

Meeting Date; 9/10/2024

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 10th of September 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. Assistant Madison County Attorney Brooke Bowman, Madison County Sheriff Deputy Michael Stotts, 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 Joey Kays, pastor at Emmanuel Baptist Church, to lead the Court in prayer. Judge Taylor asked Magistrate Tom Botkin to lead the Pledge of Allegiance.

IN RE: Approval of Meeting Minutes 8-27-2024:

Motion by Billy Ray Hughes seconded by James Brian Combs to approve the minutes from the regularly called meeting on August 27, 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: Proclamation – Constitution Week:

Judge Taylor proclaimed the week of September 15th through 21st as Constitution Week and urged all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

Debra Parsons, Jemima Boone Charter, National Society, Daughters of the American Revolution, was in attendance to accept this proclamation. She expressed her appreciation to the Court for all they do to support the community and the service they provide. Last year, with the Fiscal Court's help, they were able to meet with over 900 children to teach them the importance of the Constitution, to respect our community, and to teach them how important it is to participate in the community.

IN RE: Madison County Animal Shelter Follow-Up:

Jill Williams, Deputy Judge Executive, provided an update on the Madison County Animal Shelter. Maggie Ratliff, Animal Care and Control Director, introduced herself and spoke on how she came to work with the animal shelter. She started with the Animal Shelter on May 8, 2024, and since then she has dedicated her time to learn the shelter operations, the story of the shelter, as well as researching other facilities around Madison County to see how they have found success.

Jill started the presentation discussing the Kentucky requirements of animal care and control. Each county has to have a sheltering facility, an animal control officer, and meet the minimum care standards. Animal Control programs are designed to ensure that pet owners exercise proper care and control of their animals, so they don't pose a threat or nuisance to the community. Animal sheltering provides safe, humane housing for dogs and cats which have become separated from their owners, confiscated for cruelty cases, or impounded for law violations on the part of their owner, as well as providing a location for the reporting of lost and found pets.

Jill also outlined the KRS requirements of the County for maintaining an animal shelter and what they must do and have to do based on those KRS requirements.

As a Financial Overview, Jill stated that funding for the animal shelter typically comes from a combination of sources, but primarily from the General Fund, as well as from donations and grants, adoption fees, partnerships and sponsorships. In 2019, Mr. Tony Bennett donated \$190,897.27 to be used for the animal shelter in an

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impactful way. Initially, there were conversations and ideas around using those funds to improve the spay/neuter program, but in order to ensure that the generosity of Mr. Bennett's donation makes a significant difference on the shelter, the Fiscal Court at the time decided to put this donation into a designated investment account in an effort to grow the funds for a major shelter project, like a new shelter. The money has remained in the interest bearing account untouched since that time and now has a balance of \$237,429.41.

Jill went on to discuss staffing at the animal shelter. Recruitment and retainment of staff at the animal shelter has been a long-standing problem for 20 years. They currently have 7.5 full-time employees, most of which are relatively new. The Director, Maggie, began on May 8th, one Animal Control Officer returned to the Animal Shelter in January 2023, and the other Animal Control Officer started in June 2024. There are 3.5 Kennel Technicians with the longest serving being since February, and one Receptionist/Adoption-Rescue Assistant who began on May 8th. With a new staff force comes challenges and learning curves. Over the course of the last few months, they have worked diligently on training new staff, reviewed their documentation process, made visits to other shelters to learn from them, planned adoption events, started spay/neutering prior to adoption, changed cleaning procedures to KennolSol for improved disease contamination thanks to the help of a local business, met with citizens, and implemented new processes that stemmed from those meetings.

Jill stated that during the last court meeting there were some allegations that were made against the animal shelter that she would like to address. The first complaint was that there was an increase in euthanasia numbers, which is not true. In fact, they have decreased substantially from 2023. So far, for 2024 the euthanasia number is 153 (89 of those being from the previous leadership in the first 2 months of the year), whereas in 2023, that number was 469, and in 2022 that number was 238.

Magistrate Combs asked if there was any kind of outlier during that time period to account for the higher amount of euthanasia. Jill stated that they did have some outbreaks of disease in the shelter last year that caused some of those numbers, and they did take in more owner surrenders last year. He also asked when they have an owner-surrender animal, is there a questionnaire that must be filled out to explain why the animals are being surrendered. Maggie stated that the informational form that is filled out on intake, the owner is required by law to state why they are surrendering the animal.

Another complaint was that there were missing animals because intake numbers were not sequential or missing. The number that is assigned to an animal is an identifier not a counter, and when an intake form is completed, that number is automatically generated. Anytime that browser is pulled up, a number is generated, so if that browser has to be minimized before completion, the number becomes a "null number." Just because those numbers are not sequential doesn't mean that there are animals missing. Magistrate Combs clarified that they still have a record of those numbers that are missing. Jill stated that they do, and they say "null" beside them; it is a burned number.

There was another concern about the animal shelter not working with rescues. Jill stated that in 2022 they sent 221 animals to rescues, in 2023 they sent 250 animals to rescues, and so far in 2024 they have sent 98 animals to 12 different rescue groups. She explained that the animal shelter doesn't charge the rescue groups for any of the animals they pick up.

There was also a concern that animals are just dying in the shelter. In 2022, there were 33 in-shelter deaths, 13 of which were puppies that were brought in that were sick and high-risk. In 2023 there were 27, and in 2024 so far there have been 44 in-shelter deaths. For 2024, there have been 19 puppies that were 8 weeks old or less that were brought in sick and high-risk, 2 senior animals with health issues, 1 was brought in injured, and 11 were puppies 8 weeks to 1 year old. Magistrate Lochmueller asked if separation of puppies would need to be looked at with a new shelter. Jill stated that separation would be one of the many things that they will need to look at. Having some of the conversations with the architects is helping determine some of these needs.

Another concern that was brought up was a lack of Facebook engagement. Jill stated that they could do better in this area. There is strategy around posting, over posting, posting at the right times with the right information, and that is something they are improving on with some outside help. Magistrate Combs stated that even if you post something, if people aren't sharing it, it doesn't have as much of an impact as it could. He encouraged the public to share the things they post. Maggie stated that they have been more intentional with what they have

Meeting Date; 9/10/2024

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

been posting and more purposeful on top of their animal posts. Jill also stated that she had been told that there were not enough posts on reunited or adopted. She explained that a lot of people don't like having their picture on Facebook and they will always respect the wishes of each individual. Judge Taylor stated that social media has become a place that no longer builds people up, so he encouraged citizens and staff members to build up the shelter and staff members when they see posts on social media.

There was another complaint about not answering the phones. Jill stated that they could improve on that as well. An expectation has been made of having a 24-hour callback, but there is still work to be done. Magistrate Combs asked when someone calls the shelter, does it go through a menu option. Jill stated that it does not. She stated that there are some logistical issues that they have discovered during this process that need to be changed. Chris stated that there are two sides to the issue, some people don't want to get an auto attendant, they want to talk to an actual person. He stated before it goes to voicemail after it rings through the animal shelter, maybe the call should go to an auto attendant to see if that might answer some questions. Magistrate Lochmueller stated that with them being understaffed anything that they can do to provide efficiency for the shelter and give the citizen the opportunity to leave a message would be a good thing.

Another concern that was brought up was about adoption events that haven't taken place. It is not true that they aren't taking place, but they could always do more. They generally do 4 to 5 events a year, and so far in 2024 they have had 4 with a couple events already in the planning process.

There was an issue that was brought up concerning the hours of operation. The community has asked for Saturday hours, which was actually implemented in 2022, but it wasn't as fruitful as what they had hoped. So they have to take into account when people are coming in to support the shelter throughout the week, and it may be more fruitful to be open longer one day during the week than on a Saturday.

The final concern that was brought up was the lack of a volunteer program. The animal shelter hasn't and never has a strong volunteer program for a number of reasons. There is a liability to the animal shelter and this needs to be something the Fiscal Court weighs in on as well because there can be major implications, which they have experienced in the past. It isn't because they aren't appreciative of people who have a willingness to help, but because they have to have structure, volunteers willing to serve the need and a willingness to agree to policies, procedures and waive liability. They have always encouraged the shelter leadership to develop a structured program that assists them and the needs of the shelter. Judge Taylor stated that the lack of a volunteer program is due to logistical issues like being short staffed, having to train, liability, etc. Magistrate Combs stated that when you are short staffed and are still learning the job, it makes it difficult to bring in someone else to train. Jill stated that they have room for improvement and will continue to work on a plan for the future. They will continue to monitor this situation and listen to the community. She said the ultimate goal of the Animal Shelter is to find a great loving home and outcome as quickly as they can for every animal that is brought to their shelter.

Judge Taylor stated that they could be doing things better. He expressed his appreciation to the constructive criticism and stated that he is proud of his team for their work on making the County stronger.

Magistrate Lochmueller thanked the staff for all their hard work and for taking steps toward where the County wants to be. He stated that he has a couple meetings set up with individuals who have some concerns and ideas on the shelter and will bring anything he learns from those meetings back to the Court.

Magistrate Botkin apologized to Maggie for not stopping by the Animal Shelter and seeing them more often. He expressed his appreciation to her and her staff, and thanked Jill for her time on getting the research together.

There is always room for improvement.

IN RE: 1st Reading Ordinance 2024-15—Update Land Development and Subdivision Regulations:

Jill Williams, Deputy Judge Executive, presented 1st Reading Ordinance 2024-15—Update Land Development and Subdivision Regulations for the Court's approval. This is an Ordinance amending Ordinance #2023-13, the Madison County Land Development and Subdivision Regulations regarding allowed uses.

Meeting Date; 9/10/2024

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

Motion by Stephen Lochmueller seconded by Tom Botkin to approve 1st Reading Ordinance 2024-15—Update Land Development and Subdivision Regulations as presented.

Magistrate Botkin stated that personally he isn't for cannabis but if it helps one of his representatives and is controlled properly, he can't stand in the way of it.

Magistrate Combs asked if they approve this Ordinance can they not go back and ban any of these definitions as far as dispensaries. Judge Taylor stated they could if it is the pleasure of the Court. Voting to allow a 2nd

Reading will allow the members of the Court to vet this Ordinance to understand it better and ask any questions they may have to Bert. Assistant Madison County Attorney Brooke Bowman directed the Court to the website for the Kentucky Department of Medical Cannabis, which has a lot of good information on it that might help answer some of their questions. Judge Taylor stated that they can also amend this Ordinance at any time as well after the 2nd Reading. If there is going to be substantial changes that need to be made prior to advertising for the 2nd Reading, then they can do away with this Ordinance and create a new Ordinance with a new number that would begin with a 1st Reading again. One of the concerns that Magistrate Combs has is with the dispensary part, and why it isn't dispensed through a pharmacy. With the drug epidemic in the county, and the fact the 4 Representative for the County voted no on Senate bill 47, he would like to see some changes from the State to put the proper guide rails on this bill. He stated that they can always change do something that has been banned previously but is not always true in reverse.

Judge Taylor stated that the City of Richmond and Berea have already passed their Ordinance on this, and he stated that there are only so many licenses per any of the categories throughout the State. He also clarified that if they did decide to not allow a dispensary within the incorporated limits of the County, it doesn't mean that they wouldn't be allowed within the city limits of Berea or Richmond.

Magistrate Hughes stated that one of the options they had talked about was letting the citizens vote on whether they wanted to allow this or not, and he will vote based on the input he received from his constituents.

Motion carried on roll call vote as follows:

James Brian Combs-No Stephen Lochmueller- Yes

Billy Ray Hughes- No Tom Botkin- Abstained

Reagan Taylor – Yes

IN RE: Resolution 2024-91—Freybrook Drive Road Adoption:

Scott Shepherd, Road Supervisor, presented Resolution 2024-91—Freybrook Drive Road Adoption for the Court's approval. This Resolution is for Madison County Fiscal Court to adopt Freybrook Drive for County maintenance.

Motion by James Brian Combs seconded by Stephen Lochmueller to approve Resolution 2024-91—Freybrook Drive Road Adoption.

Judge Taylor asked Scott if they had talked with the developer about if there was not future development there would be enough land granted for them to have a cul-de-sac. Scott said it was included in there.

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 2024-92—ASAP Harm Reduction Grant FY25 Budget

Amendment:

Sarah Stewart, Treasurer, presented Resolution 2024-92—ASAP Harm Reduction Grant FY25 Budget Amendment for the Court's approval. This Resolution approves budget amendments and budget carryovers for the FY25 ASAP Harm Reduction Grant per recommendation from the Madison County ASAP Board.

Motion by Billy Ray Hughes seconded by Tom Botkin to approve Resolution 2024-92—ASAP Harm Reduction Grant FY25 Budget Amendment.

Meeting Date; 9/10/2024

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

Laura Nagle, Treasurer of the Madison County ASAP Board, was in attendance to answer any questions the Court had.

Magistrate Botkin stated that he has questions that he asked Judge Taylor about yesterday and he spoke with Laura today, who was able to answer those questions for him.

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 2024-93—General ASAP Grant FY25 Budget Amendment:

Sarah Stewart, Treasurer, presented Resolution 2024-93—General ASAP Grant FY25 Budget Amendment for the Court's approval. This Resolution approves budget amendments for the FY25 General ASAP Grant per recommendation from the Madison County ASAP Board.

Motion by Billy Ray Hughes seconded by Stephen Lochmueller to approve Resolution 2024-93—General ASAP Grant FY25 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: Employee Spotlight:

Hannah Morgan, Director of Human Resources, spotlighted George Smith, Systems Administrator with the Madison County IT Department. A colleague stated that George is a great addition to their team. He is kind, upbeat and hard-working, and can always be counted on to assist with your IT needs. He isn't afraid to tell you if he doesn't know how to fix the issue, but he will do his best to find a solution to the problem.

Judge Taylor expressed his appreciation to George, stating that he was a great addition to their IT team.

IN RE: Enter Executive Session:

Motion by Billy Ray Hughes seconded by James Brian Combs to enter into Executive Session at 11:42 AM to discuss a personnel matter. This Executive Session is allowable under KRS 61.810 subsection 1, subsection F.

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: Exit Executive Session:

Motion by Billy Ray Hughes seconded by Tom Botkin to exit Executive Session at 12:00 PM.

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: Termination:

Motion by Billy Ray Hughes seconded by Tom Botkin to terminate Tyler Powell effective August 29, 2024.

Motion carried on roll call vote as follows:

James Brian Combs-Yes Stephen Lochmueller- Yes

Billy Ray Hughes- Yes Tom Botkin- Yes

Meeting Date; 9/10/2024
Meeting of; Madison County Fiscal Court
Meeting Type; Regularly Scheduled
Reagan Taylor – Yes

RE: Judge's Report:

Judge Taylor stated he would not give a Judge's Report today due to the lengthy discussions during today's meeting. The information will be shared on social media platforms and Madison County's website.

Comments from Magistrates:

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

Magistrate Lochmueller stated that he had nothing to report.

Magistrate Hughes stated Union City Ruritan will be having a Fall Festival on September 21st. They will have food trucks, a flea market, and a beauty contest.

Magistrate Botkin stated that the State has been cutting some of the brush off the roadway on Lancaster Avenue, but they had some problems last week with people wanting to drive around the flagman. He encouraged the public to use caution and obey those flagmen that are out there for the public's safety. He also stated that the Airport Board thanked Scott for blacktopping the Airport Road.

Magistrate Combs stated that the State will be mowing in Jackson Holler on 421 and advised the public to use caution in that area.

Clerk Barger stated that the sample ballot will be on the website soon. There are 2 amendments on the ballot, and he advised the public to read over those and educate themselves about them before going to polls.

Comments from Department Heads:

No Comments from Department Heads.

Comments from the Audience and Facebook Comments:

Julie Clowers, 1823 Battlefield Memorial Highway, stated that she has heard about potentially locating the new animal shelter behind her mother-in-law's business, Clower's Market, and expressed her concerns on that decision. She would like to schedule a meeting to discuss the possibility of the new animal shelter be located behind the Clower's Market.

Judge Taylor stated that there hasn't been a decision made yet on where the animal shelter will be located. He would be happy to set up a meeting with the Clower's family.

Erica Coffey, 108 Overland Dr. Richmond, came to the last meeting and spoke on the communication, which was addressed and was pleased with the call back responses. She is a foster for a couple different rescues and explained the fees that are charged by those rescues once those animals are adopted typically result in a lack of profit for the rescues but are compensations for the expenses that are incurred by vet bills, dental bills, etc.

Dana Fousset, Estridge Rd Berea, stated that she had some concerns about the smell at the animal shelter and the care of the animals when she visited last week.

Judge Taylor stated that they will continue to get better and will continue to make improvements.

Meeting Date; 9/10/2024

Meeting of; Madison County Fiscal Court

Meeting Type; Regularly Scheduled

Leigh Miller, Red Lick Rd, stated that she had requested some documents and had some concerns on animals that are on hold for longer than 6 months before being euthanized.

Jill stated that their goal is to work towards a no kill shelter.

Dakota Rollins, Poosey Ridge Rd, had some concerns on animals that were listed as pending rescues. She stated that she thought the shelter needed to be open at least one weekend a month. There are some concerns around behavioral testing on dogs and keeping them in behavioral hold for months at a time. She would like to have an audit done by the Kentucky Court of Justice Office of Audits on the shelter.

Judge Taylor stated that the shelter funds are audited every year because it is part of the general funds of the Fiscal Court and that audit is found online on Madison County's website.

Assistant Attorney Brooke Bowman reminded the public that this particular portion of the Court proceedings is directed for public comments. If there are specific questions that are directed to specific departments, there are appropriate avenues to submit those requests through.

Chris Iseral stated there were a couple Facebook Questions.

One asked for the number for the Richmond Animal Control Office, which is 859-625-6404.

The other question was how many alcohol induced crimes have there been. Assistant Attorney Brooke Bowman stated that that is not a record that is maintained by the County Judge Executive Office.

IN RE: Pay Claims and Approve Transfers:

Motion made by Stephen Lochmueller seconded by Tom Botkin to approve to pay the claims and transfers.

ANNOUNCE NEXT COURT DATE:

Judge Taylor announced the next court date for September 24, 2024, in the Richmond City Hall Commission Chambers in Richmond, Ky at 9:30 AM.

IN RE: ADJOURNMENT

Motion from James Brian Combs to adjourn, seconded by Billy Ray Hughes. Hearing no objection, the meeting adjourned at 1:00 PM.


REAGAN TAYLOR MADISON CO. JUDGE/EXECUTIVE