

At a regular meeting of the Fleming County Fiscal Court held Tuesday, September 13, 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. Magistrates present: David J. DeAtley, Richie Kielman, James Smoot, Donnie Fawns and Ray H. Money. Also, present was County Attorney Monica Hill and County Treasurer Kathy Dryden.

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

A motion was made to approve the amended meeting minutes of August 10, 2022.

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

Fleming County Public Library Director Mary Rushing came before the Fiscal Court with the annual report of services.

Fleming County Chamber of Commerce Executive Director Crystal Ruark came before the Fiscal Court distributing recent newsletter, community calendar of events/programs and update on recently held successful events.

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

A motion was made to approve Resolution 22-1371 and Joinder Agreement for the Deferred Compensation Plan.

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

A motion was made to approve the ABS contracts for copier services at Administrative Office, road department and dispatch office as presented.

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

A motion was made to approve the renewal of CBTS agreement for phone systems maintenance at Administration Office and Road Department.

Vote Unan. Motion: Richie Kielman Second: Donnie Fawns

A motion was made to approve Resolution 22-1372 and KTC Flex Funding Agreement for resurfacing of Martha Mills Road and give the County Judge/Executive the authority to sign any and all documents.

Vote Unan. Motion: Donnie Fawns Second: James Smoot

A motion was made to approve the reappointment of Chip Spann for another four-year term on the Greater Fleming County Water Commission beginning 9/1/2022 through 9/1/2026.

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

A motion was made to approve the reappointment of Woodie Reeves for another four-year term on the Fox Creek Watershed Conservancy Board beginning 9/15/2022 through 9/15/2026.

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

A motion was made to approve the funding request received from the Buffalo Trace Area Fire Fighters Association for \$ 500.00.

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

A motion was made to approve the County Treasurer's financial reports as presented by Dryden. General Fund \$ 946,819.92, Road Fund \$ 994,185.26, Jail Fund \$ 45,818.83, LGEA Fund \$ 139,037.54, Forest Fire Fund \$ 36.17, CDBG Fund \$ 8,789.50, Dispatch Fund \$ 383,445.38, Clerks Storage Fund \$ 1,030.07, ARPA Fund \$ 2,253,915.68, Capital Improvement Fund \$ 300,516.29. Total all funds \$ 5,073,594.64.

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

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

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

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

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

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

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

A motion was made to approve Resolution 22-1370 relating to the levy and adoption of 2022 tax rates for Fleming County, and acceptance of tax rates for Special Districts and other taxing districts as follows: Real Estate 15 cents per \$ 100, Tangible Personal 15 cents per \$ 100, Motor Vehicle & Watercraft 16 cents per \$ 100.

<u>Taxing District</u>	<u>Real Estate</u>	<u>Personal</u>	<u>Vehicle</u>
Health	5.0 cents	5.0 cents	5.0 cents
Library	9.0 cents	12.77 cents	5.0 cents
Extension	4.6 cents	6.37 cents	2.5 cents
Ambulance	8.6 cents	8.6 cents	4.5 cents
Soil Conservation	1.5 cents		
Fox Creek Conservancy	1.5 cents		
Timberland	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 August 2022 County Road Maintenance Report as presented.

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

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

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

A motion was made to approve Resolution 22-1372 correcting an error that was been identified on the 2003 County Road Map for the spelling and total miles maintained by the county on Helphenstein Road County Road 1109; the correct spelling on the 2003 County Road Map for County Road 1109 should be Helphenstine Road and the maintained portion of 0.4 miles has been confirmed by the County Road Supervisor and ends at the cattle crossing.

Discussion was held regarding the Caudill property on Wooley Road in which the county's past maintenance has caused damages to Mr. Caudill's property. The appraisal for the 15.8 acres came in at \$ 39,000.00. The cost of the property would be \$ 55,300.00. The county is responsible to remediate the damages but the cost to do the work would greatly exceed the purchase price.

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

A motion was made to purchase the Caudill property of 15.8 acres identified in survey with easement dated 8/10/2022 in the amount of \$ 55,300.00 due to cost to remediate exceeds purchase price and give the County Judge/Executive the authority to sign all documents.

Vote Unan. Motion: Richie Kielman Second: James Smoot

A motion was made to approve the Fleming County Sheriff's month end August 2022 report.

Discussion was held regarding ongoing issue of unapproved and non-compliant property entrance and water runoff problem creating extremely muddy conditions on Concord Road. The County Attorney shall notify the property owners that necessary legal actions will commence on behalf of the county.

Discussion was held regarding a recent proposal from IntegriSite to lease county property for the construction of a cell tower.

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

A motion was made to approve that the County Judge/Executive may negotiate a long-term lease of a parcel located on the maintenance garage property for construction of a cell tower.

Vote Unan.

Motion: Ray H. Money

Second: Donnie Fawns

A motion was made to approve the second reading and passage of amendment to Ordinance 13-1150 County Administrative Code/Personnel Policies Section 5.58 B(6) and C(1) and publish by summary 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.**

Fleming County Dispatch Director Charlotte Benton gave the monthly requests for services report, update of CAD system data conversion and inadequate services from SolaCom (AK Associates).

Vote Unan.

Motion: Donnie Fawns

Second: Richie Kielman

A motion was made to add Copher Wrecker to the rotation schedule for a three-month probationary term.

Applications will be taken for dispatch telecommunicator position. A review of the current dispatch pay scale will be conducted.

Vote Unan.

Motion: Ray H. Money

Second: Richie Kielman

A motion was made to approve the Jailer's report.

A draft ordinance pertaining to nuisance mobile homes was distributed for review. The ordinance will be presented at the next meeting for a first reading.

Discussion was held regarding the bids received for the construction of the new Senior Center. Bids that were received exceeded our budget. The design was reviewed and changes were made to reduce construction costs. A re-bid of the project has commenced and the bids submitted will be opened on September 22, 2022. The Department for Local Government has been approached to provide additional funding.

Vote Unan.

Motion: Richie Kielman

Second: Ray H. Money

A motion was made to approve payment of \$ 350.00 for burial expense to Gray Funeral Home as requested by Magistrate Kielman.

A circuit court order was received removing Magistrate Chris Hickerson from office. County Attorney Hill stated that after all appeal rights were exhausted the order was issued. The County Attorney will send notification to recoup overpaid wages from Mr. Hickerson and determine who is responsible to notify the Governor's office of the vacancy.

Vote Unan. Motion: Ray H. Money Second: Donnie Fawns
A motion was made to adjourn at 10:40 AM.