to be redone and widened, as well as Moberly Road. People already drive these roads too fast and the 4 way stop creates congestion at times. Throw in about 70 new homes with all the traffic that comes with it and we will be seeing more frequent traffic incidents in this area. Another concern surrounding this will be the extra "eyes" in the area. This new development will bring in more people and more traffic and more opportunities for those who like to loot and plunder to find new and unwitting targets. This will in turn bring more attention to the already established neighborhoods around the new developments. I for one, left my old subdivision to get away from frequent drive through by non-residents and car break-ins and the domestic disturbances that the lower income neighborhood brought with it. Finally, these factors discussed had an impact on my property value and the property value of my neighbors when I lived in Hidden Hills and I would assume that when introducing the same factors here it would impact the value of my home here as well. I for one, did not invest my hard-earned money I saved for this home, only to have a new subdivision come in and threaten to possibly drag down the value of my investment due to the factors I am concerned about. So in summary I am vehemently against the proposed zone change. Thank you for your time."

Zach VanGuilder, Madison County Resident, addressed the court concerning the proposed zone change. "I am writing in concern to the zone change for 3241, 3245, and 3249 Old Kentucky Hwy 52. This development would increase the amount of traffic in an area that is already considered a high traffic area. This area is also known to hold water and is not good for development. Lastly, the amount of homes that are planned to be built in this section of land would make for a very densely populated neighborhood with little green space. Thank you for your time and consideration."

Scott Lamb, Madison County Resident, addressed the court concerning the proposed zone change. "Being a resident of Rose Trace, I am not objecting to this development, I am voicing my opinion on the lot size for the development. We have enough ¼ acre lot subdivisions in this area already. Having houses literally on top of each other does not make a nice area to live in. I know this because I used to live on Banyan Blvd and we had absolutely no privacy. Given the fact that it will be adjacent to 2 subdivisions with acre lots and right beside a nice county facility, why not make it a nicer, more spacious area to live. Let's not focus on how much money the landowner can profit by doing ¼ acre lots, let's focus on building a more spacious, more private place to live for 25-30 future residents. Thank you for your consideration."

David and Miranda Moore, Madison County Residents, addressed the court concerning the proposed zone change. "I am reaching out to you in regard to the proposed zone change for 3241, 3245, and 3249 Old Kentucky Hwy 52. I am concerned changing this zone to allow single family homes on quarter acre lots will affect property value of other homes in the area. I am also concerned with the increased traffic on an already narrow street. There is also the issue of flooding and water issues the street already has and if the new construction will cause more trouble and damage to already existing properties. I also don't see how having a neighborhood right beside the loud fairgrounds would be a good idea. Please take in consideration this lifelong resident of Madison County. To conclude, I object to the zone change."

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

Jonathan Moore, Madison County Resident, addressed the court concerning the proposed zone change. "I would like to address my concerns for the proposed zone change for 3241, 3245, and 3249 Old KY Hwy 52. I am opposed to this zone change. Primarily because of the proposed housing development that is proposed to be formed here. Recently, this court voted against the same type zone change on the Moberly Rd section of this same property. If you vote in favor of this zone change for old Ky 52, then there will be no reason to not vote for the same type request again for the Moberly Rd section in the future. It has been said that these lots will be divided into ¼ acre lots. This land out here cannot handle this many households. It will also prevent ample green space and will not give residents adequate space between homes. The roads out here are so congested and dangerous right now as it is. How will we manage all the additional highway traffic? How will the elementary school accommodate this many additional children? This zone change would allow this to happen and would be a pathway to vote on a zone change for Moberly Rd again in the future. I am a new construction homeowner on 1324 Moberly Rd and can attest firsthand at the struggles of new home construction on this property in this area. This soil cannot provide proper drainage of water. After many excavations, I still haven't gotten my property able to drain water properly. There is also a major crawfish infestation that creates substantial mounds all over the property. I simply feel this type of land cannot serve households less than 1 acre. That is your typical county lot size anywhere else, which you will see in the shady oaks and rose trace subdivisions across the road from this proposed zone change. I feel this area of land should be zoned the same way. Thank you for your time and service to our county."

Melissa Conley, Madison County Resident, addressed the court concerning the proposed zone change. "I feel that adding more housing developments on Hwy. 52 will only continue to cause traffic problems on an already busy road. There are already certain times of the day that Hwy. 52 is bumper to bumper for miles. With the BG Ordinance, the businesses, the new housing development and the new convenience store with gasoline pumps already being built and the bingo hall it's already congested enough without more traffic from another overcrowded subdivision. Please don't approve this zone change."

Gwen Howard, Madison County Resident, addressed the court concerning the proposed zone change. "The purpose of this email is to express my opinion on the development by the fairgrounds for homes on a quarter acre lot. I live in Rose Trace and attend church at Victory Tabernacle on that road. In our neighborhood we are required to have enough property for green space. Please reconsider and do not overpopulate that nice county road and area! The traffic would be terrible!"

Randy and Jen Hensley, Madison County Residents, addressed the court concerning the proposed zone change. "This email is to share with you my objections to the proposed zone changes for 3241, 3245, and 3249 Old Ky Hwy 52. Why does the Moberly area need so many new subdivisions with so many houses? What could possibly be the demand for them? We have already seen at least 2 new subdivisions go in the past 2 years that have houses squatting on top of each other. To add more would add far too much congestion (people and traffic) in this area. Have you considered the increased traffic flow this would cause to both Moberly Road and Old Ky Hwy 52? Have you seen that there is already increased traffic flow to both roads without the addition of more congested subdivisions? Old Hwy 52 is starting to look like the main Highway 52 in the mornings—especially when school is in session. People go this route to avoid the stop light at the Shell Mart (intersection of Moberly and Highway 52). They also go just as fast. Where Moberly Road and Old Ky Hwy 52 intersect, there is a 4-way stop. This intersection is already dangerous. On a daily basis, I witness people blow through this intersection without stopping: trucks w/trailers, motorcycles, kids on dirt bikes, cars, box trucks—you name it, they run it. Imagine how congested this 4-way stop will be with the addition of increased traffic from more congested subdivisions. How do you plan to accommodate Old Ky Hwy 52 with the increased traffic flow considering how small this road already is—no center line, not much space. How do you plan to accommodate increased traffic flow on Old Ky Hwy 52 with the county fair, horse shows, truck pulls, tractor pulls, trade shows? For many of these events, it has to accommodate several large trucks with trailers. When the fair comes, there is always confusion and traffic

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

congestion. Please reconsider the proposed zone changes to 3241, 3245, and 3249 Old Ky Hwy 52. Please do not make even more congested subdivisions in this area where houses are squatting on top of each other for the financial gain of those involved. Please consider the detrimental and dangerous changes this will cause to traffic on our roads. Why is having farmland in rural areas not accepted any more in government? Do we really need to turn the Moberly area into an urban area? There is no need for more houses in this area.”

Mark Smith, Madison County Resident, addressed the court concerning the proposed zone change. “As a decades-long resident on Moberly Rd., we have enjoyed the rural setting afforded by living outside the city of Richmond. Historically, the fiscal court has been careful to maintain the property values of its citizens in the county by allowing only for responsible construction of subdivisions that continue to allow for plenty of green space in our neck of the woods. Rose Trace and Shady Oaks were both built after our construction and we had no objections because they were done with other homeowners in mind. 1 acre lots and restrictions placed on those lots have helped to maintain a high-quality environment for them and for all of the residents in this area. However, the court has heard at least two proposals in the past year that would put an end to that type of responsible building. Our home is, by far, the greatest investment we have made. By allowing for the building of homes on less than half an acre, the fiscal court would abandon the principal obligation local government has to its citizens—looking out for the best interests of its tax-paying citizens. I urge you to please carefully consider the precedent you are setting and deny the zone change for such a development.”

Isaacs’ Law Office addressed the court in regard to the proposed zone change on behalf of their client, Ronnie Smith, Madison County Resident. “The relief requested by my client, Mr. Ronnie Smith, was unanimously approved by the Madison County Planning Commission after a hearing held on July 21, 2020. Notice of the hearing was made in accordance with statute and the hearing was open to the public. During the hearing evidence was presented and the Commission made the following findings: “that character of the surrounding area made the present zoning unsuitable and the proposed zoning classification appropriate. Information was presented that tended to show that much of the property in close proximity to this subject tract is zoned RC-1 and that the usage of the property surrounding this tract was almost universally either single family residential or for small businesses that supported such residential usage; that used in agricultural uses; and that the property was within the rural development corridor with supporting infrastructure that made RC-1 the most appropriate zoning classification for the property.” The summary of evidence is factually accurate. The subject area is no longer engaged in agriculture. In fact, no property along the relevant portion of Old Ky Hwy is engaged in agriculture. The corridor along US 25 is identified by the comprehensive plan to be the “focus of considerable development” and is identified as an area appropriate to be “more extensively developed, in a mixture of commercial and residential uses.” The site is literally less than 250 feet from an R-1 Zone which consists of approximately 278 acres of single residential homes. This does not include Doves Landing, which includes more residential homes and is located just across US 52. There are also multiple commercial lots less than a mile from the subject property including: a feed store, churches, a plumbing company, storage facility and gas station. As predicted by the Comprehensive Plan, this area is expanding at a rapid rate. Such expansion has even been celebrated by members of the Madison County Fair Board, owner of the neighboring property. In an article published by the Richmond Register Mrs. Rose Ann House was quoted by stating that she was “particularly amazed at the number of new residential developments in the area.” This statement was provided prior to the Fair Board breaking ground on their indoor arena (See Vol. 112, Issue 170 of the Richmond Register). The Commission’s decision to unanimously approve the requested change was not arbitrary nor capricious, rather, it was made in accordance with law and supported by fact. I respectfully request that the members of the Madison County Fiscal Court approve the relief requested herein. I am unable to form a rebuttal to any opposing written comments nor any statements received and echoed by the honorable Magistrates.”

Billy Tipton, Madison County Resident, addressed the court concerning the proposed zone change. “My wife and I live in Rose Trace. We are against the zone change for quarter acre lots on old Hwy 52”

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

Liz Jones, Madison County Resident, addressed the court concerning the proposed zone change. "I am writing to voice my opposition to the proposed zone change for the property on Old Kentucky Hwy 52. I chose not to express my concerns when the change was made before the Planning and Zoning Commission because as we saw before that step in this process is pointless, but that's another discussion for another day. I am opposed to the change because I do not see the need for another subdivision close to Irvine Road with two subdivisions have recently been developed in this area. Currently there are still houses being built in the Dove's Landing subdivision so I'm not sure what the need is for another one. An even more important reason for my opposition is the proposed approximately 100 houses on an area with less than 30 acres. I understand that "progress" or loss of green space is going to happen with the number of "developers" we have in our county, but there is no reason to overcrowd an area of land when we still have plenty of available space in other parts of Madison County. I really don't see the need for that type of development anywhere in our county. It appears to me that there are many just wanting to make a "get rich quick" attempt at the expense of others. When listening to the Planning and Zoning "meeting" the comment was made that there are other single-family dwellings in this area so why not have another one. If you look at Shady Oaks and Rose Trace those houses are on at least an acre lot providing plenty of space for people to have a yard and room to enjoy the outside. I mean we chose to live in the country for a reason! Wouldn't it be awesome if our county chose to develop some subdivisions in Madison County that were well planned out and were pleasing to the eye when you drive through them? What if we demanded that these "builders and developers" whose only qualification is to slap a magnetic sign on their pickup truck had to be held to a higher standard than the good ol' boy process we've had in the past? It's time to put some thought into what our future housing looks like in Madison County. The proposal on Old Ky 52 is not the answer."

Robert E. Mullin Jr., Madison County Resident, addressed the court concerning the proposed zone change. "I'm against the proposed zoning plan for the 28 acres for 3241, 3245, and 3249 Old Kentucky Hwy 52. We need to maintain our green space here in Richmond. Everywhere you look, houses are being built on top one another. This takes away the beauty of our existing homes that have been built to allow you to breathe and not make you feel like a herd of cattle. The traffic alone will be overbearing to the homes surrounding this area. It's all about the almighty dollar to these contractors, nobody cares about the surrounding homeowners in the area."

Ronnie Smith, Madison County Resident, addressed the court in regard to the proposed zone change. "My name is Ronnie Smith owner of property requesting zone change. We bought the property at public auction over five years ago, there was only one other bidder and it was not anyone from the fair ground. So, they must not have been interested in the property. I bought the land as an investment; I have not farmed the land at all. I only keep it mowed and looking good. This is investment land for part of my retirement. It's not wrong to get the most profit out of this land. The fair board members knew when they purchased the property for fairgrounds that there was growth in Madison co, and she was amazed at the number of new residential development in the area. It is on their website where it was in the Richmond Register, it was growing then, and the area is still growing now...this property is perfect place for a subdivision."

Noah Smallwood, Madison County Resident, addressed the court concerning the proposed zone change. "I'm writing this email in regard to the zone changes in the subject line. We moved to from Lexington to get away from the congestion of people. We decided not to move to Clark county because we didn't like the lay of the county, schools, downtown area or believed there was any progress in the future there. We choose Rose Trace on Highway 52 because of the peace and quiet, the large lots, and the lack of people. We have made many friends in the neighborhood who seem to do the same as we do and commute to their place of work to come home to peace and space. I see on the other side of 52 is a new neighborhood called Doves Landing. This neighborhood has houses jam packed in close quarters where you can see inside your neighbors' house behind you due to the lots being so small. This looks horrid, it's not attractive, and seems like inner city Richmond is extending its borders outwards to places where people choose to live because of the peace, and lack of people. If this reading decides

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

to move forward with the progression of this neighborhood, I can tell you my wife and I will visit the topic of leaving Madison County. I know this doesn't bother the people voting on this hearing, but I don't feel I am alone in this consideration. We just like many others chose this area because of the lack of people, traffic and large lots. If this change comes about there will be and strong fluctuation in traffic on 52, Moberly Road, as well as others, along with a congestion of people. I ask that the board be reminded they wouldn't want the same if they chose a home based on where it was, the number of people around the area, and the size of the lots. We don't want to be driven from our home, we have come to love Madison County and believe in its leadership and the Waco area because of its rural feel and looks, we shop local and love this community. I don't feel I'm alone that if these homes are built the topic of moving elsewhere will arise in our neighbors and friends. Thank you for your time."

Jason Brandenburg, Madison County Resident, addressed the court concerning the proposed zone change. "I would like to object to the zone change for 3241, 3245, and 3249 for today's meeting/decision. Waco school from my understanding is already over the capacity, which teachers don't necessarily know these votes happen but have to try and figure out once voted in. Highway 52 is already a traffic jam each day with adding this many homes will make the 52/Moberly Rd intersection that much more dangerous. There's also the reality of when the demil stops at the depot it's going to have a huge impact on the community. Putting the planned amount of homes on this footprint in my opinion is not a good decision all things considered."

Zula Fugate, Madison County Resident, addressed the court concerning the proposed zone change. "I am Zula F Fugate, who sent the objection at 11:45am today, Monday 10, 2020. As a 20 yr. resident of Moberly Rd. 28 acres with 101 projected single homes residents? NO. (water, sewer, congested travel difficulties (7-8:00am & 4-5pm). Potential for 3-4 residents living on less than a 1/4 acre—Were do grandparents and children enjoy the outside green space? Really, 101 or 70 homes Fiscal Court Members on 28 acres. My vote No!"

Magistrate Barger stated he had been out to the property three times and realized it's a beautiful spot for a few houses up front next to the road. The rest of it behind it is not much land for anything because of the lay of the land and how low it is. If you had a retention pond, he stated he didn't know how you'd get the water to run out of it. A few houses like baby farms or something might go good there. Selling the property as baby farms with seven to ten acres could provide room for maybe four houses up front next to the road before you get into the low-lying land where the water's just not going to run off. That's the only way Barger stated he could see doing any good developing; they may make another lot or two out of it that would be viable. Barger stated other than that he didn't see it any different than the last plan they had issue with it. He stated that he appreciates the comments from the audience.

Bert Thomas, Planning and Building Codes Director, stated anything more than three lots would be considered a major subdivision, requiring a zone change. The density of the number of lots will be determined by the development plan, the infrastructure available, and the expense that the developer wants to go to for sidewalks, curbs, gutter, detention and retention. Access to sewer will be a consideration in these decisions. The zone change is to access or evaluate if this property is in line with the comprehensive plan and that the area is suitable for single-family development.

Judge Taylor stated there's not been any kind of site development plan established yet, so the points made about 70 or 100 homes are just speculation.

Bert Thomas responded to Judge Taylor stating part of the zone change process is that the owners or the applicant are required to submit a concept plan or a possibility for how this property might be laid out. By no means is the concept submitted considered a site development plan or a final draft. The concept presented provides the commission members a visual of how this property might look if the zone change was granted.

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

Magistrate Tudor thanked all of the residents in the area for their voice and their concerns. Tudor stated he was disappointed the concerns weren't brought up at the planning and zoning committee board rather than waiting to this step that it comes before fiscal court. These concerns could have been brought up before the planning and zoning meeting and maybe given them more insight before it was voted on unanimously. He noted the property in question is adjacent to a property whose zone request was voted down by Fiscal Court. The property is also adjacent to the fair board which is agriculture or agribusiness. Concerns regarding traffic, water issues and drainage were presented from residents of the area which may also cause issues with the proposed property.

Magistrate Botkin inquired if there were objections presented at planning and zoning.

Thomas responded that there was one objection as stated on the planning commission's recommendation letter.

Motion carried on roll call vote as follows:

Tom Botkin-Yes

Roger Barger-No

John Tudor-No

Reagan Taylor-Yes

Jennie Haymond, County Attorney, addressed the court to explain implications of the tied vote. Pursuant to KRS 100.211, for the Fiscal Court to overrule the recommendation of planning and zoning they have to have voted to override it by a majority of fiscal court. Since that didn't happen, Planning and Zoning's recommendation and the ordinance of the Fiscal Court is deemed to have passed by operation of law.

IN RE: Resolution 20-83—Board of Adjustments Appointment:

Judge Taylor presented Resolution 20-83—Board of Adjustments Appointment for the court's approval. Resolution 20-83 will appoint Mike Mavity to the Madison County Board of Adjustments.

Motion by Roger Barger seconded by John Tudor to approve Resolution 20-83—Board of Adjustments Appointment.

Motion carried on roll call vote as follows:

Tom Botkin-Yes

Roger Barger-Yes

John Tudor-Yes

Reagan Taylor-Yes

IN RE: Resolution 20-84—EMA/CSEPP IPA WS MOA:

Dustin Heiser, EMA Director, addressed the court to present Resolution 20-84—EMA/CSEPP IPA WS MOA for the court's approval. This resolution will approve the memorandum of agreement between Madison County Kentucky EMA/CSEPP and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management System. This will establish a management agreement regarding the utilization and security of Madison County EMA/CSEPP Interoperable System(s), which interoperate with the IPAWS—Open Platform for Emergency Networks.

Motion by John Tudor seconded by Tom Botkin to approve Resolution 20-84—EMA/CSEPP IPA WS MOA.

Heiser clarified the purpose of the Resolution.

Motion carried on roll call vote as follows:

Tom Botkin-Yes

Roger Barger-Yes

John Tudor-Yes

Reagan Taylor-Yes

IN RE: Resolution 20-85—Stoney Run Road FD39 Funds MOA:

Judge Taylor presented Resolution 20-85—Stoney Run Road FD39 Funds MOA for the court's approval. This resolution will adopt and approve the execution of an agreement between the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, and Madison County. The parties listed above desire to repair

IN RE: Personnel—Road Department:

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

Scott Shepherd, Road Department Administrator, addressed the court to recommend that they promote Darrell Poff who is currently a medium duty mechanic. Shepherd recommended that Poff be moved to heavy-duty mechanic at \$25.00/per hour, effective August 19, 2020.

Motion by John Tudor seconded by Tom Botkin to approve the promotion of Darrell Poff to heavy-duty mechanic at \$25.00/per hour, effective August 19, 2020.

Magistrate Tudor stated both gentlemen have been with the road department for several years and do a wonderful job down there. They're top duty mechanics and it would be hard to replace either one of them.

Motion carried on roll call vote as follows:

Tom Botkin-Yes

Roger Barger-Yes

John Tudor-Yes

Reagan Taylor-Yes

IN RE: Judge's Report:

- Berea's annual Celtic Festival is Friday, August 14th thru Sunday, August 16th, at various locations throughout Berea. Visit the Berea Celtic Festival's website for more information.
- The Berea Chamber of Commerce's annual Spoonbread Festival has been cancelled for 2020. They are looking for 2021 to be bigger and better.
- If you haven't filled out your US Census forms, please do so soon. The census is winding down and we need to get our numbers. The US Census website is very easy to navigate and takes about ten minutes.
- One unforeseen consequence of the pandemic is a drastic shortage of blood. The Kentucky Blood Center has several mobile blood drives in Madison County each month. Visit the Kentucky Blood Center's website to find a blood drive near you and help relieve this shortage.
- Remember to wear your mask when out in public, wash your hands often and social distance. Things seem to be getting somewhat better, but we don't want to lose our momentum.
- The Madison County Courthouse and its related offices will be closed Monday, September 7th, for the Labor Day Holiday. Offices will re-open on Tuesday, September 8th at 8am.

Comments from Magistrates:

Magistrate Botkin stated that about a week ago there was a very successful back the blue march in Berea and he wanted to thank Sheriff Coyle for providing some deputies and some resources over there for that. He wanted to thank the citizens that turned up in Berea to support law enforcement with all of the negative things going on. Law enforcement officers go out everyday and put their life on the line for us in the performance of their duties; we certainly appreciate them and thank them for that. This Friday from 11am to 2pm the Coyote Stations over in Richmond are going to be having an event there for our law enforcement officers. There's some work going on over on Arbuckle right now; you'll have to go around that until they get that finished. They're supposed to be going down to Wheeler Branch next to finish up the project down there. Next is the bridge replacement on Bogie Mill; it's behind maybe a week or so. Concerning Census workers, they are now going door-to-door.

Magistrate Tudor stated that the decision of opening Madison County Schools is still in limbo. They haven't made a decision yet, but Tudor asked that everybody pray with their decision and be supportive of superintendent David Gillum. They're going a great job. Tudor asked that everybody support the reopening of schools because it's important that students go back and get into school. He stated they got approval of the Stoney Run project which will be under construction in the next couple of weeks. Thank you to Judge Taylor and Willie Willis for working through that and getting the funding for it. Tudor stated he visited Griggs Road and that the blacktop on the surface is still shifting a little bit so that's something he will keep an eye on. He has received several calls last week concerning cleaning the College Hill boat ramp off. Tudor drove down there last week and looked himself and was able to have it taken care of by the Waco Volunteer Fire Department. He stated he had received several calls concerning state roads to which he has contacted Brandon. Mowing is being contracted out and is running a little bit behind. He stated he thinks they're doing a great job. Tudor thanked Brandon for his hard work for the

Meeting Date; 08/11/2020

Meeting of; Madison County Fiscal Court

Meeting Type; Special Called

state and working with the county. Everybody be careful and be safe out there; wear your mask and do whatever you're asked to do so we can get these schools back open.

Magistrate Barger stated he noticed down at the truck stop exit 95 seemed like they've been moving the traffic through there pretty good even though it's a big project; they're handling the traffic really well. Barger stated he's gone through there a few times and not been stalled very long at all. He thanked all the workers and expressed his appreciation for their help.

Comments from Department Heads:

No comments from Department Heads.

Comments from the Audience:

No comments from the Audience.

IN RE: Pay Claims and Approve Transfers:

Motion made by Roger Barger seconded by John Tudor to approve pay claims and transfers.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for August 15, 2020 at 9:30am via Zoom Video Conferencing.

IN RE: ADJOURNMENT

Motion from Roger Barger to adjourn, seconded by Tom Botkin. Hearing no objection, the meeting adjourned 11:12am.



REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE