

At a regular meeting of the Fleming County Fiscal Court held Wednesday, August 10, 2022 at the Fleming County Courthouse, 100 Court Square, Flemingsburg, Kentucky. The meeting was called to order at 9:00 AM by Fleming County Judge/Executive Larry H. Foxworthy who led the Pledge of Allegiance. Roll Call was conducted by Fiscal Court Clerk Tammy L. Gray. Magistrates present: David J. DeAtley, Richie Kielman, James Smoot, Donnie Fawns and Ray H. Money. Absent: Magistrates Chris Hickerson. Also, present was Assistant County Attorney Blaze Tomlin and County Treasurer Kathy Dryden.

Vote Unan.                      Motion: Richie Kielman                      Second: Ray H. Money

A motion was made to approve the meeting minutes of July 12, 2022.

Vote Unan.                      Motion: James Smoot                      Second: Donnie Fawns

A motion was made to approve the renewal of lease with Altius for use of Pea Ridge Tower for one year at \$ 250.00 per month.

Vote Unan.                      Motion: Ray H. Money                      Second: Richie Kielman

A motion was made to approve the renewal of equipment maintenance agreement with RCS and give the Judge/Executive the authority to sign.

Vote Unan.                      Motion: Richie Kielman                      Second: David J. DeAtley

A motion was made to approve the renewal of fire extinguisher inspection services for courthouse and annex with Johnson Controls.

Vote Unan.                      Motion: Donnie Fawns                      Second: James Smoot

A motion was made to approve the renewal of ACA reporting services agreement with McGregor and Associates.

Vote Unan.                      Motion: James Smoot                      Second: Ray H. Money

A motion was made to approve the 2022 Waste Tire Collection Event Agreement.

Vote Unan.                      Motion: Donnie Fawns                      Second: David J. DeAtley

A motion was made to approve the reappointments of Donnie Logan and Dave Watson to serve another term on the Fox Creek Watershed Conservancy from 8/15/22 through 8/15/2026.

John Sims Jr. resigned as Asst. EM Director effective 8/10/22

Vote Unan.                      Motion: Richie Kielman                      Second: Donnie Fawns

A motion was made to approve the appointment of Travis Earlywine to serve as Asst. EM Director effective 8/10/22.

Vote Unan.                      Motion: Ray H. Money                      Second: Richie Kielman

A motion was made to appoint Anthony Vise, Marty Voiers and ~~Gordon Pepper~~ Joe Dunaway to serve on the Solid Waste Advisory Committee.

Vote Unan.                      Motion: David J. DeAtley                      Second: Richie Kielman

A motion was made to approve the 2023 Litter Abatement Grant application and give the Judge/Executive the authority to sign and execute any and all documents.

Vote Unan.                      Motion: Richie Kielman                      Second: David J. DeAtley

A motion was made to approve the County Treasurer's month end July 2022 financial reports as presented by Dryden. General Fund \$ 959,440.16, Road Fund \$ 372,180.15, Jail Fund \$ 89,464.55, LGE Fund 138,820.67, Forest Fire Fund \$ 32.45, CDBG Fund \$ 10,000.50, Dispatch Fund \$ 361,276.43, ARPA Fund \$ 2,254,811.87, Capital Improvement Fund \$ 300,627.78 for a total of all funds \$ 4,486,654.56.

Vote Unan.                      Motion: Donnie Fawns                      Second: Ray H. Money

A motion was made to approve the Budget Transfers as presented by Dryden.

No Cash Transfers.

Vote Unan.                      Motion: Richie Kielman                      Second: Donnie Fawns

A motion was made to approve the first reading of Ordinance 22-1369 Budget Amendment presented by Dryden.

Vote Unan.                      Motion: Richie Kielman                      Second: Donnie Fawns

A motion was made to set the 2022 tax rates as follows: Personal Property 15 cents per \$ 100, Real Property 15 cents per \$ 100, Motor Vehicles/Watercraft 16 cents per \$ 100, Fire Acres 2.5 cents per acre.

Vote Unan.                      Motion: David J. DeAtley                      Second: Richie Kielman

A motion was made to approve the claims reports and carry in claims reports as presented.

Vote Unan.                      Motion: Ray H. Money                      Second: Richie Kielman

A motion was made to approve the July 2022 County Road Maintenance Report.

Vote Unan.                      Motion: David J. DeAtley                      Second: Donnie Fawns

A motion was made to approve effective 7/1/2022 the Salaries Order as presented by Dryden.

An update regarding the roadway issue on Wooley Road at Caudill property was given by Judge/Executive Foxworthy. The appraisal and survey for the Caudill property has not been received yet. No action taken.

Vote Unan.                      Motion: Ray H. Money                      Second: Richie Kielman

A motion was made to approve the Fleming County Clerk's month end July 2022 report as presented by Fritz.

Vote Unan.                      Motion: Ray H. Money                      Second: Richie Kielman

A motion was made to approve the Fleming County Clerk's 2022 second quarter report as presented by Fritz.

The annual delinquent property tax sale is set for August 19, 2022.

Vote Unan.                      Motion: David J. DeAtley                      Second: Richie Kielman

A motion was made to approve the Fleming County Sheriff's monthly report of July 2022 as presented by Kinder.

Vote Unan.                      Motion: David J. DeAtley                      Second: Richie Kielman

A motion was made to approve the 7/18/2022 polled decision to declare 2003 Ford Crown Victoria VIN # 9489 as surplus and sell at public auction set for 8/20/2022.

A review of current Ordinance 05-005 and Ordinance 95-004 was conducted. County Judge/Executive asked if any Magistrate was interested in any amendments to either Ordinance due to recent issues regarding nuisances, safety and enforcement. None were heard.

Discussion was held regarding ongoing issue of unapproved and non-compliant property entrance and water runoff problem creating extremely muddy conditions on Concord Road. Several complaints have been received about the area. The Property owners have been notified several times to remediate the area via certified mail twice and verbally several occasions but no action has been taken by them. A meeting with the property owner(s) has been set for Friday, August 12, 2022 with the County Judge/Executive, Asst. County Attorney and Road Supervisor. The Fiscal Court's declaration that a nuisance exists in accordance with Ordinance 05-005 and Ordinance 95-004 may be instituted at the next meeting if conditions are not complied with in a timely manner.

Vote Unan.                      Motion: David J. DeAtley                      Second: Richie Kielman

A motion was made to approve the first reading of amendment to Ordinance 13-1150 County Administrative Code/Personnel Policies Section 5.58 B(6) and C(1)as follows:

- B. (6) An employee shall be reimbursed for meals on a per diem basis, except no reimbursement shall be allowed for meals that are included in registration /seminar fees. **Reimbursement for breakfast shall only be allowed if overnight**

~~travel is required, or if the employee commences travel prior to 6:00 a.m. Reimbursement for dinner shall only be allowed if overnight travel is required, or if the employee is required to be on travel past 8:00 p.m.~~ Allowances for meals shall be the same rate paid by the Commonwealth of Kentucky. Reimbursement for meals will only be paid if an itemized receipt is presented with detailed description of the expenditure. Gratuities may be reimbursed if it does not exceed 20% of the cost of the meal.

C. (1) **Meal Costs: A county employee shall be eligible for reimbursement for subsistence for breakfast, lunch and dinner expenses while traveling for authorized work if the authorized work requires an overnight stay and absence during the mealtime hours established.**

A drafted emergency Ordinance pertaining to abatement of nuisance mobile homes and manufactured homes was distributed and discussed. Roll call of any interest in pursuing: Magistrates Smoot, Fawns and Money - NO, Magistrates DeAtley and Kielman - YES. No action was taken

Vote Unan. Motion: Richie Kielman Second: Donnie Fawns

A motion was made to redraft an Ordinance pertaining to the abatement of nuisance mobile homes and manufactured homes for a first reading at next meeting.

Vote Unan. Motion: Ray H. Money Second: Donnie Fawns

A motion was made to authorize the County Judge/Executive to approve the bid(s) acceptance, award the contract, negotiate the contract if necessary and execute any and all contracts for Senior Center Project.

Vote Unan. Motion: Ray H. Money Second: Donnie Fawns

A motion was made to approve to authorize the issue of payments for construction services on Senior Center project to meet AIA contractual requirements.

Heartfelt sympathies were expressed to the Money family for the unexpected loss of long-time community advocate, volunteer and outstanding citizen Billy Grover Money.

Vote Unan. Motion: Richie Kielman Second: Donnie Fawns

A motion was made to adjourn at 11:07 AM.

