

NOTICE OF SPECIAL MEETING

PURSUANT TO KRS 61.800-61.850

of

SPENCER COUNTY FISCAL COURT

Monday, February 27th, 2023

7:00 pm

**Fiscal Court meeting room
28 East Main St, Taylorsville KY**

Meeting Agenda

- A. Call to Order by Chair
- B. Roll Call
- C. New Business:
 - 1. CDBG Closeout
 - 2. Top Flight and MSD Discussion
- D. Adjournment

SPENCER COUNTY FISCAL COURT
SPECIAL CALLED MEETING
MONDAY, FEBRUARY 27, 7:00 PM
FISCAL COURT MEETING ROOM
28 EAST MAIN STREET
MINUTES

23 MAR 1 9:28 AM

Opening prayer

A. Call to order by Chair

The meeting was called to order by County Judge Executive, Scott Travis

B. Roll call by the County Clerk

Roll call by Spencer County Clerk, Lynn Hesselbrock-All present

C. New business

1. CDBG closeout.

FW: CDBG QUESTION

9975, 20

07 9/10 3990

Subject: FW: CDBG QUESTION

From: Dustin Duncan <Dustin.Duncan@kipda.org>

Date: 2/21/2023, 8:37 AM

To: Doug Williams <dougwilliams@spencercountyky.gov>

CC: Brittany Veto <brittanyveto@spencercountyky.gov>, Jennifer Wilson <jennifer.wilson@kipda.org>

Hi Doug and all - Jennifer forwarded this question to me. The grant is virtually closed out and the cash balance should be returned to DLG with the following protocol:

- Make the check out to the Kentucky State Treasurer
- Send the check to the KY Department for Local Government (Attn: Jennifer Peters), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

Let us know if you have additional questions. DLG will monitor KIPDA's files in the coming weeks and then will officially close out the grant.

Thank you!
Dustin

-----Original Message-----

From: Jennifer Wilson <jennifer.wilson@kipda.org>

Sent: Tuesday, February 21, 2023 8:34 AM

To: Dustin Duncan <Dustin.Duncan@kipda.org>

Subject: FW: CDBG QUESTION

JENNIFER WILSON
Economic Resiliency Planner
Kentuckiana Regional Planning and Development Agency (KIPDA)

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-----Original Message-----

From: DOUG WILLIAMS <DOUGWILLIAMS@SPENCERCOUNTYKY.GOV>

Sent: Monday, February 20, 2023 3:05 PM

To: Jennifer Wilson <jennifer.wilson@kipda.org>

Cc: 'Brittany Veto' <BRITTANYVETO@SPENCERCOUNTYKY.GOV>; scotttravis@spencercountyky.gov

Subject: CDBG QUESTION

OUR UTILITY ASSISTANCE GRANT WITH MPCA AND KIPDA HAS A CASH BALANCE OF \$9975.00. DO WE NEED TO CLOSE THIS GRANT OUT AND WRITE CHECKS TO WHOM. THANKS, DOUG

The Judge explained that in order to apply for another block grant, which they agreed to do with the city, He remarked that the Mayor, Karen Spencer was in the audience, and the water works fellow, was beside her, Harold Compton was in attendance. For the City and the County to apply for a new grant, they had to close out the one they still had going on. There was \$9975.00 that they had to send back to DLG and that would close out that grant. The Judge asked the Treasurer if the grant was for utility assistance and the Treasurer replied that it was.

- Motion made by Esq. Stump seconded by Esq. Cotton, with all members of the Court present voting “aye” by voice vote, it is hereby ordered to send the \$9975.00 back to DLG to close out the Utility Assistance grant.

2. Top Flight and MSD discussion.

Mr. Steve Emly came before the Court representing Mr. Jack Kannerberg, also in attendance. Mr. Wes Sydnor and Mr. Kevin Gibson with MSD were also in attendance. Mr. Emly explained that they were there for a few reasons. He remarked that they had attended the December meeting to present to the Court an Interlocal agreement between MSD and Spencer County Fiscal Court. MSD contended that they would need the agreement if they were to pursue taking ownership of the sewage plant. Mr. Emly remarked that at the December meeting, it was determined that there was more public input needed from the public and the desire to push this off until the next Court. Mr. Emly gave a brief history of the Top Flight sewer system. In 2021, MSD became the operator of the sewage plant for the owner. If MSD was to take over ownership of the wastewater plant, the Interlocal agreement would be required. The goal was the highest possible level of service with the lowest possible cost. The current owner, Mr. Kannerberg addressed the Court to inform of his wish to relinquish ownership of the wastewater plant. He went over the current rates that homeowners pay and the projected rates if MSD was to take ownership of the wastewater plant. Mr. Wesley Sydnor gave an update to the new Court. Ms. Amanda White, a member of the Top Flight Homeowner’s Association came before the Court to ask about possible rate increases with MSD. Ms. Laura Belucci, also of the Top Flight Homeowner’s Association had a question about an additional pump station and future homes planned for the development. The Judge asked what abilities the HOA would have if MSD owned the wastewater plant. What abilities would they have to make decisions on expansion, growth. He wanted to know if the HOA, as a body politic, so to speak, to say no, we don’t want you running another pipe in here. Mr. Sydnor replied that anything as far as expansion would have to come through Fiscal Court. Mr. Sydnor remarked that they would only determine if they had the capacity if more homes were to be built. They had no input into Planning and Zoning. Mr. Bill Lawson spoke up and asked what the capital projection would be to replace the plant if there was a catastrophic event. Mr. Lawson wanted to know if replacement costs were going to be built into rate increases. Esq. Travis remarked that the plant was not nearly at capacity, and when they had met earlier in the Judge’s office, they stated that the plant needed to operate at capacity. He stated that they could never reach full capacity at Top Flight. Mr. Steve Emly responded that MSD never said that the plant needed to be a full capacity to operate properly. He said it did need to have more flow than it currently did. The Judge said that if the 5 members were never seated to the Sanitation District. If they had been, the Sanitation District would have jurisdiction over the entire county, except for the city sewer district. Mr. Harold Compton came before the Court to say that MSD would require people to tie into their sewer line they were within a certain distance. Esq. Travis remarked that former Judge Riley wanted them to enact the ordinance and give him authority to execute it. Esq. Travis remarked that it was not enacted because it was forced down their throats without any information from anybody. Esq. Eldridge asked MSD why they needed to have the interlocal agreement to operate and Esq. Travis responded that KRS said that if that ordinance was in place you had to have an interlocal agreement with MSD. Judge Travis remarked that the reason they

had this meeting was because they were looking out for every citizen in the County. He said that they wanted to have discovery of options. The discussion then turned to residential growth. Esq. Pharris remarked that if they wanted to prevent growth that they didn't want, they had to make changes to Planning and Zoning. The Judge talked about smart growth and dividing farms and building lot sizes. He said sewers were smart growth. He said the advantage of smaller lots was to have more inhabitants that were mostly family and not using up farmland. He said it was the best of both worlds when you had a sewer system. Esq. Travis remarked that this was government at its best. He remarked that both he and the Judge were born and raised in the County and they had different views on what population growth would be. He said the Judge was in favor of ¼ acre tracts and in the 4 years he had been in office he had more complaints about Top Flight than any other area. He said the way he saw it was when you took people and crammed them in together, people got irritated with one another. He said subdivisions where there were one or more acre lots, he did not hear any complaints. He said that in 50 years, we will be Jeffersontown. He said there will be no farmland, it will be commercial. Esq. Pharris remarked that all infrastructure needed to be upgraded to keep pace with the growth. The discussion turned to the ordinance that would be needed in order for MSD to purchase the wastewater plant and Esq. Eldridge suggested MSD get its legal team together with the Judge and County Attorney to discuss what would be necessary for them to do this. No action taken, this meeting was held for discussion only.

- Motion made by Esq. Cotton, seconded by Esq. Eldridge, with all members of the Court present voting "aye" by voice vote, it is hereby ordered to adjourn this meeting at 8:27 p.m.



Spencer County Judge Executive, Scott Travis

3-10-23

Date



Attest: Spencer County Clerk, Lynn Hesselrock

3-14-2023

Date