

Meeting Date; 09/14/2021

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

HONORABLE REAGAN TAYLOR COUNTY JUDGE EXECUTIVE PRESIDING

The Madison County Fiscal Court convened in regular session on the 14th of September 2021 at 9:30AM in the Council Chambers' Courtroom in Berea, Ky. 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 and Madison County Clerk Kenny Barger were also present.

It being determined a quorum was present, the meeting was called to order.

Judge Taylor asked Stephen Hobbs from Berea Church of God to lead the court in prayer. Judge Taylor asked Magistrate Botkin to lead the Pledge of Allegiance.

IN RE: Approval of Meeting Minutes 08-24-2021:

Motion by Roger Barger seconded by John Tudor to approve the minutes from the regularly called meeting on August 24, 2021.

Motion carried on roll call vote as follows:

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

IN RE: Treasurer's Report:

Glenna Smith, Treasurer, addressed the court to give the monthly treasurer's report (see on file). Smith shared that the audit was finished and released from the state auditor's office, and it is posted on the county's website. Also, the annual financial statement has been reconciled and is available for viewing.

Magistrate Tudor stated his appreciation for Smith and the diligence she puts in every year. Coming out with zero complaints on the audits is a tribute to Smith.

Smith stated that it takes a team; everybody works together on that.

IN RE: Agenda Amendment:

Judge Taylor asked for the court's permission to amend the agenda and change Resolution 2021-100 from Board of Adjustments Appointment to Annexation of Goggins Lane. Resolution 2021-103 was added to the agenda.

Motion by Tom Botkin seconded by John Tudor to approve the amendment of the agenda.

Motion carried on roll call vote as follows:

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

IN RE: Proclamation—Constitution Week:

Judge Taylor stated that it is a privilege and duty of the American people to commemorate the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities. Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week. Therefore, Judge Taylor proclaimed the week of September 17th through 23rd as Constitution Week. He urged all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which privilege involves.

Debbie Parsons, member of the Jemima Boone Chapter of the Daughters of the American Revolution, was present for the proclamation. Parsons stated that their purpose and goal is to promote God, home, and country, and one of the things the chapter does is to try to help children learn to respect the Constitution. Without the Constitution, we are nothing more than a country with no lead.

IN RE: Kentucky Emergency Management Association Update:

Meeting Date; 09/14/2021

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

Drew Chandler, Emergency Management Director in Woodford County, and President of the Kentucky Emergency Management Association (KEMA) was present to give the court an update. KEMA is a non-profit, tax-exempt association that was incorporated 30 years ago that helped Kentucky evolve from civil defense to disaster emergency services to today. Among KEMA’s different programs is an awards program to recognize the good work that goes on around the state by their members. Awards are derived from nominations that come from the membership around the state and then those nominations are balloted by KEMA’s nine-member board of directors. Jennifer Hitch, EMA Deputy Director, was chosen as the KEMA Deputy Director of the Year. Judge Taylor stated we really are lucky in Madison County to have such a wonderful staff and it’s awesome to see these types of achievements from colleagues across the commonwealth. Kudos to Jennifer.

IN RE: Resolution 2021-98—American Rescue Plan Act Procurement Policy:

Glenna Smith, Treasurer, presented Resolution 2021-98—American Rescue Plan Act Procurement Policy for the court’s approval. The purpose of this policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods, services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

Motion by John Tudor seconded by Tom Botkin to approve Resolution 2021-98—American Rescue Plan Act Procurement Policy.

Motion carried on roll call vote as follows:

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

IN RE: Resolution 2021-99—Kit Carson Commons Project:

Glenna Smith, Treasurer, presented Resolution 2021-99—Kit Carson Commons Project for the court’s approval. This resolution will authorize payment of the Kit Carson Commons Project.

Motion by John Tudor seconded by Roger Barger to approve Resolution 2021-99—Kit Carson Commons Project.

Motion carried on roll call vote as follows:

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

IN RE: Resolution 2021-100—Annexation of Goggins Lane:

Judge Taylor presented Resolution 2021-100—Annexation of Goggins Lane for the court’s approval. The City of Richmond has requested approval of the Madison County Fiscal Court for the annexation of Goggins Lane from Tates Creek Road to Barnes Mill Road, Richmond, Kentucky.

Motion by Tom Botkin seconded by Roger Barger to approve Resolution 2021-100—Annexation of Goggins Lane.

Magistrate Tudor stated that this is an obvious decision here. Everyone thinks Goggins Lane is in the city already; it is a heavily traveled road and will reduce some of the road maintenance on the county. The expansion and development out there is just going to continue to increase.

Motion carried on roll call vote as follows:

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

IN RE: Resolution 2021-101—Madison Airport Board, Inc. Appointment:

Judge Taylor presented Resolution 2021-101—Madison Airport Board, Inc. Appointment for the court’s approval. A vacancy to the Madison Airport Board, Inc. is open, and the Madison County Fiscal Court has found Ethan Witt as fit for the position.

Motion by Roger Barger seconded by Tom Botkin to approve Resolution 2021-101—Madison Airport Board, Inc.

Meeting Date; 09/14/2021
Meeting of; Madison County Fiscal Court
Meeting Type; Regularly Scheduled
Magistrate Botkin noted that Witt is one of the two appointees from Eastern that’s being added to the board. He’s an outstanding young man and will do great up there.
Motion carried on roll call vote as follows:
Tom Botkin-Yes Roger Barger-Yes
John Tudor- Yes Reagan Taylor – Yes

IN RE: Resolution 2021-102—Madison Airport Board, Inc. Appointment:
Judge Taylor presented Resolution 2021-102—Madison Airport Board, Inc. Appointment for the court’s approval. A vacancy to the Madison Airport Board, Inc. is open, and the Madison County Fiscal Court has found Dr. Tim Ross as fit for the position. His term will expire September 14, 2025.
Motion by John Tudor seconded by Tom Botkin to approve Resolution 2021-102—Madison Airport Board, Inc. Appointment.
Motion carried on roll call vote as follows:
Tom Botkin-Yes Roger Barger-Yes
John Tudor- Yes Reagan Taylor – Yes

IN RE: Resolution 2021-103—FEMA DR-4592 Public Assistance Grant:
Dustin Heiser, EMA Director, presented Resolution 2021-103—FEMA DR-4592 Public Assistance Grant for the court’s approval. This resolution will approve the execution of a memorandum of agreement between the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management (the “Commonwealth”) and various second party subrecipients of DR-4592 (each, the “contractor”). The MOA is effective February 8, 2021, through June 30, 2022.
Motion by Roger Barger seconded by John Tudor to approve Resolution 2021-103—FEMA DR-4592 Public Assistance Grant.
Magistrate Botkin asked that Heiser elaborate further.
Motion carried on roll call vote as follows:
Tom Botkin-Yes Roger Barger-Yes
John Tudor- Yes Reagan Taylor – Yes

IN RE: Personnel—Animal Shelter:
Katie Tibbs, Animal Care Coordinator, addressed the court to recommend that they hire Megan Barger as a Kennel Technician at \$11.00/per hour, effective September 14, 2021.
Motion by John Tudor seconded by Roger Barger to approve the hire of Megan Barger as a Kennel Technician at \$11.00/per hour, effective September 14, 2021.
Motion carried on roll call vote as follows:
Tom Botkin-Yes Roger Barger-Yes
John Tudor- Yes Reagan Taylor – Yes

IN RE: Personnel—Fire Department:
Tim Gray, Fire Chief, addressed the court to recommend that they promote Jakob Tharp from a Firefighter I to a Firefighter II at \$8.00/per hour, effective September 15, 2021.
Motion by John Tudor seconded by Tom Botkin to promote Jakob Tharp from a Firefighter I to a Firefighter II at \$8.00/per hour, effective September 15, 2021.
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:

Meeting Date; 09/14/2021

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

- Berea's Spoonbread Festival is September 17th-19th. Be sure to visit the Madison County EMA/CSEPP booth & say hello to our friendly staff.
- The Household Hazardous Waste event is Saturday, October 2nd, from 9am to 3pm at the Madison County Road Dept. South on Clarksville Lane. The Waste Tire Collection event is October 7th and 8th from 8am to 4pm and from 9am to noon on October 9th at Madison County Road Dept. South. Also, the Kentucky River Sweep event is Saturday, October 16th from 9am to 1pm at Boonesborough State Park Beach. Volunteers are needed. For more information on any of these events, please contact the Madison County Solid Waste Dept. at 624-4709.
- Kirksville Days will be Saturday, September 25th, with most activities being in or near the Kirksville Community Center. The Masonic Lodge will have a Country Ham Breakfast beginning at 7:30am, and the Kirksville Days parade will be at 11am.
- Madison Southern High School's Homecoming parade will be Thursday, September 23rd, beginning at 6pm through the streets of Berea. Madison Central High School's Homecoming parade will be Thursday, September 30th, beginning around 6pm through downtown Richmond. Eastern Kentucky University's Homecoming parade will be Thursday, September 23rd, beginning at 6pm through the streets of Berea. Madison Central High School's Homecoming parade will be Thursday, September 30th, beginning around 6pm through downtown Richmond. Eastern Kentucky University's Homecoming parade will be Friday, October 1st, beginning around 6pm down Lancaster Avenue and Main Street in Richmond.
- The Richmond Pow-Wow Native American Gathering will be Saturday and Sunday, September 25th and 26th, at Richmond Battlefield Park. Gates open at 10am each day and close around 5pm. Please see the Richmond Pow-Wow's Facebook page for the most up to date information.
- The Boone Way US 25 Yard Sale will be Friday and Saturday, October 1st and 2nd. Please be mindful of the extra traffic.
- The Richmond Area Arts Council Arts Gala will be Friday, October 8th, beginning at 6:30pm at the Elmwood Estate on Lancaster Ave. Please contact the Richmond Area Arts Council for tickets and more information.
- With the resurgence of the Covid-19 virus, please double check with event sponsors for restrictions and cancellations.

Comments from Magistrates:

Magistrate Botkin noted that everyone behind the scenes does a great job. The last couple of weeks have been sort of busy, receiving several calls that dealt with the state road issues. Botkin met with Brandon McIntosh one day and pointed out some things that really needed attention and he agreed to take care of it. He stated that he met with Scott and Matt Grant out at the Woods one day to take care of some issues their homeowners association had brought up. Botkin had to contact FEMA to track down their agent for taking care of properties that belong to HUD; some of those issues were resolved. He stated his appreciation for Bert and everything they do at the Planning and Zoning office. Botkin stated that last court he made a comment and that he wanted to clarify it was not his intentions to offend anyone or upset anyone or alienate anyone. Virgil Gardener addressed the issue with the Richmond Register; Botkin stated that he appreciated that because it made him think about something that he had done. He apologized to the Gardener and stated his appreciation for him taking a stance and saying something about it. Botkin apologized for offending anyone. He explained that he is very passionate about the drug situation in Madison County. It is time to be angry about it. Over the last six years, the county has round numbered 18 million dollars to support other departments (sheriff's department and jail) with monies to bail out a situation directly drug-related out of our general fund that could have been used to provide services to our citizens. It's never going to stop until the drugs stop. Botkin gave out his phone number and stated that individuals can call him anytime, day or night, about any issue. He encouraged individuals to contact him. The last thing that needs to be done by all of us is to pray. It is not going to get fixed without some intervention from above. He asked that everyone keep Magistrate Reynolds in their prayers.

Meeting Date; 09/14/2021
Meeting of; Madison County Fiscal Court
Meeting Type; Regularly Scheduled

Magistrate Tudor thanked Jailer Tussey for all that he's doing in the jail with the Covid situation. Tudor stated that Tussey's hands are full and that he is thinking of him every day. The job that he's doing is outstanding under the conditions he has to work with. Thank you to Detective Allen down at the Sheriff's department for what they're doing. All our departments are having to deal with extra effort and extra caution because of Covid. Tudor stated his appreciation for the IT department. Thank you to Chris for updating our technology and getting us up to speed on so many things and everything he does with the IT department. Tudor stated that his Driver's License expired, and he was not notified; they don't send out notices anymore. Driver's License is no longer handled by the Circuit Clerk; it's handled at the DMV out at the mall. You can apply online, and they'll send it to you in the mail.

Magistrate Barger thanked Berea for providing this facility to the court and the protection that they put up. It's a good thing that the court can have two meeting places. Barger stated his appreciation for all the county employees; most people may not know it but behind the scenes they're the ones doing the bulk of the work.

Clerk Barger reminded everyone that the latest edition of Barger's Briefings is out where the differences between the Circuit Clerk's Office and County Clerk's Office are discussed. It is estimated that the Clerk's Office loses \$30,000.00 a year in lost labor time by answering the phone and answering questions for the Circuit Court Clerk's Office. Also, November 2nd we will be having a Special Election in Berea for the 89th House District, which includes 10 precincts. Madison County will be piloting a risk limiting audit after that election. Hopefully, it will be in legislation in January to start an audit process for every county after the election versus the six counties that are drawn by the Attorney General's office.

Judge Taylor noted that sometimes our community members don't know how hard that Clerk Barger works for Madison County and the Commonwealth. People don't know that he sits on this task force that's been put together that has been trying to make the processes of the County Clerk's Office better, changing laws about elections and making sure that people have a good experience when they come to the County Clerk's Office. What he's doing is big stuff and its things he has talked about and wanted to see happen for a very long time and he's gotten at the level at the state to get with the right people to start having those kinds of conversations with the legislators.

Jailer Tussey gave an update on the jail. This morning, the jail has 312 people in-house, 58 in home incarceration and 132 out in other counties. Currently, Madison County is responsible for 502 inmates. Madison County has a 184-bed facility, and there are over 300 inmates in it. That is now compounded by a couple of things. There is a renovation project going on trying to fix the jail so they can continue use for a few more years. Tussey stated that he has tried to maintain an empty cell and rotate that around the jail so that they can work on it and update it and fix it. That's becoming difficult to do with the current numbers and now they are compounded again by Covid. He noted that he has a great staff that he could never say enough good things about privately or publicly; they really go the distance every single day. Currently, there are 47 positive cases in the jail. To manage that and to keep them separated and quarantined is difficult and is staff intensive. All intakes are quarantined for the first 14 days before they are put into bigger cells. Arrest rates are going up, warrants from the judges are going up and of course the jail's numbers are going up. This problem isn't going away; it is currently getting worse and there is an end to this road, and sadly the end of that road is in sight. The end of that road is when the jail runs out of places to send inmates. Other counties are having the same problems as Madison. Tussey is reaching out further and further to find those empty beds; there are several inmates now as far away as Leslie County. This is something that must be addressed. The jail is currently looking at options for temporary housing because even if the process was started for a new jail today that would be two or three years away. The jail cannot maintain what they're doing for two or three years, other options will have to be looked at.

Comments from Department Heads:



Meeting Date; 09/14/2021

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

Dustin Heiser, EMA Director, stated that the month of September is National Preparedness Month. Heiser reminded everybody that may be travelling to the gulf coast and in the east coast that we see those weather events this time of year a little more frequently with the hurricane season. In Kentucky, we can see severe weather anytime. We see flooding here in Kentucky and must make sure that people are always ready for whatever the situation may be. Folks can go to ready.gov which is FEMA's PR site, and it talks about National Preparedness Week, having a plan, putting a kit together and things to put in your kit. Tomorrow, will be the annual FEMA CSEPP exercise, the chemical stockpile emergency preparedness exercise. EMA staff as well as partners from the communities here in Madison County will be working through a role-playing scenario of a simulated release from the Bluegrass Chemical Activity. This exercise will test plans and procedures; the whole purpose is to get better.

Comments from the Audience:

Debbie Parsons stated that there was a group that talked with the Daughters of the American Revolution (D.A.R) about Liberty Place, which seems to be a very good program, but their funds are limited. There was an officer who came and talked to the D.A.R about the drug problems in Madison County and he said that sometimes they arrest drug dealers, and they are walking out before he can even file his report about what's going on. Parsons asked how they can impact what seems to be just a downward spiral with all this fentanyl and stuff coming in. Jailer Tussey addressed her question. There is no silver bullet that will fix it. They are attacking the issue from several different directions. One way they're addressing it is judicially with the judges and law enforcement. Is that the answer? Absolutely not. Tussey explained how the jail is addressing rehabilitation with two different programs. Tussey voiced that the average citizen who has the desire to do something should get involved in an organization.

Judge Taylor stated that we don't have a jail problem, we have a drug problem that then creates a jail problem. One thing that is not working is incarcerating drug addicts. Somebody that's got a mental issue that uses drugs to cope with whatever trauma they've had in their life don't need to be incarcerated. This court has put together a jail task force and have proposed different ideas outside of incarceration and haven't gotten anywhere due to lack of support of the majority. That does not mean that the court is giving up.

Jennie Haymond, Madison County Attorney, stated the importance of educating people on this issue. Please understand that in the last few years those people aren't getting out because we let them out. Those people are getting out because the government is in this attempt to do what they call criminal justice reform and have set policies that these people are getting out now before we ever get to see them. Pretrial has a standard that they must look at based on the charges. The problem being ran into is before they get to court to figure out whether they are a criminal or someone who needs substance abuse treatment, they have already gotten out and picked up two to three more offenses. Multiple offenses prior to conviction have no weight on whether they stay in jail. Haymond further explained the legal process involved with drug offenses. She encouraged everybody to get out there and try to contribute and volunteer for organizations.

Jailer Tussey stated that the recidivism rate is a little over 80%.

IN RE: Pay Claims and Approve Transfers:

Motion made by John Tudor seconded by Tom Botkin to approve pay claims and transfers.

ANNOUNCE NEXT COURT DATE:

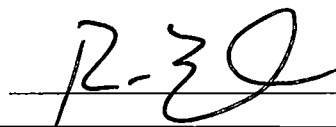
Judge Taylor announced the next court date for September 28, 2021, in Richmond at 9:30AM.

IN RE: ADJOURNMENT

Motion from Roger Barger to adjourn, seconded by Tom Botkin. Hearing no objection, the meeting adjourned 10:54am.



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A handwritten signature in black ink, appearing to read 'R-Taylor', is written over a horizontal line.

REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE

100

