

Meeting Date; 6/11/2024

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 11th of June 2024 at 9:30 AM 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 Randy Calico, Pastor at Pilot Knob Missionary Baptist 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 5-28-2024:

Motion by Tom Botkin seconded by Stephen Lochmueller to approve the minutes from the regularly called meeting on May 28, 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: Recognition of Public Hearing Meeting Minutes 5-31-2024:

Judge Taylor stated that per KRS, they have to hold a public hearing meeting go allow for community comments concerning County Road Aid and Local Government Economic Assistant funding.

IN RE: Proclamation – National Flag Week:

Judge Taylor proclaimed the week of June 9-15, 2024 as National Flag Week in Madison County, Kentucky and urge our citizens to reaffirm the ideals of our County by displaying our American Flag at their homes and throughout the County.

Debra Parsons, Jemima Boone Chapter, National Society, Daughters of the American Revolution, was in attendance to accept this proclamation. She stated that part of the work of their organization is to preserve our history. She thanked the Court for always supporting their efforts not only in Flag Day but as well as Constitution Day. This year they were able to go to Clark Moores Middle School for Constitution Day, and handed out over 600 constitutions. Clerk Barger brought a voting machine for the kids to experience, they kids were able to experience what it meant to be a prisoner by trying on the orange jumpsuits and handcuffs, there was a retired sheriff who explained what it meant to follow the law, and Mrs. Parson's gave a speech on the Bill of Rights. She expressed her appreciation of the Court's support in teaching the Constitution and the meaning of our flag to the younger generation.

IN RE: 2nd Reading Ordinance 2024-04 – Administrative Code for 2024-2025:

Ryan Wade, Director of Human Resources, presented 2nd Reading Ordinance 2024-04—Administrative Code for 2024-2025 for the Court's approval. This is an Ordinance is to adopt the 2024-2025 Administrative Code and supersedes Ordinance 2023-04.

Motion by Tom Botkin seconded by James Brian Combs to approve 2nd Reading Ordinance 2024-04—Administrative Code for 2024-2025 as presented.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

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IN RE: 2nd Reading Ordinance 2024-05—Drug and Alcohol-Free Workplace Policy for 2024-2025:

Ryan Wade, Director of Human Resources, presented 2nd Reading Ordinance 2024-05—Drug and Alcohol-Free Workplace Policy for 2024-2025 for the Court's approval. This is an Ordinance that is to adopt the 2024-2025 Drug and Alcohol-Free Workplace Policy and supersedes Ordinance 2023-05.

Motion by James Brian Combs seconded by Stephen Lochmueller to approve 2nd Reading Ordinance 2024-05—Drug and Alcohol-Free Workplace Policy for 2024-2025 as presented.

Magistrate Botkin stated that there will be some things they will have to change next year due to the medical cannabis.

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: 2nd Reading Ordinance 2024-06—Code of Ethics for 2024-2025:

Ryan Wade, Director of Human Resources, presented 2nd Reading Ordinance 2024-06—Code of Ethics for 2024-2025 for the Court's approval. This is an Ordinance to adopt the 2024-2025 Code of Ethics and supersedes Ordinance 2023-06.

Motion by James Brian Combs seconded by Tom Botkin to approve 2nd Reading Ordinance 2024-06—Code of Ethics for 2024-2025 as presented.

Magistrate Combs thanked those that serve on the Ethics Board for their participation and what they do.

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: 2nd Reading Ordinance 2024-07—Joint Local Government 911 Fee Amendment:

Jill Williams, Deputy Judge Executive, presented 2nd Reading Ordinance 2024-07—Joint Local Government 911 Fee Amendment for the Court's approval. This is an Ordinance relating to the funding of enhanced 911 Emergency Communications Center operations for the City of Berea, the City of Richmond and throughout Madison County, Kentucky and repealing Ordinance 07-11. This Ordinance will authorize the funding of 911 emergency services through the establishment of a special fee in collaboration with the City of Berea, and the City of Richmond. An annual E-911 fee shall be assessed against each agricultural, residential, multi-family, business, industrial, religious, charitable or educational parcel of real property located within the territorial limits of Madison County.

Motion by James Brian Combs seconded by Billy Ray Hughes to approve 2nd Reading Ordinance 2024-07—Joint Local Government 911 Fee Amendment as presented.

Magistrate Combs asked what the current land line fee was. Jill stated it is \$3.50 per month with a maximum of 25 lines per phone number, so \$42 a year. She explained that with a 2,000 square foot house (which is the average in Madison County), the cost under this new plan is \$32 a year.

Magistrate Lochmueller asked if there was an agreement years ago between the cities and 911. Jill stated that the original 911 Ordinance dates back to 1989, with the 2nd Ordinance in 1990 establishing the landline fee. In 2008, that fee went from \$.87 to the current rate of \$3.50 per month.

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Magistrate Lochmueller stated that we have been the beneficiary of CSEPP funds to help fund things for Madison County, inclusive of the cities, universities, and other entities within the county. With CSEPP going away, they now have to fund the emergency services.

Judge Taylor stated that in 2008, the landline fee was probably more in line with the 911 budget. Now, with less landlines, the 3 local governments have been having to subsidize the 911 budget.

Magistrate Botkin thanked everyone that was involved in this Ordinance, as well as the City of Richmond and the City of Berea for their support. Jill stated that the members of the Taskforce were Chief Rodney Richardson and Rob Minerich representing the City of Richmond, City Administrator Rose Beverly and Chief Shawn Sandlin representing the City of Berea, Chief Tim Gray and Chris Iseral representing the County, Wendy Lynch who is the 911 Director, and Brian Malinich acting as the facilitator.

Magistrate Hughes stated that some people have stated that they are moving fast on this, but he stated that it is a necessity. Judge Taylor stated that a couple years ago, they didn't need the fee because they had CSEPP, who was supplementing the 911 budget, which was a blessing.

Magistrate Combs stated that pushing this out a year allows for the appeal process, to allow the public to look at what they have, see what the fee amount would be for them, and plan for it. If they didn't do it now, then there wouldn't be time to allow for the appeal process. He stated that they may have to tweak the process as they go along, but they have to get the process started first.

Magistrate Lochmueller stated that it is encouraging to see people come together to work on this project and come up with a solution that is fair to everyone. He hopes to see more of that in the future, of people working together for the benefit of all of Madison County.

Dana Foil, General Councilor at ECU, stated that ECU had submitted a letter with their response on this Ordinance. They want to be great partners and continue to work together but wanted the Court to be aware of their concerns, which they will continue to look in to. They do agree that the timing does allow them the opportunity to look into their legality questions and other benchmarks across the state.

Magistrate Botkin stated that there is a process for an appeal within this Ordinance. There may be things that they have to change as they go along, but he believes it is a good document and that they should move forward with it.

Judge Taylor stated that he thinks it is more than fair.

Magistrate Lochmueller asked if there were any other letters that had been submitted. Judge Taylor stated that no, there haven't been. The feedback public-wide has been fairly positive. They started this process last year, with their first joint government meeting in March. There were resolutions passed with the cities, 2 work sessions, and a presentation to be transparent. They received a lot of feedback from the citizens, which led to some great conversations that moved them to a solution that is fair. If there is something that they need to do between now and the appeals process, then they will have the time to do that.

Mike Parke, a concerned citizen, thanked everyone for all the work that went into the creation of this 911 Ordinance. He stated that ECU has a large population of students that attend and is hopeful that they will pay their fair share, just like everyone else is. Judge Taylor stated that the fee for the universities and schools was based on their call volume.

Magistrate Combs stated that this is like the water or electric bill, you pay for what you use. That was their goal, that it should be geared toward the service, you pay for what you are using. This is not a new fee. It is just changing the fee structure to compensate for the lack of funds coming in. Everyone has been paying this fee all along, anyone that had a landline and a cell phone. He stated that anywhere you go in the United States, people expect when they dial 911 there will be someone on the other end, so ideally this should be a federal program, but legislature and Congress aren't there yet.

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 2024-54—Revised 2024 Fiscal Court Meeting Schedule:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-54—Revised 2024 Fiscal Court Meeting Schedule for the Court's approval. This Resolution is to approve a revised 2024 Madison County Fiscal Court Meeting Schedule and supersedes Resolution 2023-138.

Motion by Tom Botkin seconded by Billy Ray Hughes to approve Resolution 2024-54— Revised 2024 Fiscal Court Meeting Schedule.

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 2024-55—Madison County Road Commissioner Appointment:

Judge Taylor presented Resolution 2024-55—Madison County Road Commissioner Appointment for the Court's approval. This Resolution is to re-appoint Jimmy Marcum as the Madison County Road Commissioner.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve Resolution 2024-55—Madison County Road Commissioner Appointment, re-appointing Jimmy Marcum as the Madison County Road Commissioner with an appointment expiration date of June 9, 2028.

Magistrate Botkin expressed his appreciation to Jimmy Marcum and Jimmy Parsons for their service as Road Commissioners.

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 2024-56—Southern Madison Water Board Appointment:

Judge Taylor presented Resolution 2024-56—Southern Madison Water Board Appointment for the Court's approval. This Resolution is to re-appoint Ron Devere to the Southern Madison Water Board.

Motion by Stephen Lochmueller seconded by James Brian Combs to approve Resolution 2024-56—Southern Madison Water Board Appointment, re-appointing Ron Devere to the Southern Madison Water Board with an appointment expiration date of June 9, 2028.

Magistrate Combs thanked Ron for his continued service to the community, as well as everyone on the Southern Madison Water Board.

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 2024-57—Madison County Board of Adjustments Appointment:

Judge Taylor presented Resolution 2024-57—Madison County Board of Adjustments Appointment for the Court's approval. This Resolution is to re-appoint Mike Mavity to the Madison County Board of Adjustments Board.

Motion by Billy Ray Hughes seconded by Tom Botkin to approve Resolution 2024-57—Madison County Board of Adjustments Appointment, re-appointing Mike Mavity to the Madison County Board of Adjustments Board with an appointment expiration date of June 20, 2028.

Judge Taylor expressed his appreciation to those on the Board of Adjustments board for their service.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

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IN RE: Resolution 2024-58—Madison County Board of Adjustments Appointment:

Judge Taylor presented Resolution 2024-58—Madison County Board of Adjustments Appointment for the Court's approval. This Resolution is re-appointing Kimberly Olds to the Madison County Board of Adjustments Board.

Motion by Tom Botkin seconded by James Brian Combs to approve Resolution 2024-58—Madison County Board of Adjustments Appointment, re-appointing Kimberly Olds to the Madison County Board of Adjustments Board with an appointment expiration date of June 20, 2028.

Magistrate Botkin expressed his appreciation to all the members on the Board of Adjustments, as well as to Bert Thomas. There is a lot of work behind the scenes that goes into these appointments.

Judge Taylor stated that Kimberly replaced a member's resignation when she was first appointed, so this will be her first full-term appointment.

Magistrate Combs stated that everyone on the board has a different background, which makes the Board of Adjustments even better. He also expressed his thankfulness to those that serve.

Magistrate Hughes stated that the Board of Adjustments has proven to be a critical board in the county, and they have a very important position. He thanked the members on the board for their work as well.

Magistrate Lochmueller stated that he is aware of some of the criticism the board has received but the fact that they took their time to research, visit, and took public comment to find out more information on something that was new to them shows they are doing an excellent job. He applauded the work that they didn't have to do but wanted to do to help Madison County.

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 2024-59—Alternative Health Solutions, LLC Care Center Service Agreement:

Sarah Stewart, Treasurer, presented Resolution 2024-59—Alternative Health Solutions, LLC Care Center Service Agreement for the Court's approval. This Resolution is to enter into a Care Center Agreement by and between Alternative Health Solutions, LLC and Madison County Fiscal Court.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve Resolution 2024-59—Alternative Health Solutions, LLC Care Center Service Agreement.

Magistrate Botkin stated that he had a good discussion with Jill about the fee structure and how that works, as well as how they are able to schedule the events that they have. He believes, based off that discussion, that this is a very good contract.

Magistrate Combs asked if BluMine reports back how often employees use their services. Sarah stated that they do. Magistrate Combs stated that he has heard nothing but positive reports about BluMine and encouraged County employees to utilize this tool.

Jill Williams stated that BluMine said they were at 53% utilization for the first calendar quarter of 2024. At the end of 2023, they were at 47% utilization. They want the County to be at 50% utilization because if they are under a certain percentage, it is not beneficial to the County.

Magistrate Combs stated it is a great program for employees.

Judge Taylor stated that the employment world is becoming more competitive and believes that this is a good recruiting tool for the County.

Magistrate Botkin stated that in the contract, they have opportunities to schedule events for employees to check their stats and screening, but it is critical for employees to participate in those events.

Motion carried on roll call vote as follows:

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James Brian Combs-Yes Stephen Lochmueller- Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes .

IN RE: Resolution 2024-60—Adopt Security Alert Policy:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-60—Adopt Security Alert Policy for the Court's approval. This Resolution is to adopt a Security Alert Policy to provide guidance to those who may be involved in an emergency situation and describes what to expect from responding law enforcement officials in such an event.

Motion by James Brian Combs seconded by Stephen Lochmueller to approve Resolution 2024-60—Adopt Security Alert Policy.

Magistrate Botkin thanked the author of the document for establishing these policies.

Judge Taylor thanked Jill Williams for her hard work and dedication.

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 2024-61—Discontinuance of Red Lick Watershed Conservancy District Board:

Jill Williams, Deputy Judge Executive, presented Resolution 2024-61—Discontinuance of Red Lick Watershed Conservancy District Board for the Court's approval. This Resolution is to approve the discontinuance of the Red Lick Watershed Conservancy District Board. Motion by Billy Ray Hughes seconded by Tom Botkin to approve Resolution 2024-61—Discontinuance of Red Lick Watershed Conservancy District Board.

Magistrate Botkin stated that based on conversations yesterday there are a lot of things that have to be done based on House Bill 130, but once those things are done it will be a good thing.

Judge Taylor asked Mike Parke, Chairman of the Madison County Soil and Water Conservation District Board, to provide some history on this topic. Once this goes through the process, the Soil and Water Conservation District will be the governing authority.

Magistrate Combs asked Mr. Parke if they had been managing this watershed in the past since the Redlick Watershed board hadn't been able to meet. Mr. Parke stated that they had not been because they didn't have the authority to do so. Last session, they went to Frankfort to get legislation changed so they could discontinue the board. Previously, the only way the board could be discontinued was if the board itself voted to discontinue it. They were unable to get a quorum of members together since Covid due to members passing away and no one else willing to serve in those vacancies. The board was an 11-member board comprising of 5 individuals from Madison County, 3 from Estill County and 3 from Jackson County. The Cabinet for Environmental Services has been pressuring the Soil and Water Conservation District Board to do something, but they legally didn't have any right to do anything since they weren't over the Red Lick Watershed until legislation passed House Bill 130. Now, Estill and Jackson County will have to meet to vote to discontinue the Red Lick Watershed Conservancy District, and then Soil and Water Conservation District will be the administrators so they can get some things completed, with Estill and Jackson County overseeing them.

Assistant Attorney Brooke Bowman stated that they had reached out to the Attorney General's Office to get an opinion so they could be proactive, which led to this taking place.

Magistrate Combs clarified that the Red Lick Watershed board was a combination of individuals from Madison, Estill, and Jackson. Mr. Parke stated that was correct. Judge Taylor stated that Madison County had more members just because the structures were in Madison County.

Magistrate Hughes stated that the main purpose of those structures is for flood control. Mr. Parke stated that was correct. He explained that the City of Berea enhanced those dams since that is a water source for Berea

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Municipal's. They have had some issues with maintaining those dams, particularly with people riding 4-wheelers across them, and he expressed his appreciation to the Sheriff's Department for their service in trying to stop the 4-wheelers.

Judge Taylor stated that the majority of people that live in the Red Lick area don't know what it was like without those structures, and how important they are in controlling the flooding. He stated that those in the area pay a fee to maintain those structures, and they will continue to do so to keep those structures maintained. Magistrate Combs asked if the fee that is collected is earmarked just for those structures. Mr. Parke stated that it was; those funds stay in the Red Lick Conservation District and have a separate fund and budget from the Soil and Water Conservation District.

Magistrate Hughes expressed his appreciation to those on the Soil and Water Conservation District Board.

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: Personnel:

Ryan Wade, Director of Human Resources, recommended the promotion of Robert B. Foster to a Firefighter IV, at a rate of \$10.74 per hour, effective June 5, 2024.

Motion by James Brian Combs seconded by Stephen Lochmueller to approve the promotion of Robert B. Foster to a Firefighter IV, at a rate of \$10.74 per hour, effective June 5, 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: Employee Spotlight:

Ryan Wade, Director of Human Resources, spotlighted Morris Slone, Application Specialist, who has been with the County since 2019. A colleague stated that Morris excels in developing programs that significantly enhance the County's daily operations. His hard work and dedication are deeply appreciated by the entire team.

Judge Taylor stated that Morris is a great addition to the County.

RE: Judge's Report:

- Thank you to everyone that volunteered at the Kentucky River Sweep on Saturday, June 8, 2024.
- The final CSEPP Decontamination Exercise will be on Tuesday, June 11, 2024 from 4:00 PM – 8:00 PM at Church on the Rock in Berea and First Baptist Church in Richmond.
- The final communitywide CSEPP Exercise will be on Wednesday, June 12, 2024 after 8:00 AM.
- The PACA Ball will be on Saturday, June 15th at 8:00 PM at EKU's Center for the Arts in Richmond. Visit bidpal.net/paca24 to purchase your ticket.
- Race Rise is hosting a Juneteenth 2024 Freedom 5K on Saturday, June 15th at 8:00 AM at White Hall State Historic Site in Richmond. Visit www.racerise.com to register.

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- Dominion Senior Living is hosting “The Longest Day” Alzheimer’s Association Community Cookout on Friday, June 21st from 12:00 PM – 2:00 PM, at 200 Meridian Way in Richmond. The Honor Walk will begin at 1:30 PM. Call 859-353-6777 for more information.
- Madison County Government and its related offices will be closed on Wednesday, June 19th for the Juneteenth holiday. Offices will re-open on Thursday, June 20th at 8:00 AM.

Comments from Magistrates:

Judge Taylor expressed his appreciation to the Berea Mayor and Berea City Council for allowing them to use their space for Fiscal Court.

Magistrate Lochmueller stated that he didn’t have anything to report today.

Magistrate Hughes stated that the Union City Volunteer Fire Department and Ruritan Club had a nice auction this past Saturday. The Waco Volunteer Fire Department will be having a truck pull at the Fairground on June 21st. He thanked those that are involved in the Volunteer Fire Department and encouraged the public to support their local Volunteer Fire Departments.

Magistrate Botkin thanked Brandon at the State Road Department for cleaning up some right-of-way issues. He also expressed his appreciation to Magistrate Combs and the other Magistrates for how well they work together to get issues cleared up. He thanked Scott Shepherd and his employees for clearing out the pond in Idylwild. He also thanked Amy and Dana from ECU for coming today.

Magistrate Combs expressed his appreciation to all the civic groups and people that go out to serve and make the community a better community. He thanked the public for coming out to help with the River Sweep, stating they will work on a way to better communicate that so they can make it a bigger event.

Comments from Department Heads:

Chief Tim Gray stated that the Community CSEPP Decontamination Exercise tonight will be at Church on the Rock and at First Baptist Church on the ECU By-pass. The Richmond and Madison County Fire as well as Madison County EMS will be at the First Baptist Church, and Berea, Madison County Fire, Garrard County EMS, and Rockcastle County Fire will be participating at the Church on the Rock.

Judge Taylor asked Chief Gray to provide a presentation to the Court on the Volunteer Fire Departments in the next couple of months.

Comments from the Audience and Facebook Comments:

No Audience or 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 June 25, 2024, in the Richmond City Hall Commission Chambers in Richmond, Ky at 9:30 AM.

IN RE: ADJOURNMENT

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Motion from Billy Ray Hughes to adjourn, seconded by James Brian Combs. Hearing no objection, the meeting adjourned at 10:45 AM.


REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE