

Meeting Date: 4/16/2024

Meeting of: Madison County Fiscal Court

Meeting Type: Special Called

HONORABLE REAGAN TAYLOR COUNTY JUDGE EXECUTIVE PRESIDING

The Madison County Fiscal Court convened in a special called meeting on the 16th of April 2024 at 9:30 AM in the Madison Room of the Courthouse Annex 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 Sheriff Mike Coyle, Madison County Clerk Kenny Barger, Deputy Judge Executive Jill Williams, Chief Information Officer Chris Iseral, EMA/CSEPP Director Chief Tim Gray, 911 Director Wendy Lynch, and citizen Dean Vencill of Menelaus Rd were also present.

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

IN RE: Resolution 2024-33— Emergency Funding for Doylesville Road (CR 1044) Bridge Replacement:

Judge Taylor presented Resolution 2024-33-Emergency Funding for Doylesville Road (CR 1044) Bridge Replacement for the Court's approval. This Resolution approves emergency funding for the Doylesville Road Bridge Replacement in the amount of \$100,000.00.

Motion by Billy Ray Hughes seconded by Stephen Lochmueller to approve Resolution 2024-33— Emergency Funding for Doylesville Road (CR 1044) Bridge Replacement.

Magistrate Hughes stated that the State had come and inspected the bridge, determining that it is unsafe. He expressed his appreciation to Scott Shepherd for getting on this and getting it started. Judge Taylor stated that this bridge was originally installed in 1961, and the timeline for this project should be completed by the end of May.

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: Post-CSEPP Task Force Recommendation Discussion:

Judge Taylor stated that the City of Berea and the City of Richmond have both passed joint resolutions to support the County in moving forward and proceeding with the Ordinance. Now they need some direction on how Fiscal Court wants to proceed.

Magistrate Combs had reached out to Judge Taylor to set up a work session to discuss Post-CSEPP Task Force recommendation and they asked the Magistrates to send in some questions they might have, as well as some citizens comments that have reached out to the Judge's Office. Magistrate Combs asked for an explanation on why this 911 system is so expensive.

Chris Iseral stated that there are 2 major components in this system, radio and PSAP (Public Safety Answering Portal). PSAP is where they receive the 911 call and how they interface with the call, which is about a \$500,000 system for 5 years. The radio system was replaced this year and was optimized for post-CSEPP to last about 15 years; however, a replacement of the core for that system every 6 years is about \$700,000 and there are 2 of them. There is also software maintenance and physical maintenance that they have to pay, which can fluctuate based on what needs to be replaced.

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In response to a question about changing technology, Iseral stated that over 15 years, the technology will change but there is no idea of what that cost would be. They have estimated it by taking today's cost and adding 3% onto it.

Madison County could potentially become a regional 911 center using PSAP for the surrounding smaller counties (like Estill and Jackson) if they wanted to help with the cost.

Wendy clarified that in being a regional facility, Madison County would host the equipment, but the other counties would be able to use it and pay for that use.

Magistrate Combs asked if the County could sell the 911 system to others. Iseral said absolutely. It could work 2 different ways; they could become the dispatching facility for the other counties or just provide the equipment through the data center. Iseral explained that cost will increase over time, but if they can regionalize the 911 center, they can offset some of that cost.

In regard to the radio system, the infrastructure has been optimized for a post-CSEPP world, and the contract for the maintenance will reduce because of it.

Magistrate Combs also asked if there is a cost associated with the number of users besides the number of radios. Iseral stated that the more people you put on the radio channels, the more channels you would have to have and that would increase costs. Right now, they have 16 channels, and to his knowledge they have never busied the system.

Magistrate Hughes asked for clarification on what the \$700,000 fee would be for. Iseral stated that it is for the maintenance of the infrastructure and all the software of the radio system and includes refresh, which CSEPP has been paying for.

Dean Vencill asked if some of these maintenance fees could be put out for bid since it is out of CSEPP's hands now. Iseral stated that for the maintenance contract with AMK they can't because the company's only authorized dealer in Kentucky is AMK. But for anything else they are able to get bids on they will.

Magistrate Lochmueller stated that Madison Co. is very fortunate to be starting out post-CSEPP with the system that it has. Some of the numbers in the budget may be overestimated, but it is always best to over budget than to under budget.

Iseral stated that if CSEPP hadn't been here or hadn't already installed the towers and the 800-Megahertz systems that Madison County has, the other option that Madison County could have gone with was the P25 compliant HSF or UHF, which would not have the same ability coverage that Madison County is now accustomed to but is significantly cheaper.

Wendy stated that going back from the 800-Megahertz system would be going back to when officers would have to try to find landlines to communicate through. For a community the size of Madison County that has more industry and colleges than other counties, the current system is standard and needed.

Magistrate Combs asked if the system that Madison County has today was installed because of the industry in the county or the number of people. If it is the industry, then asking the citizens of the county to pay more toward the system than the industries do is out of whack.

Magistrate Botkin stated of the \$700,000 figure, \$80,000 is for maintenance and \$620,000 is the insurance for replacing a single core. Currently the cores they have are brand new and last 6-7 years, but setting aside \$620,000 each year as an insurance policy for replacing one core seems high to him.

Iseral stated that there are 2 cores that run tandem but when replacing they have to be replaced at the same time, and age drives the replacement on those cores. The primary function of the core is to provide communication with 911. If the core goes down, there is no communication with 911.

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Magistrate Lochmueller asked if there were things that CSEPP had that the County would no longer be using. Iseral stated that they have already made some changes that CSEPP had that the County doesn't feel like they would have been necessary moving forward.

Judge Taylor explained that they originally had 90 siren towers, but with the upgrade they were able to move some of those around to reduce that number down to 65 to help reduce costs.

Iseral went over the number of calls 911 received for the year 2023 and where they were geo-located from. Almost half, 47%, of those calls came in from businesses, like Walmart, etc. When looking at these numbers, the Court could decide that businesses need to pay 47% of the fee for the 911 system. Or they could look at square footage above ground and determine the rates based on residential, business, commercial, etc. No matter how they decide, KRS states that they have to be able to show how they calculated the fee and why.

Magistrate Combs stated that charging the fee based on who is using it, makes sense.

Magistrate Botkin stated that on the service, the square footage model looks better, but ultimately the business or landlord will pass the cost on to the customer.

Judge Taylor stated that they need to look at parcel properties. If someone has 2 parcels of land, do they pay 2 fees, but someone that has one parcel that is more than those 2 parcels put together only pays 1 fee.

Clerk Barger stated that they will end up having to send tax bills to people that currently aren't in the system, like churches and non-profits.

Judge Taylor stated that it seems to him that Fiscal Court is liking the square footage concept. He asked if they would like for them to take the single-family residential, multi-family, agricultural, industrial, commercial, etc. and put a dollar amount on each different entity per year per square footage.

Magistrate Hughes stated that he thought they would need to look at an income producing square footage differently than no-income producing square footage.

Iseral stated that they may want to look at what Kenton County does, which is they strike public use property from their list. So public parks, etc. are removed from their totals.

Judge Taylor stated that churches aren't a category and asked if that should be broken down as non-profit/church as a separate category from business. The Court is asking to see a breakdown for the cost, how much money it will generate, and the percentage or amount to assign for each category.

Iseral asked for guidance on what they want to do about the public use category. For schools, Madison County School Board, ECU, and Berea College, he liked the idea of them paying a set fee instead of a square footage fee. As far as public parks, public buildings like the Courthouse, City Hall, etc., those could be taken out of the equation.

Magistrate Combs asked if there would be an appeal process. Iseral stated that there is.

Judge Taylor stated that they are on track with what the Task Force has recommended and if they stay on time, they would have a 1st Reading at the next court meeting, but he doesn't feel like they are ready for that yet. The Task Force also recommending that this would be on the 2024 tax bill, but Judge Taylor stated that he is not in favor of that due to them not needing the fees until 2025 when CSEPP funding goes away, and that gives the citizens time to prepare to pay whatever the fee and structure would be. He feels that every parcel owner should get a letter once they make a decision and give them an appeal process timeframe.

Dean Vencill asked once they got their numbers set, if there would be a way for citizens to go online and see how much they will have to pay based on their address. Iseral said that would be possible.

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Judge Taylor read some questions and comments they had received from citizens. One citizen stated that each parcel should pay, whether there is a house on it or not. The example that was provided was if someone owns an empty lot, but there is a homeless person staying on it then they should pay. One concern was that the fee would be as much as the entire property tax bill. There was a question about units over 31 doors, if a landowner owns more than one parcel that has more than 31 units then they are paying more than a landowner that only has one parcel of more than 31 units. Judge Taylor stated the using the square footage model would eliminate those last two concerns. There was a concern about empty parcels adjacent to primary properties, which Judge Taylor stated there could be an appeal process for it being a contiguous property. There was also a concern about parcels with no activity. For example, a subdivision is being developed but there are lots that haven't been sold or built on yet, do they still charge the fee for that parcel? When the lot becomes a lot and is deeded, does that trigger a fee or does a building permit trigger the fee? Magistrate Combs asked if they are going by the square footage model how do they charge for a lot. Judge Taylor stated that they would have to have a separate fee for empty parcels only.

Sheriff Coyle asked about properties that might be "green space" that can't be built on, developed, etc. Judge Taylor stated that those are considered separate parcels, so they would get a separate empty parcel fee.

Judge Taylor stated that there was another question about putting the fee on car tags. Iseral stated that it hasn't been something that has gone to the Kentucky Supreme Court. Jill stated that advice from counselors at a state level was to look at methods that have been implemented and audited successfully as examples.

Some more questions that were asked by citizens was if the 911 budget was available online (which all County budgets are found online) and if this was considered a tax increase on property bills (which it isn't based on the percentage of the value of the property). It was asked if the ambulance tax creates a surplus for the ambulance department. Judge Taylor stated there probably is a little of a surplus but isn't sure what that amount is. They have to have a little surplus in taxing districts. With this 911 fee, if there is a certain amount of funds in surplus after the fee has been paid, then they can look at how to lower that fee amount for the next year as was suggested by Magistrate Botkin. Dean Vencill believes this is what EMS does with their surplus from year to year by taking the compensating rate.

Chief Gray asked when this is taken to court and if it gets through the 2nd Reading, if they could implement the new board that the Task Force recommended into effect at that time. Judge Taylor stated it would depend on when Wendy would feel comfortable and at the pleasure of the directors. Wendy stated that from an employee standpoint, they would then be considered County employees, and she doesn't feel like it would be an issue either way.

Sheriff Coyle asked if the 911 fee would be a separate bill that would go out, or if it would be a separate line item on the property tax bill. Judge Taylor stated it would be a separate line item on the bill that would state Madison County, City of Richmond, or City of Berea 911 fee. As the Sheriff's Office collects those fees, they would then write a check to the 911 Fund. Sheriff Coyle suggested that when the 2024 tax bills go out, to go ahead and add that category to the tax bill with a zero amount to give citizens a heads up.

Clerk Barger stated that when those tax bills become delinquent and sent to the Clerk's Office for payment, there is a lien that gets filed on that property, and what happens if someone doesn't pay that. Jill stated that in looking at other counties processes, if that bill becomes delinquent the County Attorney sends out a separate letter and that 911 fee is then payable to the County. Judge

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Taylor stated that he is concerned about those that don't get a bill now, like the non-profits and churches, or those with exemptions that don't get a bill now. There will be things to work out and determine what the process will be.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for April 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 Tom Botkin. Hearing no objection, the meeting was adjourned at 11:46 PM.



REAGAN TAYLOR, MADISON CO. JUDGE/EXECUTIVE