

Meeting Date: 1/23/2024

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 23rd of January 2024 at 9:30 AM 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 Brandon Robbins of Revival House 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 1-9-2024:

Motion by Billy Ray Hughes seconded by James Brian Combs to approve the minutes from the regularly called meeting on January 9, 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

Treasurer's Report:

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

IN RE: 1st Reading Ordinance 2024-01—Madison County and Shelby County Interlocal Agreement for Data Center Services:

Chris Iseral, Chief Information Officer, presented the 1st Reading of Ordinance 2024-01— Madison County and Shelby County Interlocal Agreement for Data Center Services for the Court's approval. This Ordinance relates to an interlocal agreement between Madison County Fiscal Court and Shelby County Fiscal Court for the use of the Kentucky Counties Government Cloud (KCGC).

Motion by Tom Botkin seconded by Stephen Lochmueller to approve presented 1st Reading of Ordinance 2024-01— Madison County and Shelby County Interlocal Agreement for Data Center Services.

Magistrate Lochmueller asked how much a county would pay if they went outside for this service. Iseral stated that Google Data Center and Microsoft Data Center was double the cost when they last ran the numbers.

Magistrate Lochmueller stated that providing this service is a good deal not only for the other counties but that it is also good to have partnerships so the center can continue to prosper. He asked, under the current capital level, what can they anticipate their capacity would be as far as hosting more counties. Iseral stated that the current capacity is getting full, but it depends on who comes on and what they need. This particular agreement is from the sale of the TRACKS platform, so what they are putting in the cloud is just one server. They have just gotten word that there are three other entities that have received the state and local cybersecurity grant money, so they will have to purchase resources to cover those servers. They are generating a revenue stream through these agreements so being able to purchase another node (which is about 30 to 40 more servers) shouldn't be an issue and the capacity of their server room will be able to accommodate.

Magistrate Botkin expressed his appreciation to Iseral on clarifying some of the language that was in the agreements. He asked that they continue to stay on top of cybersecurity. Iseral explained that they are heavily invested in maintaining cybersecurity.

Motion carried on roll call vote as follows:

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Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-04—ASAP Harm Reduction Grant Application FY25:

Sarah Stewart, Treasurer, presented Resolution 2024-04— ASAP Harm Reduction Grant Application FY25 for the Court's approval. This Resolution is confirming the Madison County Fiscal Court to serve as the applicant agent for the FY25 ASAP (Agency for Substance Abuse Policy) Harm Reduction Grant and authorizing the Judge Executive to sign on behalf of the County.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve presented Resolution 2024-04— ASAP Harm Reduction Grant Application FY25.

Laura Nagle, Madison County ASAP Board Treasurer, was present to answer any questions.

Magistrate Botkin thanked Nagle for being present.

Laura Nagle explained that with the grant they focus on the agencies and people already out there finding those that need the help.

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 2024-05— Mowing Services Bid Award:

Scott Shepherd, Road Supervisor, presented Resolution 2024-05— Mowing Services Bid Award for the Court's approval. This Resolution is for the Madison County Fiscal Court to approve a bid award for mowing services to Rogers Lawn & Landscape, LLC for the amount of \$28,985.00 for the 2024 calendar year.

Motion by James Brian Combs seconded by Stephen Lochmueller to approve Resolution 2024-05— Mowing Services Bid Award.

Shepherd explained that this was the same contractor that they used last year, and they were very pleased with them.

Judge Taylor stated that it takes a lot of manpower to mow, and when they compared the numbers, it was saving the County money to bid out this service.

Magistrate Botkin stated that he had asked Shepherd why Wilgreen Lake wasn't on the list to maintain and explained that it takes special equipment to mow the dam so the Road Department will continue to mow that property.

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 2024-06— Newspaper of Record for Required Advertising:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-06— Newspaper of Record for Required Advertising for the Court's approval. This Resolution approves the newspaper of record for required advertising. Beginning January 1, 2024, Madison County Fiscal Court began posting any and all public notices and public hearings, as well as any and all bids, Request for Proposals, Request for Quotes, or specifications on their website www.madisoncountky.gov/public-notices. In addition to Internet postings, some advertisements are still required to be published in the newspaper having the largest bona fide paid circulation as outlined in KRS 424.120.

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Motion by James Brian Combs seconded by Tom Botkin to approve Resolution 2024-06 Newspaper of Record for Required Advertising.

Magistrate Hughes asked what the mistake was. Williams explained that the circulation number was mistakenly interchanged with another newspaper that is owned by the same company as the Richmond Register.

Magistrate Combs asked if there has been any more discussion about going fully online. Williams stated there has been and there is some language in this about using internet posting with certain items.

Magistrate Botkin asked if their overall numbers include the online subscriptions as well. Williams stated that it does under their paid circulation column.

Magistrate Botkin stated that he wasn't aware that the Richmond Register was owned by a company based in Alabama.

Spencer Mahon with the Richmond Register stated that CNHI owns 90 plus papers in about 20 states, with 3 other papers within an hour drive of Richmond.

Williams stated that they have been owned by that group for 20 or more years.

Magistrate Botkin stated that this was the first time he remembered this topic being brought before the Court.

Judge Taylor explained that with the mistake the Richmond Register made on their numbers in October, the highest circulation being reported was the Berea Citizen, so they had started using them for public notices. Once the circulation number was revised, it was recommended that they present it to the Court to clear up any confusion.

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 2024-07— Big Hill Avenue Tower Option and Lease Agreement Fifth Amendment:

Judge Taylor presented Resolution 2024-07— Big Hill Avenue Tower Option and Lease Agreement Fifth Amendment for the Court's approval. This Resolution approves a Fifth Amendment to the Big Hill Avenue Tower Option and Lease Agreement between Madison County, Kentucky and New Cingular Wireless PCS, LLC.

Motion by Tom Botkin seconded by James Brian Combs to approve Resolution 2024-07— Big Hill Avenue Tower Option and Lease Agreement Fifth Amendment.

Magistrate Botkin asked if this was due to them adding new equipment to the tower. Judge Taylor stated that was correct.

Magistrate Combs expressed his appreciation to Judge Taylor and his office for their work on this and making sure the County gets their part.

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 2024-08— Proposed Discontinuance of County Road Maintenance:

Scott Shepherd, Road Supervisor, presented Resolution 2024-08— Proposed Discontinuance of County Road Maintenance for the Court's approval. This Resolution approves the proposed discontinuance of County Road Maintenance of the following roads:

-Bethel Branch Spur

-Buffalo Road

-Haden Heights (gravel section)

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- Hoodville Lane

- Jackson Branch Road (gravel section/creek bed)

- Old Doyleville Loop

Motion by James Brian Combs seconded by Tom Botkin to approve Resolution 2024-08— Proposed Discontinuance of County Road Maintenance.

Magistrate Botkin stated that he would like to hear from the property owners involved in road maintenance discontinuance of Haden Heights.

Scott Shepherd stated that the request for road maintenance discontinuance was from a property owner.

Billy Dargavell, property owner on Haden Heights, detailed the property along Haden Heights. He stated that they asked for this discontinuance due to the problems they have had with cattle being shot, copper being stolen, people getting stuck, etc. They currently have cattle guards along the road but are wanting to put an electric gate in to allow those that have access to the road to continue to use it by codes. He understands what it entails when discontinuing the maintenance of the road and stated that they have been helping with maintaining it for a while.

Magistrate Lochmueller thanked Mr. Dargavell for his comments.

Steve Vescio, 204 Crimson Dr, stated that he has a farm next to Mr. Dargavell's property. He didn't understand why they had a perfectly good road, which is the primary access to his farm, that they wanted to discontinue. He believes that they should continue the maintenance of the road, and believes if not, it will lead to the road being closed. He doesn't want the gates back and would like to leave the road as it is.

Judge Taylor clarified that this decision doesn't close the road, the County will just no longer maintain it. There is another process that has to be done to close a road and they can't legally do that if it will land-lock a property owner.

Magistrate Lochmueller stated that he could understand Mr. Vescio's concerns but also the issues that Mr. Dargavell is having.

Magistrate Botkin asked Mr. Dargavell if the discontinuance goes through and a gate is put up, will Mr. Vescio have access to his property. Mr. Dargavell stated that yes, he will have an access code that he could use. In looking at the deeds, he believed that Mr. Vescio has access to his farm by Jackson Branch Road.

Mr. Vescio stated that Haden Heights was the original access road, and Jackson Branch was added later.

Magistrate Combs stated that this issue is about the discontinuance of maintenance, which they have not been doing for a while. The access will still be there with the discontinuance of maintenance.

Judge Taylor stated that the liability and responsibility of using taxpayer dollars wisely is the Court's concern, as well as following state law.

Magistrate Hughes stated that gravel roads are a service they provide, and it concerns him on discontinuing the maintenance.

Magistrate Lochmueller stated that they have a request from a landowner to stop the maintenance of Haden Heights.

Magistrate Botkin asked if Mr. Vescio uses the access he has to his property from Jackson Branch. Mr. Vescio stated that he does but not very often.

Judge Taylor stated that they are not changing anything about the right-of-way for Mr. Vescio. They are just stopping the maintenance of the road.

Madison County Attorney Jennie Haymond stated that Haden Heights will still be a road, statute only says that this is discontinuing the maintenance of the road.

Magistrate Botkin stated that he understood why they are discontinuing maintenance of roads. He asked the Court to consider the property owners and how they are associated with these roads, as well as the cost that would be put on the property owner. He would also like the State to provide them with written guidance on discontinuance of the maintenance.

Scott Shepherd stated that KACo is advising the County to stop maintenance on these roads due to liability issues.

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Steve Vescio expressed his appreciation to Magistrate Botkin for bringing that up. He agrees that there are some roads that do need to be closed but isn't sure if a Razor, that isn't allowed out on the roads, wrecks that the County would be liable for it.

Magistrate Lochmueller asked if there is any support to table this until next time for the two property owners to come to an agreement, or if that would even be the case for this.

Judge Taylor stated that this doesn't change the fact that this road is still a public right-of-way but that it is stopping the maintenance of the road.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller-No

Billy Ray Hughes- No Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-09— Regional Economic Development Partnership:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-09— Regional Economic Development Partnership for the Court's approval. This is a Resolution of the Madison County Fiscal Court regarding an Economic Development Partnership with Scott County, Madison County, City of Berea, City of Georgetown, City of Richmond, and Lexington-Fayette Urban County Government.

Motion by James Brian Combs seconded by Tom Botkin to approve Resolution 2024-09— Regional Economic Development Partnership.

Magistrate Botkin stated that this is a good way to generate revenue.

Magistrate Combs stated that he believes this is a prime example of how governments can work together.

Magistrate Lochmueller concurred.

Judge Taylor stated that this is a big endeavor but is the first step of something that will be great for many generations. He appreciates all the support for this endeavor.

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 2024-10— Disaster Aid Services:

Tim Gray, EMA/CSEPP Director and Fire Chief, presented Resolution 2024-10— Disaster Aid Services for the Court's approval. This Resolution approves a Master Agreement for Disaster Aid Services between the Commonwealth of Kentucky and Tetra Tech, Inc.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve Resolution 2024-10— Disaster Aid Services.

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: Employee Spotlight:

Ryan Wade, HR Director, spotlighted Paula Smith, Custodial II, who has worked for the County for 8 years. Paula takes her job very seriously and is happy to lend a helping hand whenever needed.

Ryan stated that he felt that this spotlight is even more special due to all the extra work she had done during this past week's weather event. He also thanked the Road Department and First Responders for all their hard work during the weather event.

Judge Taylor expressed his appreciation to Paula.

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IN RE: Judge's Report:

- Arcadian Cove is hosting a Winter Ball Sock Hop on Saturday, January 27, 2024 from 2:00 PM – 4:00 PM. This event is open to the public. There will be an Elvis impersonator, silent auction, Barnyard BBQ food truck, and more.
- Redeeming Hope is hosting a Blue Heart Dinner on Saturday, February 10, 2024 from 6:00 PM – 8:00 PM at Boone Tavern in Berea.
- Join the Berea Arts Council for a reception on Friday, January 26th to preview the items donated by artists from all over Kentucky for the upcoming annual Stepping Out for Art auction and fundraiser. The reception will be from 5:30 PM – 7:30 PM in their gallery at 444 Chestnut Street in Berea. Admission is free. Visit the Berea Arts Council Facebook page for more information.
- White Hall State Historic Site presents “A Clay Family Wedding Valentine’s Tea” on Saturday, February 23rd at 6 PM. Visit their Facebook page for more information and ticket reservations.
- Madison County Government and its related offices will be closed on Monday, February 19, 2024, for the Presidents’ Day holiday. Offices will re-open on Tuesday, February 20th at 8 AM.

Comments from Magistrates:

Magistrate Lochmueller thanked Magistrate Botkin for researching some of the issues they had today that take place in the 2nd District during his absence last week.

Magistrate Hughes bragged on Jill Williams and expressed his appreciation for her being well studied on all issues.

Magistrate Botkin asked Clerk Barger about an item in the budget concerning a storage fee. Clerk Barger stated that the Court isn’t paying the Clerk’s Office anything. There is a document storage fee for each document that is recorded that was passed about two years ago, but that is going in from the Clerk’s budget for Fiscal Court to hold those funds until they disburse those funds for payments.

Magistrate Botkin also asked for an update on how the Energy Savings Program is going in the future. Judge Taylor stated that they will present once a full year has been in effect for the program to provide a better picture on how it is going.

He also thanked Shepherd and his crew during this past snow event. As well as taking him out to see the roads they spoke about today.

Magistrate Combs wished his mother a Happy Birthday. He stated that they have talked a lot about gravel roads today and expressed that he feels it is important for the Court to be consistent with what they do. He also expressed his appreciation to Shepherd and his crew.

Judge Taylor thanked the Richmond City Commission for allowing them to use their chambers while the courthouse is still being renovated. He also thanked Clerk Barger for driving a salt truck during the past snow event.

Clerk Barger stated that Kavis is improving. They are still fixing some issues within the system and asked the public to be patient.

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Comments from Department Heads:

Chris Iseral, thanked the IT department for their work during the snow event. He also provided an update on the Connect Madison County project. As of January 2024, 1,187 people have been activated through the RDOF money. KBDF (State funding) haven't been able to activate any of their addresses due to them still waiting on pole attachment contracts, and none of the local grant funded addresses have been activated as of yet but are working on the design plans.

Comments from the Audience and Facebook Comments:

Stephanie Adkins, of 2221 Kentucky River Road, wanted to discuss a problem she is having with an Airbnb short-term rental property on Kentucky River Road. There were more issues this weekend, and asked what can be done and what she can do.

Judge Taylor stated that they have reached out to the landowner, and they are compiling information from both sides to determine if it is a civil matter or if it is something Fiscal Court can act on. He understands her concern, and they will respond back to her.

Darrel Adkins, of 2221 Kentucky River Road, stated that the road had more salt trucks on it in one night than it ever has and wanted to know if that was because of the Airbnb.

Scott Shepherd stated that is absolutely not correct. When they reevaluated and reassessed the roads, they assigned a special truck to that road, which is a pickup truck specifically used for a type of road such as Kentucky River Road.

Judge Taylor explained that the truck Mr. Adkins described as a Peco truck was a State truck that the State contracts with. The County doesn't plow State roads. The County trucks all have GPS tracking devices in them to show exactly where they are and how long they were there. He expressed his thankfulness that the road was clear so that those on the road could get in and out.

Magistrate Lochmueller stated that Shepherd and his crew did a very good job in plowing that road because it is a dangerous road. He thanked them for clearing the roads so that the public could get out in case of emergencies.

No Facebook Comments.

IN RE: Pay Claims and Approve Transfers:

Motion made by Billy Ray Hughes seconded by James Brian Combs to approve to pay claims and transfers.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for February 13, 2024, 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 11:18 AM.


REAGAN TAYLOR, MADISON CO. JUDGE/EXECUTIVE