

Meeting Date; 3/28/2023

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 28th of March, 2023 at 9:30AM in the Richmond City Hall Chambers in Richmond, Ky. Present was the Honorable Reagan Taylor in the chair presiding and the following members of the Fiscal Court: James Brian Combs, Stephen Lochmueller, Billy Ray Hughes, and Tom Botkin 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.

Judge Taylor asked Pastor Chad Snellgrove of White Oak Pond Christian Church to lead the Court in prayer. Judge Taylor asked Sheriff Mike Coyle to lead the Pledge of Allegiance.

IN RE: Approval of Meeting Minutes 3-14-2023:

Motion by James Brian Combs seconded by Stephen Lochmueller to approve the minutes from the regularly called meeting on March 14, 2023.

Motion carried on roll call vote as follows:

James Brian Combs-Yes	Stephen Lochmueller-Yes
Billy Ray Hughes- Yes	Tom Botkin- Yes
Reagan Taylor – Yes	

Treasurer's Report:

Glenna Smith, Treasurer, addressed the Court to give the monthly treasurer's report (see on file).

A draft copy of the 2023-2024 Jail budget was distributed to the Fiscal Court, as mandated by DLG to be presented by April 1st, and a full draft will be presented in April.

IN RE: Proclamation—Hunger Awareness Month (Empty Bowls):

Judge Taylor proclaimed March 2023 as Madison County Hunger Awareness Month and urged all citizens to support efforts to end hunger in the County of Madison, the Commonwealth of Kentucky, the United States of America, and the World.

Lora Danley, with First Baptist Church, was in attendance to accept the Proclamation. She spoke about the 24th Madison County Empty Bowls Project to help fight hunger in Madison County. This project will be held on Friday, March 31st at First Baptist Church with eat-in or to go from 11 AM to 3PM, and to go only from 3PM-4PM. There is a minimum donation of \$15 which includes a handmade pottery bowl, vegetable soup, hoecake, and a drink. They will provide quart containers of vegetable soup to go for \$8. All the proceeds raised through the Empty Bowls Project go to God's Outreach Madison Co. Food Bank, New Liberty Family Shelter and Food Bank, Home Meals Delivery, and Salvation Army of Madison County.

IN RE: Proclamation—Prevent Child Abuse Month:

Judge Taylor, along with Richmond Mayor Robert Blythe, and Berea Mayor Bruce Fraley, jointly proclaimed April as Child Abuse Prevention Month in Madison County, KY and called upon all citizens to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Victoria Benge, Director of CASA of Madison and Clark Counties, was in attendance to accept the Proclamation. She thanked the Court for the Proclamation to help raise awareness. The symbol of Child Abuse Prevention month is a blue and silver pinwheel, that represents the happy childhoods that all children deserve to have. On Monday, April 10th from 4-6PM they will be planting 301 pinwheels at the Hall of Justice in Richmond, and on Wednesday, April 12th they will be doing the same at the City Hall in Berea. Victoria

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encouraged the public to come out and help with planting those pinwheels, which represents the number of substantiated cases of child abuse and neglect in Madison County in 2022. She also informed the public that CASA is trying to raise more awareness by holding a door/window decorating contest within the community. They are asking anyone that wishes to participate to decorate their doors or windows with blue and silver, pinwheels, anything happy to help raise awareness to child abuse prevention. Friday, March 31st, is National Wear Blue Day and Victoria encouraged everyone to wear blue to show their support to those kids that don't have a voice and are often forgotten about.

IN RE: Proclamation—National Public Safety Telecommunicators Week:

Judge Taylor, along with Richmond Mayor Robert Blythe, and Berea Mayor Bruce Fraley, jointly proclaimed the week of April 9 through 15, 2023 as National Public Safety Telecommunicators Week in Berea, Richmond, and Madison County, Kentucky and encouraged all citizens to honor the men and women whose diligence and professionalism keep our community safe.

Wendy Lynch, Madison County 911 Director, was in attendance to accept the Proclamation, and thanked the Court for the wonderful Proclamation that recognizes all the hard work that the Public Safety Telecommunicators do. She stated that April is also National 911 Education Month, and they will be promoting the Smart911 app.

IN RE: 911 Statistics Update:

Wendy Lynch, Madison County 911 Director, gave an update on some statistics from 2022 in the 911 Department. The total number of CAD (Computer Aided Dispatch) calls received was 126,433. They had 75,425 Administrative Calls, and 47,240 911 calls. They have opened a new training position, with Laramie Scott being that Training Coordinator. They have been able to set standards on their in-house training program with Scott's arrival, blocking the training out into phases. In January, they had 105 hours of in-house training, in February they had 608 hours, so far in March they are at 268 hours of in-house training.

Judge Taylor expressed how proud he was of Wendy and the 911 Department, and asked if she would talk a bit about the National Conference she led recently. Wendy explained that they went to the Missouri Public Safety Conference, and presented a class there called Social Media: More Than Likes, as well as their new Training Position and how they are doing their in-house training with their certified telecommunicators in doing their own CTO Training. They had a great reception with those classes and will be presenting at the Kentucky conference in September.

IN RE: 1st Reading Ordinance 2023-02—Land Use Change 3502 & 3506 Lexington Road from UC-1 Single-Family Residential to PUD, UC-11 Planned Unit Development:

Burt Thomas, Planning and Development Director, in lieu of presenting the 1st Reading Ordinance 2023-02—Land Use Change 3502 & 3506 Lexington Road from UC-1 Single-Family Residential to PUD, UC-11 Planned Unit Development, made the Court aware of some concerns that have come up from some of the neighbors in the area of the proposed zone change. Attorney at Law Walt Ecton, Jr has been retained and is representing members of Neighbors for Deliberate Development. Attorney Ecton has sent a note to the Judge Executive's Office concerning some of the notification requirements. Thomas stated that when there is a Zone Change, they are required to make notice to the public, send letters to the adjacent property owners, put a sign on the property, as well as put a notice in the newspaper. The Neighbors for Deliberate Development had some concerns about the way it was advertised and in turn, whether people will have the opportunity to voice their concerns. Thomas stated that there was a public hearing, which was heavily attended, and the public was given the opportunity to share their concerns. The Planning Commission made their recommendation that is contained in this Ordinance. Thomas suggested that the Court listen to Mr. Ecton to hear his concerns and position, as well as Attorney at Law Stuart Olds, who represents the applicant J.A.R. 25 Development, LLC, before they make their decision to hear the 1st Reading of Ordinance 2023-02 or to send it back to the Planning Commission.

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Judge Taylor stated that he would like to hear what Mr. Ecton and Mr. Olds have to say. The Magistrates agreed.

Attorney at Law Walt Ecton, representing the Neighbors of Deliberate Development, asked if the Court received a copy of the pictures that Mr. Ecton sent to the Judge's Office. Judge Taylor stated they didn't but that he has it printed out for them to look at. Mr. Ecton stated that by statute, the letters were to be sent by certified mail, which they were not, and 14 days in advance, which some received 8 days before the hearing. He also stated that he presented 6 affidavits of surrounding property owners, 3 of which stated that they felt like Planning and Zoning was prejudiced in their presentation because the property owners didn't have time to prepare. In regard to the signs, they should be 3 feet above the vegetation, and the wording of the letters wasn't all in the 3-inch lettering that it needs to be in. Mr. Ecton is requesting that this Ordinance goes back to Planning and Zoning, or the applicant, so that proper notice can be sent out.

Attorney at Law Stuart Olds, representing the applicant J.A.R 25 Development, LLC., spoke on the comment of the prejudice in the presentation. He suggested that there wasn't any material prejudice, shown by the large crowd at the Planning Commission hearing, with about 1 ½ hours of comments. Olds stated that there was notice that was received by the neighbors, they saw the signs, and there was no material prejudice performed. He also stated that during the 2nd Reading of an Ordinance through Fiscal Court, the public can attend and voice any objections they might have at that time, and the Fiscal Court will base their decision on that. He asked the Court to go ahead with the 1st Reading today, as there is no basis for it to go back to the Planning Commission.

County Attorney Jennie Haymond stated that the Fiscal Court is not the reviewer of a technicality issue, and recommends that they have the 1st Reading, move forward, and at the 2nd Reading make the determination on whether or not the finding is compliant with the Planning and Zoning recommendation and the Comprehensive Plan.

Judge Taylor stated that there has been a request to have a 2nd Reading on April 25th. Stuart Olds stated that the applicant received a plat on April 24, 2022, that shows all of this property is Single-Family Residential, it hasn't been recorded, and that plat is only good for a year. They are trying to figure out what to do with this property before that plat is no longer usable. If the hearing is delayed to the 25th of April, they are beyond that date of usability. Judge Taylor asked Thomas if their regulations allow them to have a 6-month extension in filing that plat. Thomas stated that yes it did, in which Olds stated that the extension solves his concern on having the 2nd Reading on April 25th.

Motion by Tom Botkin seconded by Stephen Lochmueller to send back the Ordinance to the Planning Commission. A first reading of Ordinance 2023-02 was never heard.

Magistrate Botkin stated that he can see both sides but believes that they didn't follow their procedures in the way they should have. He suggested that they send it back.

Magistrate Lochmueller stated that he did have some concerns about the notifications as well.

Judge Taylor stated that they may be postponing the inevitable. The Planning Commission just brings their recommendation to Court and then the public has the option to voice their concerns at the 2nd Reading, which will be in a month.

Magistrate Hughes stated that the Planning Commission is trained to make the decisions, whereas the Court doesn't have that training, and he feels like it should be sent back.

Judge Taylor asked Thomas what happened during the Planning Commission. Thomas stated that Mr. Olds presented the applicant's interpretation of the Comp Plan and the proposed development of the property. The public was given the opportunity to share their concerns in regard to traffic, drainage, etc.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

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IN RE: Resolution 2023-31—Madison County Ethics Board Appointment:

Jill Williams, Deputy Judge Executive, presented Resolution 2023-31— Madison County Ethics Board Appointment for the Court's approval. This Resolution is to approve Chad Hembree to the Madison County Ethics Board until the appointment expiration on March 1, 2024.

Motion by James Brian Combs seconded by Billy Ray Hughes to approve Resolution 2023-31— Madison County Ethics Board Appointment appointing Chad Hembree to the Madison County Ethics Board until the appointment expiration on March 1, 2024.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2023-32— Madison County Ethics Board Appointment:

Jill Williams, Deputy Judge Executive, presented Resolution 2023-32— Madison County Ethics Board Appointment for the Court's approval. This Resolution is to approve Tim Jones to the Madison County Ethics Board until the appointment expiration on June 9, 2023.

Motion by Billy Ray Hughes seconded by Tom Botkin to approve Resolution 2023-32— Madison County Ethics Board Appointment appointing Tim Jones to Madison County Ethics Board until the appointment expiration on June 9, 2023.

Magistrate Botkin asked if they knew whose vacant spot this was filling. Judge Taylor stated that it is an appointment for Magistrate Hughes, and the other was for Magistrate Combs.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- No Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2023-33—Discontinuance of Roads – North Approach Road & Old Simpson Lane:

Scott Shepherd, Road Supervisor, presented Resolution 2023-33— Discontinuance of Roads – North Approach Road & Old Simpson Lane for the Court's approval. This Resolution is approving the discontinuance of North Approach Road and Old Simpson Lane.

Motion by Stephen Lochmueller seconded by James Brian Combs to approve Resolution 2022-33— Discontinuance of Roads – North Approach Road & Old Simpson Lane.

Magistrate Combs asked what the Resolution means when it talks about the process. Judge Taylor explained that they have to put out signage and receive a letter from one of the Road Commissioners with their opinion. There is no issue with these roads since there is no public purpose.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2023-34—Madison County EMS Board Appointment:

Jill Williams, Deputy Judge Executive, presented Resolution 2023-34—Madison County EMS Board Appointment for the Court's approval. This Resolution is to approve the re-appointment of Jill Cornelison to the Madison County EMS Board until the appointment expiration on April 1, 2025.

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Motion by Tom Botkin seconded by James Brian Combs to approve presented Resolution 2023-34— Madison County EMS Board Appointment re-appointing Jill Cornelison to the Madison County EMS Board until the appointment expiration on April 1, 2025.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2023-35—Estill County/Madison County Fiscal Court Exalt Microwave System MOU:

Resolution 2023-35 was stricken from the agenda and will be heard during the next Fiscal Court meeting.

IN RE: Personnel:

Morgan Elliston, Human Resources Coordinator, recommended the promotion of Clayton Cornett from a Firefighter III to a Firefighter IV, at a rate of \$10.35 per hour effective March 29, 2023; and the hiring of Jerry Causey as a Seasonal Grounds Maintenance, at a rate of \$10.50 per hour effective April 26, 2023.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve the promotion of Clayton Cornett, and the hiring of Jerry Causey.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Judge's Report:

- Congratulations to the ECU Men's Basketball team for all of their success and the exciting postseason tournament. I'm proud this was the only state college team playing in March Madness. They were exciting to watch this year.
- Congratulations and farewell to Blake Vickers for the Richmond Register. It has been a pleasure working with you. I appreciate your engagement and dedication to the community. We're happy you found your dream job at KET and wish you the best of luck.
- Berea Parks & Recreation is hosting an Autism Sensory Day on Saturday, April 1st from 1:00 to 3:00 PM at the Folk Center in Berea. Call 859-986-9402 for more information.
- Richmond Parks and Recreation is hosting an Easter Eggstravaganza on Saturday, April 8th from 11:00 AM to 1:00 PM at the Lake Reba Softball Fields. Contact Richmond Parks & Recreation for more information.
- The Berea Kiwanis Club is hosting an Easter Egg Hunt on Saturday, April 8th at the Berea Skate Park. Activities begin at 10:00 AM. Visit the Berea Kiwanis Club Facebook page for more information.
- Leadership Madison County is hosting a Coffee & Conversation Open House benefiting Redeeming Hope on Wednesday, April 12th from 4:30 to 6:30 PM at Purdy's Coffee on West Main Street in Richmond.

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- The Kirksville Community Center's annual Spring Gathering Craft & Vendor Show will be Saturday, April 15th from 9:00 AM to 2:00 PM. Visit the Kirksville Community Center's Facebook page for further details.

Comments from Magistrates:

Magistrate Combs stated that from April 3rd – 7th there will be a trash hopper at 2809 and Highway 1016 in the Bobtown area for those that might be doing some spring cleaning and need a place to dispose of trash.

Magistrate Lochmueller informed the public that the golf course at Boones Trace is now private and is no longer a public golf facility.

Magistrate Hughes encouraged the public to support the Empty Bowls event this Friday and expressed his concern of the increase of food insecurity in the community.

Magistrate Botkin expressed his concern in the increase of the Jail having to use Narcan on inmates, and his desire to see the drug dogs going into the Jail as a deterrent to the issue of drugs in the Jail. Magistrate Lochmueller supported Magistrate Botkin's suggestion to send the drug dogs to the Jail once a week or so. Magistrate Botkin also announced the arrival of his grandson, Bo Thomas Botkin, on March 25th and stated that everyone is doing well.

Clerk Barger stated that the remodel for the new Clerk's Office will be wrapping up this week and the Clerk's Office will be closed to the public on Friday, April 7th and Monday, April 10th to move, and will be opening at the new location at 321 N. Madison Ave. on Tuesday, April 11th. The Berea location will continue to be open during those dates.

Magistrate Hughes asked Clerk Barger if he had seen an increase in online renewals, and Clerk Barger said yes, the number of online renewals has continued to increase. He also stated that if the Clerk's Association could get the Legislation changed so that there's no increase in price due to the credit card fee, online renewals would increase even more.

Magistrate Botkin asked Clerk Barger if the State had the boat registration decals worked out yet. Clerk Barger stated that the new decals are set to be delivered later this week.

Sheriff Coyle stated that he would be happy to assist Jailer Tussey with any assistance he might need with drug dogs going into the Jail upon his request.

Comments from Department Heads:

No Comments for Department Heads.

Comments from the Audience and Facebook Comments:

Chad Snellgrove invited the public to participate in Holy Week services that will happen next week at noon, and will last for 30 minutes, at the First United Methodist Church.

Blake Vickers thanked the Court for their support and working with him during his time at the Richmond Register. He also thanked Jill Williams for her support and keeping him informed on what is going on in the County.

Randall Curry thanked Scott Shepherd for the great job he does at the Road Department.

No comments from Facebook Comments.

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IN RE: Pay Claims and Approve Transfers:

Motion made by James Brian Combs seconded by Tom Botkin to approve to pay claims and transfers.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for April 11, 2023, in the Council Chambers' Courtroom in Berea, Ky at 9:30 AM.

IN RE: ADJOURNMENT

Motion from Billy Ray Hughes to adjourn, seconded by James Brian Combs. Hearing no objection, the meeting adjourned at 10:47 AM.



REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE