

Meeting Date; 1/9/2024

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 9th of January 2024 at 9:45AM 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: James Brian Combs, Stephen Lochmueller, Billy Ray Hughes, and Tom Botkin were present. Madison County Assistant Attorney Brooke Bowman, 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 Reverend Timo Karvonen, Berea United Methodist 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 12-19-2023:

Motion by Billy Ray Hughes seconded by Tom Botkin to approve the minutes from the regularly called meeting on December 19, 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

IN RE: Approval of Meeting Minutes 12-22-2023:

Motion by Billy Ray Hughes seconded by Stephen Lochmueller to approve the minutes from the special called meeting on December 22, 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

IN RE: Sheriff's Quarterly Financial Report:

Mary Margaret Young presented the Quarterly Financial Report for the Sheriff's Department. She stated that November has been reconciled in their books, but it has not been reconciled to Fiscal Soft, which is the new system they are going on. She explained that the commissions they get from collecting taxes don't come in until December or January so she will be able to give them a true reading at the end of January.

Judge Taylor asked if this report is from the new Fiscal Soft. She stated that the top page is and is reconciled up until October. November and December haven't been reconciled yet, but once she gets the December report from EMARS, she will be able to upload those and reconcile them as well. They are still getting some reimbursements through January for December, so she will have to do an amended report at the end of January.

IN RE: Proclamation— Madison County School Board Recognition:

Judge Taylor proclaimed the month of January 2024 as School Board Recognition Month and urged all citizens to honor Becky Coyle, Beth Brock, Brandon Rutherford, Lori Cobb, and Samantha Burford for their service. Madison County School Board Members Samantha Burford, Lori Cobb, Becky Coyle, and Brandon Rutherford were in attendance to accept this proclamation; along with Superintendent David Gilliam, Deputy Superintendent Randy Neeley, and Chief Academic Officer James Ray.

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Superintendent David Gilliam expressed his appreciation for the Proclamation and stated that the Board does a great job and he appreciates them; they work toward the betterment of the community and work together for what is best for the students.

IN RE: 2nd Reading Ordinance 2023-16—General Fund Budget Amendment:

Sarah Stewart, Treasurer, presented the 2nd Reading of Ordinance 2023-16— General Fund Budget Amendment for the Court's approval. This Ordinance relates to the budget amendment of the Madison County General Fund Budget for realized unbudgeted receipts in the amount of \$1,680,157.46.

Motion by Tom Botkin seconded by James Brian Combs to approve presented 2nd Reading of Ordinance 2023-16— General Fund Budget Amendment.

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 2024-01—Madison County Clerk's 2024 Budget:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-01—Madison County Clerk's 2024 Budget for the Court's approval. This Resolution is for the Madison County Fiscal Court to approve the Madison County Clerk's 2024 Budget.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve Resolution 2024-01—Madison County Clerk's 2024 Budget.

Clerk Barger stated that as anticipated, the budget has gone down some due to the decrease in recordings with the rise in interest rates. The budget total on receipts is \$29,955,123.00, with a large majority of that being past due fees. Their operating budget is \$2,092,153.00, and they are anticipating the amount they give back to Fiscal Court decreased by \$83,182.50 from last year to \$602,500.00. He explained that his office is continuing to work to stay as efficient and customer focused as they can.

Magistrate Hughes asked what the operating budget was for last year. Clerk Barger stated it was \$2,314,000.00. Magistrate Lochmueller thanked Clerk Barger for the job he and his staff do, and that they are able to deliver money back to the County. He expressed his appreciation to Clerk Barger for continuing to look for efficiencies in his office. Clerk Barger stated that he is blessed with employees that understand that same principle of being efficient and customer focused.

Judge Taylor asked if they have seen a decrease in the amount of people who have come into the office for services and an increase in the online services since they have moved to their location. Clerk Barger stated that they are continuing to remind people who use a credit card that they can renew online for the same cost as coming into the office. Kavis has changed the online service, making it more convenient and easier.

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 2024-02—Madison County Sheriff's 2024 Budget:

Judge Taylor presented Resolution 2024-02—Madison County Sheriff's 2024 Budget for the Court's approval. This Resolution is for the Madison County Fiscal Court to approve the Madison County Sheriff's 2024 Budget. Motion by Tom Botkin, no second; motion failed.

Magistrate Lochmueller stated that he would like to have a moment to sit down with the Sheriff and his staff before he approves this budget so he can understand a little bit more about it, because they will be unable to sustain a 10-15% increase each year. In doing so, it will allow them to continue to operate at the level they are operating at now.

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Judge Taylor asked Assistant Madison County Attorney Brooke Bowman if they table this Resolution, do they have to bring it up at the next meeting or it just has to be brought up in the future. She stated that if it is tabled it would have to be brought up at the next meeting.

Judge Taylor clarified with Magistrate Lochmueller that he is requesting they schedule a work session to sit down and go through the budget. Magistrate Lochmueller stated that was correct. The Sheriff's Office operates on a revenue stream that is mandated, but his concern is about the 10-15% increases for law enforcement each year.

Judge Taylor stated that this has been a challenge with the legislature not funding Kentucky State Police and the Sheriff's Department is having to cover.

Magistrate Combs stated that he thinks a work session is the appropriate thing to do at this time. He would like to see in the future, when the Court does their budget in June, to have the amount they are going to partner with the Sheriff's Office already determined so the Sheriff and Mary Margaret have 6 months to plan their budget based on what Fiscal Court plans on committing to them at that time. They are running their organization based off what Fiscal Court will allow.

Magistrate Lochmueller clarified that they are wanting to project numbers, then give the department time to figure out how they can hit that number while Fiscal Court supports their efforts.

Magistrate Botkin stated that since 2016, they have seen improvements within the Sheriff's Department, but the improvements were driven by the drug epidemic. They must decide, with public input, what the value of having a strong Sheriff's Department to fight the drug epidemic is. From what he hears, there needs to be more officers patrolling the streets. A lot of the increase in funds given to the Sheriff's Office was due in part to the legislators under-manning the Kentucky State Police. Madison County is understaffed with state police officers and the Sheriff's Office is having to run a third shift to assist KSP with the calls.

Judge Taylor explained that 10 years ago the Fiscal Court didn't give the Sheriff's Office any funds. The Sheriff's Office wasn't in the law enforcement business because Kentucky State Police had the manpower to police and protect the unincorporated limits of the county. The Fiscal Court has continuously increased the funds they give to the Sheriff's Office due to them having to become more law enforcement focused, but there are no revenue streams that are in place to pay for that increase. He expressed his concern that long term whether the community can sustain that without having a way to offset that cost by some form of revenue.

Magistrate Lochmueller stated that this is not just a Madison County issue; all counties in the state are experiencing the same issue. He feels that the legislators need to prioritize funding these mandated services that are needed to function as a society.

Judge Taylor clarified that the Fiscal Court wants to have a work session and that the Sheriff's Office would continue to work off the 2023 budget until the 2024 budget gets looked at and approved.

IN RE: Work Session Approval

Motion by Stephen Lochmueller seconded by Tom Botkin to approve a work session for the Madison County Sheriff's 2024 Budget.

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 2024-03—Gravel Road Maintenance Plan:

Scott Shepherd, Road Supervisor, presented Resolution 2024-03—Gravel Road Maintenance Plan for the Court's approval. This Resolution is to approve the future maintenance plan of gravel roads in the County Road System.

Motion by Tom Botkin seconded by Stephen Lochmueller to approve Resolution 2024-03—Gravel Road Maintenance Plan.

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Magistrate Lochmueller stated that because of the difference in the years, the funding is really half of what the Resolution shows. For example, in District 2 there would be \$6,627 available between January and June. The full amount would then start on July 1st.

Scott Shepherd agreed. There has already been 6 months of money spent on roads.

Magistrate Hughes asked if that was for material only, and where the \$75,000 amount came from. Shepherd stated that it was for material only. When determining the amount, they looked back in the budget and tried to figure out how much they spent in the last couple of years. It has already been in the budget but now they are setting it aside to keep better track of it. It was previously in the Rock line item.

Magistrate Botkin asked if this was the complete amount of the Rock line item. Shepherd stated that it is not the complete amount. When the money that has been allocated for gravel road maintenance for each district is gone, it is gone.

Magistrate Combs asked if they don't use all the allotted funds in each District, would it build up. Shepherd stated that he didn't see how all the funds could not be used. He used a three-year average of what was spent when calculating these funds, and with the discontinuance of some roads he believes they will be very close to the \$75,000 expenditure.

Magistrate Lochmueller asked if there would continue to be roads that are brought back to court to be taken off the County books. Shepherd stated that was correct. If they see that there is an excess amount in the Gravel Road Maintenance fund at the end of the fiscal year, they will readjust the budget for the next year to make it lower.

Magistrate Hughes stated that gravel roads make up a small part of the road budget, but they make up a significant issue with the constituents because there is a lot of dedication and loyalty associated with those roads. Shepherd agreed but said they have to look at all the roads, such as subdivisions, that have been adopted into the County Road System as well.

Judge Taylor stated that this gives clear direction on how they are handling the gravel roads.

Magistrate Hughes asked what will happen when a storm comes and washes out a gravel road. Shepherd stated that hopefully there would be FEMA money in a situation such as that. If not and there isn't enough funds in the gravel fund, then he would have to ask Fiscal Court if they would approve spending the additional money to fix it.

Judge Taylor stated that citizens have a choice to help cover some of the cost of fixing a road, such as purchasing a load of rock if the County would spread it, as has been done in the past.

Magistrate Botkin stated that this is better than what he would have ever asked for in the past, but it will still be selective on what roads these funds will be allocated to. He expressed his appreciation to Shepherd on doing the work to bring this resolution to them.

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: Personnel:

Morgan Elliston, Director of Human Resources, recommended the promotion of Jackson Roederer from a Firefighter IV to a Lieutenant, at a rate of \$12.06 per hour, effective January 17, 2024; the promotion of Ben Hall from Lieutenant to Captain, at a rate of \$13.21 per hour, effective January 17, 2024; and the hiring of Tyler Clem as a CDL Truck Driver/General Laborer, at a rate of \$20.75 per hour, effective January 24, 2024.

Motion by Billy Ray Hughes seconded by James Brian Combs to the promotion of Jackson Roederer from a Firefighter IV to a Lieutenant, at a rate of \$12.06 per hour, effective January 17, 2024; the promotion of Ben Hall from Lieutenant to Captain, at a rate of \$13.21 per hour, effective January 17, 2024; and the hiring of Tyler Clem as a CDL Truck Driver/General Laborer, at a rate of \$20.75 per hour, effective January 24, 2024.

Judge Taylor stated that it was good to see another Road Department employee.

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Reagan Taylor – Yes

IN RE: Employee Spotlight:

Morgan Elliston, Director of Human Resources, spotlighted Kaitland Stewart, Animal Care Director. Kaitland, who has been with the County for 4 years, cares deeply about her staff and supports everyone on the team. She is dedicated, wise, and serves her team and the community to a standard everyone should strive for.

Morgan also introduced Ryan Wade, the new Director of Human Resources, who will be taking over as Director starting next week.

Magistrate Botkin expressed his appreciation to Katie and all she does at the Animal Shelter.

RE: Judge's Report:

- Kentucky River Foothills Development Council, Inc. is continuing to provide assistance through the crisis component of the Low-Income Home Energy Assistance Program (LIHEAP). Applications can be made from January 9, 2024 through March 31, 2024, or until available funds have been expended. Visit [www. Foothillscap.org](http://www.Foothillscap.org) for more information or call 859-544-1713 to schedule an appointment.
- Join Redeeming Hope at Bluegrass Kitchen in Berea for an evening of purpose and compassion to support their mission in the fighting against human trafficking from 5:00-7:00 PM on Friday, January 12th.
- Berea Parks and Recreation is hosting a free winter crafts event on Saturday, January 13th from 11:00 AM – 1:00 PM at the Russel Acton Folk Center in Berea. Contact Berea Parks and Recreation for more information.
- The Richmond/Madison County Chapter of NAACP will be hosting their annual Martin Luther King Day March on Monday, January 15th. Staging will begin at 9:00 AM, and the march begins at 10:00 AM at First Christian Church in Richmond. Visit www.naacprichmondmadisonky.org for more information.
- The Richmond Chamber of Commerce is having a 2024 Chamber Kickoff and Vendor Fair on Tuesday, January 30th from 12:00 – 1:00 PM at ECU's Perkins Quad. Tickets can be purchased now through January 23rd. Visit www.richmondchamber.com for more information.
- The Madison County Courthouse and its related offices will be closed on Monday, January 15th for the Martin Luther King Day holiday. Offices will re-open on Tuesday, January 16th at 8:00 AM.

Comments from Magistrates:

Judge Taylor thanked and recognized the Leadership Madison County Class of 2024 for being in attendance today.

Magistrate Combs expressed his thankfulness for those that came out today. He encouraged everyone to use caution and be safe during the weather events that will be happening this week. He also thanked Morgan for all she has done and stated that she has made a difference during her time with the County.

Magistrate Lochmueller congratulated Katie and the job she does at the Animal Shelter.

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Magistrate Hughes recognized Leadership Madison County. This program has been going on for 19 years and stated that they will develop friendships and relationships that last the rest of their lives. He also expressed his gratefulness to Mendi Goble for the great job she does with this program.

Magistrate Botkin stated that the Road Department will be doing some work on Mayde Spur Road. He was contacted last week about a patch that needed to be done on John Ballard Road and was informed by Shepherd this morning that it has already been taken care of; he expressed his appreciation to Shepherd for his efficiency in getting that done. Magistrate Botkin also stated that he has had complaints concerning the aprons on the Barnes Mill bridge on I75 being rough, as well as at the Buc-ee's exit. The State is aware of the issue and will hopefully be able to address those over the summer.

Clerk Barger provided a Kavis update. Madison County was one of four counties that did a soft opening on Sunday and found 2 major issues that were fixed on Monday morning, which was the first full day for 10 counties. They are still having issues with server capacity that was asked for 6 months ago from COT, which is a big problem. The Kavis system is working slowly, making the customer wait longer (about 5-6 minutes more for every transaction). He asked for the public's patience as the bugs get worked out.

Comments from the Audience and Facebook Comments:

Debbie Vescio at 201 Crimson Drive, expressed a concern about people not being informed of upcoming public hearings. There is signage that is posted but they are posted parallel to the road, which makes it hard to see. She suggested having two-sided signs that are posted perpendicular to the road so everyone could be properly informed.

Magistrate Lochmueller thanked Ms. Vescio for coming to Court. He stated that they would need to talk with Bert Thomas since it would incur an additional cost being a two-sided sign to see if it is acceptable but agreed with Ms. Vescio. It is important for the constituents to have visibility and get the information out to them. Judge Taylor said that he would speak to Bert about it and would get back with Ms. Vescio. There are other ways that Planning and Zoning advertise for public hearings; they send out letters, put ads in the paper, and put the information on the website along with the signs.

Stephanie Adkins at 2221 Kentucky River Rd, asked if there had been any more discussion on the possibility of amending the land use regulation changes with short-term rental permits.

Judge Taylor stated there had not been yet due to the holidays and sickness, but it is something that they will look into to see if there needs to be a change. If so, they will present it to the Fiscal Court to make a decision.

Carmalinda Shear of Madison County, wanted to follow up on the discussion that was had in November about the recovery residences in Madison County to understand the County's position on that. She stated that Madison County doesn't currently regulate recovery residences due to some local governments getting sued, or enacted ordinances that have been discriminatory. She believes that it is in the best interest of all Madison County residents for this to be something the County is involved in. State government considers these recovery residences to be a specific use of the property which they require them to be certified by the State starting in June.

Judge Taylor stated that the certification by the State starts in June. They have had these discussions and based on research, what is coming the state through the Health and Family Services Cabinet is not regulating where these sober living facilities go, just that each facility has to be identified by the State.

Deputy Judge Executive Jill Williams stated that is correct. There are certain conditions and inspections that must be met, and they must be an approved sober living facility. They are certifying that there is no drug or alcohol use in the home, living conditions based on square footage of the home, and to notify law enforcement. The state guidelines, that will be going into effect in June, do not certify or regulate where these types of facilities go.

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On behalf of the County, the County is not in a position in which they will certify that one place is or isn't right for a sober living facility. The City of Richmond and City of Berea have had discussions on this issue as well. Ms. Shear stated that the State allows local governments to regulate the locations of recovery residences and to shut them down if they are not complying with State regulations.

Judge Taylor stated that nothing would be enforced until July 1. The council for the Fiscal Court is telling them that there is nothing that the County can do.

Madison County Assistant Attorney Brooke Bowman stated that to her knowledge there hasn't been anything on the agenda where the County has chosen not to act. They have been investigating the issue, along with County Attorney Jennie Haymond. Everyone is gathering information to assess the situation.

Magistrate Combs stated that it sounds like it is an evolving issue that they have to receive direction from the State and others; they can't just act on their own.

Deputy Judge Executive Jill Williams agreed with Magistrate Combs. Since the meeting in November, there have been a large number of citizens expressing their concern and they have provided the information they had to those citizens, as well as to other community leaders. It is her understanding that there hasn't been a specific request that has asked them to act on a certain thing, and some of which are being led at the State level.

Judge Taylor stated that the City of Richmond is also having these same discussions. The Fiscal Court isn't just not doing anything; they are having discussions and gathering information. As far as the Deacon Hills issue is concerned, there is nothing they can do, but the need to make changes in the future are discussions they are currently having. He asked if anyone in Deacon Hills has contacted those that are living in the sober living facility there, and Ms. Shear was unsure.

Magistrate Botkin asked if there was any language in the State regulation that will be requiring permits before anyone sets up a sober living facility.

Judge Taylor stated that he believes that is what the language at the state level is doing. In July they have to register the property but is unsure if there will be any correspondence from the State to the County.

Deputy Judge Executive Jill Williams stated that they do have to register with the State as an entity. She doesn't believe that there will ever be a time in which a property owner tells the County who will be living in a specific property or have to provide notification of who is living there, that is not what is in the State language.

Magistrate Botkin stated that there is no requirement that the homeowner is to meet with those in the neighborhood to inform them of what type of facility they would be running but in the Deacon Hills situation, it would have been helpful. He understands their concern and empathizes with them.

Facebook Comments:

Deputy Judge Executive Jill Williams stated that a couple of the Facebook comments deal with the gravel road maintenance conversation. One comment asked if this includes private property that the public uses to turn around. Jill has been conversing with Scott Shepherd on this, the Gravel Road Maintenance plan that was approved today includes gravel roads that are part of the County's Gravel Road Maintenance plan and not private property.

Another question was what plan can we implement to pave these gravel roads over time? Once paved, these gravel roads require way less maintenance. How can we as citizens help raise the money with us or on a State level since the State has a budget surplus of \$1.55 billion? Judge Taylor stated it would be a conversation with the State Representatives and Senator to start allocating that money to the road project that is in Madison County.

Magistrate Botkin stated that there is never enough money for blacktopping roads, but when they normally go to Frankfort to address those concerns with the legislators they ask if Fiscal Court has raised taxes. The County, by law, can raise taxes 4% each year, but since 2016 they haven't done that. In fact, they have lowered taxes about \$12 by taking the compensating rate. That is something that they need to think about it.

Comments from Department Heads:

No Comments from Department Heads.

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IN RE: Pay Claims and Approve Transfers:

Motion made by Stephen Lochmueller seconded by James Brian Combs to approve to pay claims and transfers.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for January 23, 2024, in the Richmond City Hall Commission Chambers in Richmond, Ky at 9:30 AM.

IN RE: ADJOURNMENT

Motion from Billy Ray Hughes to adjourn, seconded by Stephen Lochmueller. Hearing no objection, the meeting adjourned at 11:06 PM.


REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE