

Meeting Date; 8/13/2024

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

REAGAN TAYLOR COUNTY JUDGE EXECUTIVE PRESIDING

The Madison County Fiscal Court convened in regular session on the 13th of August 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, 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 Mark Sarver, pastor at Church on the Rock, to lead the Court in prayer. Judge Taylor asked Sheriff Mike Coyle to lead the Pledge of Allegiance.

IN RE: Approval of Meeting Minutes 7-23-2024:

Motion by Billy Ray Hughes seconded by Tom Botkin to approve the minutes from the regularly called meeting on July 23, 2024.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Sheriff's Quarterly Financial Report:

Mary Margaret Young provided an overview of the Sheriff's Quarterly Financial Report. She stated this report is from January 1st through June 30th with the new Fiscal Book system they started using. It does show them with \$226,904.66 more than the 2nd breakdown report that was given out because it was a surplus from 2023 which will be carried forward to the end of the year. She explained that most of their revenue comes in starting in October when they start collecting taxes. They do get reimbursed for court security, which comes through periodically but it doesn't go back into their expenditures.

Magistrate Botkin stated that the breakdown is very helpful.

IN RE: Proclamation – Madison County Conservation District:

Judge Taylor proclaimed the month of August 2024 as Madison County Conservation District Month and urged all citizens to commend the leadership and staff for such a great achievement.

Mike Parke, David Stipes, and Jimmy Marcum were in attendance to accept this proclamation.

Mike Parke stated that they are glad to service Madison County and appreciate all the support they receive.

They strive to be good stewards and conserve the resources in Madison County.

Judge Taylor stated that the Conservation Board is an elected position, and these members have been in this position for many years. They provide much knowledge and thrive to support this endeavor. Madison County is blessed to have them as conservators.

Mike Parke also presented, on behalf of the Conservation Board, a \$10,000 donation for the dead animal removal program. He explained that this is a vital program in the county, and they want to help support the continuation of it.

Judge Taylor asked Scott Shepherd to present an update on the different programs they have at the next court meeting.

IN RE: 2nd Reading Ordinance 2024-09—Land Use Change 1700 Red House Road from UC-7 Agriculture to UC-1 Single-Family Residential:

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Bert Thomas, Planning and Development Director, presented 2nd Reading Ordinance 2024-09—Land Use Change 1700 Red House Road from UC-7 Agriculture to UC-1 Single-Family Residential for the Court's approval. This is an Ordinance of the Madison County Fiscal Court, Kentucky, approving the zone change of 1700 Red House Road, Richmond, Kentucky, and authorizing the amendment of the official zoning map of Madison County, Kentucky.

Motion by Tom Botkin seconded by James Brian Combs to approve 2nd Reading Ordinance 2024-09—Land Use Change 1700 Red House Road from UC-7 Agriculture to UC-1 Single-Family Residential as presented. There were no public or email comments.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: 2nd Reading Ordinance 2024-10—Land Use Change 3907 & 3911 Irvine Road from C-7 & RC-7 Agriculture to UC-4 Commercial:

Bert Thomas, Planning and Development Director, presented 2nd Reading Ordinance 2024-10—Land Use Change 3907 & 3911 Irvine Road from C-7 & RC-7 Agriculture to UC-4 Commercial for the Court's approval. This is an Ordinance of the Madison County Fiscal Court, Kentucky, approving the zone change of 3907 & 3911 Irvine Road, Waco, Kentucky, and authorizing the amendment of the official zoning map of Madison County, Kentucky.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve 2nd Reading Ordinance 2024-10—Land Use Change 3907 & 3911 Irvine Road from C-7 & RC-7 Agriculture to UC-4 Commercial as presented. Magistrate Botkin expressed his appreciation to Bert for adding the maps into their packet; it was very helpful. There were no public or email comments.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: 1st Reading Ordinance 2024-11—Jail Fund Budget Amendment:

Sarah Stewart, Treasurer, presented 1st Reading Ordinance 2024-11—Jail Fund Budget Amendment for the Court's approval. This is an Ordinance relating to the budget amendment of the Madison County Jail Fund Budget by \$44,018.00.

Motion by Billy Ray Hughes seconded by Tom Botkin to approve 1st Reading Ordinance 2024-11—Jail Fund Budget Amendment as presented.

Judge Taylor asked if this is a reimbursement for program funds from the State. Sarah stated that was correct.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: 1st Reading Ordinance 2024-12—Property Assessment Moratorium to SOCAYR Inc. and Madison Avenue Associates LLLP:

Jill Williams, Deputy Judge Executive, presented 1st Reading Ordinance 2024-12—Property Assessment Moratorium to SOCAYR Inc. and Madison Avenue Associates LLLP for the Court's approval. This is an Ordinance conditionally approving a property assessment and reassessment moratorium for five years to SOCAYR Inc. and Madison Avenue Associates LLLP.

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Motion by Tom Botkin seconded by James Brian Combs to approve 1st Reading Ordinance 2024-12—Property Assessment Moratorium to SOCA YR Inc. and Madison Avenue Associates LLLP as presented.

Magistrate Botkin asked Judge Taylor to explain what this is about. Judge Taylor stated that the individuals that are looking to buy the Madison Avenue Apartments asked the Court if they would participate in this. It is a viable program through the Kentucky Housing Corporation that locks down the property tax assessment while renovations are going on. Madison Avenue Apartments are affordable housing for the community with a lot of units, and some of those tenants may have to be displaced while they are doing the renovations.

Magistrate Botkin stated that this is a good program, and that the City of Richmond has already approved this. Judge Taylor explained that since the City of Richmond has their own taxing district, they had to do the same thing.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: 1st Reading Ordinance 2024-13—Land Use Change 1377 Boonesborough Road from UC-7 Agriculture to UC-1 Single-Family Residential:

Bert Thomas, Planning and Development Director, presented 1st Reading Ordinance 2024-13—Land Use Change 1377 Boonesborough Road from UC-7 Agriculture to UC-1 Single-Family Residential for the Court's approval. This is an Ordinance of the Madison County Fiscal Court, Kentucky, approving the zone change of 1377 Boonesborough Road, Richmond, Kentucky, and authorizing the amendment of the official zoning map of Madison County, Kentucky.

Magistrate Botkin stated that approving the 1st Reading of the Ordinance gives them the opportunity to go out and view the property.

Motion by Tom Botkin seconded by Billy Ray Hughes to approve 1st Reading Ordinance 2024-13—Land Use Change 1377 Boonesborough Road from UC-7 Agriculture to UC-1 Single-Family Residential as presented.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: 1st Reading Ordinance 2024-14—Land Use Change 2021 Berea Road from UC-7 Agriculture to UC-4 General Commercial:

Bert Thomas, Planning and Development Director, presented 1st Reading Ordinance 2024-14—Land Use Change 2021 Berea Road from UC-7 Agriculture to UC-4 General Commercial for the Court's approval. This is an Ordinance of the Madison County Fiscal Court, Kentucky, approving the zone change of 2021 Berea Road, Richmond, Kentucky, and authorizing the amendment of the official zoning map of Madison County, Kentucky.

Motion by James Brian Combs seconded by Tom Botkin to approve 1st Reading Ordinance 2024-14—Land Use Change 2021 Berea Road from UC-7 Agriculture to UC-4 General Commercial as presented.

Magistrate Botkin stated that he went out to look at the property and was concerned about it being across from the cemetery and how the change could conflict with that. However, after talking with Bert, this new zoning change will be an improvement. Bert stated that it has been used as commercial property and had never had a site-based development done on it. They advised the potential new owner that they would have to get a zone change and do a site development plan, which will potentially improve the property.

Magistrate Combs asked if this lies within the city limits of Richmond. Bert stated it was not.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

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Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-80—Kentucky Waste Tire Management Program

Agreement:

Scott Shepherd, Road Supervisor, presented Resolution 2024-80—Kentucky Waste Tire Management Program Agreement for the Court's approval. This Resolution is for the Madison County Fiscal Court to enter into an agreement with the Kentucky Division of Waste Management for the 2024 Waste Tire Management Program.

Motion by James Brian Combs seconded by Billy Ray Hughes to approve Resolution 2024-80—Kentucky Waste Tire Management Program Agreement.

Magistrate Hughes asked how many tires they think they will get. Scott stated that 3 years ago, they had 20,000 tires and believes there will be more this year because there has been more interest in it.

Judge Taylor stated this is such a good program and people look forward to it.

Scott Shepherd stated that they have also been getting a yearly grant to go along with this program, so they will never refuse tires.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-81—Prairie View Subdivision Road Adoption:

Scott Shepherd, Road Supervisor, presented Resolution 2024-81—Prairie View Subdivision Road Adoption for the Court's approval. This Resolution is for Madison County Fiscal Court to adopt Prairie View Drive, Partridge Way, Landstar Drive, and Holly Hock Lane for County maintenance.

Motion by Tom Botkin seconded by James Brian Combs to approve Resolution 2024-81—Prairie View Subdivision Road Adoption.

Magistrate Hughes asked where this is at. Scott stated that it is behind the Twin Lakes Subdivision.

Magistrate Botkin stated that the State had approved a second entrance/exit for the subdivision, which is paved but is gated off. He would like to revisit opening that second entrance with the State because the traffic is terrible getting in and out of the Twin Lakes Subdivision.

Judge Taylor stated that when US 25 gets widened, that second entrance will be put to good use.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-82—American Rescue Plan Act (ARPA) Funds County Road Paving Project Bid Award:

Scott Shepherd, Road Supervisor, presented Resolution 2024-82—American Rescue Plan Act (ARPA) Funds County Road for the Court's approval. This Resolution is for the Madison County Fiscal Court to approve a bid award for the American Rescue Plan Act (ARPA) Funds County Road Paving Project to The Allen Company, Inc.

Motion by Tom Botkin seconded by James Brian Combs to approve Resolution 2024-82—American Rescue Plan Act (ARPA) Funds County Road Paving Project.

Magistrate Botkin stated that he is not happy that they have to take three roads off of this project due to government stipulations. He stated that they have been good stewards of the LGEA funds and would like the Court to consider using some of those funds to fill in the blanks on some of these roads that they are having to

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remove. Judge Taylor stated that with Scott's help, they can work on something to bring back to the Court to get those roads repaired.

Magistrate Hughes asked if this is the only paving that will be done this year. Scott stated that it will not be. He isn't sure what will be done this year yet, but they still have their general fund money as well as the flex funds that get approved by the State.

Magistrate Hughes stated that the roads that are on this list are in need of repair. Scott stated that when they did the re-evaluation of the County Road System, these roads scored the worst in the county.

Magistrate Combs stated that they are trying to do their best to work on the roads that need it the most. There is not enough money to do everything, but he is glad they are able to use these funds to get these roads fixed. He thanked Scott for all the work he has done.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-83—Managed Security Services Provider Bid Award:

Chris Iseral, Chief Information Officer, presented Resolution 2024-83— Managed Security Services Provider Bid Award for the Court's approval. This Resolution is for the Madison County Fiscal Court to approve a bid award for Cyber Security Tools and Services to the Madison County, KY networks.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve presented Resolution 2024-83— Managed Security Services Provider Bid Award.

Magistrate Botkin asked if Chris could explain about the enhanced detection and response at \$120 per instance. Chris stated that it was per server. Those numbers can change as more servers are needed. It also provides EDR, which is virus protection on the servers.

Magistrate Botkin also asked about where the document states for customers under 1, 3, and 5 years there may be a 10% annual increase. Chris stated that this is a contract, and it won't increase; he will have that taken out. This pricing is good for 3 years with an option to renegotiate pricing in years 4 and 5. He stated that it does have a 180-day out, and that they will have to return the devices at that time as well. Chris explained that this is already budgeted, but they had to get the pricing locked in.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Resolution 2024-84— Litter Abatement Grant Funds for Calendar Year 2025:

Scott Shepherd, Road Supervisor, presented Resolution 2024-84— Litter Abatement Grant Funds for Calendar Year 2025 for the Court's approval. This Resolution is for the application and administration of Calendar Year 2025 Kentucky Energy and Environment Cabinet Division of Waste Management Litter Abatement Grant Funds.

Motion by Billy Ray Hughes seconded by James Brian Combs to approve Resolution 2024-84— Litter Abatement Grant Funds for Calendar Year 2025.

Magistrate Botkin stated that this is a good program, and he was glad that it was still going on. He expressed his appreciation to Scott for his work on this program.

Judge Taylor stated that those that participate in the program learn how important it is to not throw trash out the window.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

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Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Personnel:

Hannah Morgan, HR Director, recommended the hiring of Cayden Tinsley as a Firefighter, at a rate of \$18.50 per hour (Class A rate) during recruit training, effective August 14, 2024; once on shift, the pay rate will go to a Class C rate at \$11.00 per hour; the hiring of William Copper as a Firefighter, at a rate of \$18.50 per hour (Class A rate) during recruit training, effective August 14, 2024; once on shift, the pay rate will go to a Class C rate at \$11.00 per hour; the hiring of Greytan Marks as a Part-time Firefighter, at a rate of \$9.24 per hour, effective August 28, 2024; the hiring of Ernest Bryant as a Seasonal Grounds Maintenance, at a rate of \$12.00 per hour, effective August 14, 2024; and the hiring of Christopher Isaacs as a Road Department CDL Truck Driver and General Laborer, at a rate of \$18.00 per hour, effective August 14, 2024.

Motion by Tom Botkin seconded by James Brian Combs to approve the hiring of Cayden Tinsley as a Firefighter, at a rate of \$18.50 per hour (Class A rate) during recruit training, effective August 14, 2024; once on shift, the pay rate will go to a Class C rate at \$11.00 per hour; the hiring of William Copper as a Firefighter, at a rate of \$18.50 per hour (Class A rate) during recruit training, effective August 14, 2024; once on shift, the pay rate will go to a Class C rate at \$11.00 per hour; the hiring of Greytan Marks as a Part-time Firefighter, at a rate of \$9.24 per hour, effective August 28, 2024; the hiring of Ernest Bryant as a Seasonal Grounds Maintenance, at a rate of \$12.00 per hour, effective August 14, 2024; and the hiring of Christopher Isaacs as a Road Department CDL Truck Driver and General Laborer, at a rate of \$18.00 per hour, effective August 14, 2024.

Magistrate Botkin was curious on why the hire for the Road Department starting rate was higher than what was on the pay scale. Judge Taylor stated they would get back with an answer on why that was.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Employee Spotlight:

Hannah Morgan, Director of Human Resources, spotlighted Aleaya Dixon, Kennel Tech with the Madison County Animal Shelter. A colleague stated that she consistently exceeds expectations, and her diligent efforts have resulted in carefully organized areas throughout the shelter.

IN RE: Enter Executive Session:

Motion by Billy Ray Hughes seconded by James Brian Combs to enter into Executive Session at 10:32 AM to discuss deliberation on the future acquisition or sale of real property by a public agency. This Executive Session is allowable under KRS 61.810 subsection 1, subsection B.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

Reagan Taylor – Yes

IN RE: Exit Executive Session:

Motion by Billy Ray Hughes seconded by James Brian Combs to exit Executive Session at 11:11 AM. At this time there will be no action taken.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Not in Attendance

Billy Ray Hughes- Yes Tom Botkin- Yes

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Reagan Taylor – Yes

RE: Judge's Report:

- Friends of PHC (Pregnancy Help Center) is hosting a Blessing of the Safe Haven Baby Box today at 1:00 PM at Richmond Fire Station #1, located at 200 N Madison Avenue in Richmond.
- KACo is excited to announce that submissions for the 2024 "I Love My KY County Art Contest" are currently being accepted. All students from kindergarten through 8th grade are eligible to participate to show their love for their Kentucky county through creative artwork. The winning artworks will be proudly featured in the 2025 KACo calendar, and the top three artists will have the honor of being recognized at the 2024 KACo Conference. The deadline for submissions is September 30th.
- The Berea Celtic Fest and Gathering will be August 15-18th. Visit their Facebook page or www.berea-celtic.org for more information.
- The Bourbon Jam Outdoor Music Festival will be Saturday, August 17th at 11:00 AM at the old Richmond Mall located at 830 Eastern Bypass in Richmond. This event benefits our local first responders. Visit www.bourbonjam.com for more information.
- A dedication ceremony for the Baptist Health Cancer Center will be on Thursday, August 22nd at 6:00 PM at Baptist Health Richmond's South Entrance Healing Garden.
- ECU's Fan Day is Saturday, August 24th at 5:00 PM at Roy Kidd Stadium. The event is free to Colonel fans of all ages. Everyone is encouraged to attend and meet the ECU football team.
- The Battle of Richmond Reenactment will be Saturday, August 24th and Sunday, August 25th from 10:00 AM – 4:00 PM. There is a modest parking fee. Visit battleofrichmond.com or call 859-248-1974 for more information.
- Just a reminder that Kentucky River Foothills is accepting application for the Summer Subsidy Cooling segment of the Low-Income Home Energy Assistance Program (LIHEAP). The deadline for applications is September 13, 2024, or until funds are exhausted. The program aims to assist households in offsetting their electric expenses. Appointments can be scheduled by calling 859-544-1713.
- Road closure is scheduled for Richmond on Thursday, August 15th from 6:00 PM – 8:00 PM on Lancaster Ave around ECU's campus for their Freshman Walk. The closure will also affect Crabbe St., Eastway Dr., and Barnes Mill.
- Pops at the Park in Paradise on Saturday, August 17, 2024. Gates will open at 5:00 PM. Blanket seat tickets are still available. Call 859-623-1720 for more information.

Comments from Magistrates:

Judge Taylor thanked the Berea Mayor and City Council for allowing the Court to use their chambers. He also thanked the Court for their patience and for standing with him on not using the ARPA funds immediately; they wanted the funds to have a lasting impact on the community. Judge Taylor also wished the grandson of Magistrate Lochmueller good luck in the Babe Ruth World Series tournament.

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Magistrate Hughes stated that the College Hill Methodist Church Ice Cream Social will be this Saturday, and he encouraged everyone to come out to support that. He also expressed his appreciation to Spencer with the Richmond Register and wished him well at his new position in Salt Lake City.

Magistrate Botkin stated that the ECU Student Welcome Walk will begin at 4:30 on Thursday, with free food for those that attend. He wanted to address the light being out at the boat ramp at Wilgreen Lake; KU has been contacted and will be out to repair that as quickly as possible. There are also solar lights that have been installed at the piers for night fishing.

Magistrate Combs stated that they are always available for those that have questions or concerns.

Clerk Barger stated that the General Election is fast approaching. They will need election workers, and if anyone is interested, they can go online to www.madisoncountyclerk.us to sign up. The pay is \$250 to work Election Day and \$16 per hour for working Early Voting.

Sheriff Coyle stated they had their annual employee picnic at the Coyle Farm with a great turnout. They received their last 2 cars last week, which are now on the road. They have 2 new deputies in the academy, have hired a former State Trooper who will be sworn in soon, and will have 3 court security officers hired soon so their employee numbers will be going back up. He also stated that he and his wife are celebrating 52 years of marriage.

Comments from Department Heads:

Scott Shepherd clarified the pay scale on the new hire. The new hire for this week is under a scale 8 for a New Hire with CDL, which is what this new hire is. The scale 5 Road Department General Labor is what Magistrate Botkin was looking at, and that starting pay is lower than the scale 8.

Comments from the Audience and Facebook Comments:

There were no Audience Comments.

Jill Williams stated there were several Facebook Comments

Joe Woodyard stated that there were car counter strips put across Jacks Creek and Tates Creek a few weeks ago, and wanted to know what was being done with that data. Judge Taylor stated that those are both State roads. The State has some rules in place where they put counters out on a regular basis, and they provide that information on the Transportation Cabinet Website under Traffic Counts. Mr. Woodyard could contact the District 7 Transportation Cabinet for an answer as well.

Jill also stated that there were a couple comments when coming back from Executive Session where it couldn't be heard what was said and she asked Judge Taylor to re-state what the executive session was for. Judge Taylor stated that in Executive session, under KRS 61.810, they are allowed to go into Executive session to discuss certain topics, and one of those topics is to deliberate on future acquisition or sale of real property by a public agency which is KRS 61.810 subsection 1, subsection B. When they came out of Executive Session, there was no action needed or taken on that topic.

She stated that the only other comment was to wish a Happy Anniversary to Mike and Linda Coyle.

IN RE: Pay Claims and Approve Transfers:

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

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ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for August 27, 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 adjourned at 11:27 AM.



REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE