

# SPENCER COUNTY FISCAL COURT

Fiscal Court Meeting Room  
28 East Main Street

9:00pm  
Wednesday, July 6, 2016

## Meeting Agenda

- A. Opening Prayer
- B. Pledge of Allegiance to the U.S. Flag and the Kentucky state flag
- C. Call to Order by the County Judge Executive
- D. Roll Call by the County Clerk
- E. Approval of Minutes from Prior Court Meetings
- F. Communications from Citizens, \*\*\* 3 minute limit \*\*\*
  - 1.
- G. Communications from County Judge Executive
  - 1. USA Cycling
  - 2. Spencer County Fair
  - 3. Budget to Frankfort
  - 4. KSP Dispatch
- H. Communications/reports from Members, Other Offices, and Committees
  - 1. Zoning, readings and recommendations
  - 2. Solid Waste committee
  - 3. Veterans committee
  - 4. Equipment committee
  - 5. Building & Grounds committee
  - 6. Administrative Code Committee
- I. Old Business
  - 1. Interlocal agreement with Kentucky State Police
- J. New Business
  - 1. Proposed Budget transfers
  - 2. Review and Approval of Expenditures, Purchases, Invoices, and Transfers
- K. Adjournment

SPENCER COUNTY FISCAL COURT  
WEDNESDAY, JULY 6, 2016, 9:00 AM  
FISCAL COURT MEETING ROOM  
28 EAST MAIN STREET

- A. **OPENING PRAYER**  
Esq. Judd led the Court in prayer prior to the call to order.
- B. **PLEDGE OF ALLEGIANCE TO THE U.S. AND KENTUCKY FLAGS**
- C. **CALL TO ORDER BY THE COUNTY JUDGE EXECUTIVE, JOHN RILEY**
- D. **ROLL CALL BY SPENCER COUNTY CLERK, LYNN HESSELBROCK – ALL PRESENT**
- E. **APPROVAL OF MINUTES FROM PREVIOUS COURT MEETINGS.**
- On the motion of Esq. Judd, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve the minutes from the June 20, 2016 meeting and its' continuation meeting with any corrections being made.
  - On the motion of Esq. Goodlett, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve the minutes from the June 27<sup>th</sup> meetings at 2:00pm and 5:00pm with any corrections being made.
  - On the motion of Esq. Bayers, seconded by Esq. Goodlett, with all members of the Court present voting 'aye', it is hereby ordered to approve the minutes from the June 30, 2016 meeting with any corrections being made.
- F. **COMMUNICATIONS FROM CITIZENS\*\*\*3 MINUTE LIMIT\*\*\***  
There were no communications from citizens.
- G. **COMMUNICATIONS FROM THE COUNTY JUDGE EXECUTIVE**
1. USA Cycling.  
The Judge commented that there were approximately 700 cyclists in town for the time trials. There were other people accompanying these cyclists as well.
  2. The Spencer County Fair is coming up. The Fair Board has asked for help cleaning up prior to and following the Fair, possibly using inmates.
  3. The budget has been passed and sent to Frankfort.
  4. The KSP dispatch.

The Judge said that he had someone in the audience from KSP dispatch, Mr. Kevin Woosley. The Judge said that the Court would be bringing this issue up later in the meeting.

5. FEMA contracts renewal

The Judge said he was seeking a motion to approve for the Judge to execute the renewal of contracts for FEMA public assistance and disaster funding.

- On the motion of Esq. Williams, seconded by Esq. Judd, with all members of the Court present voting 'aye', it is hereby ordered to approve the Judge executing the renewal of contracts for FEMA public assistance and disaster funding.

6. Pump station issue.

The Judge said that there was an issue with the pump station Saturday. This pump services the State Park, the Marina and Edgewater Resort. Esq. Judd said that he had not heard anything about it. The Judge continued that there had been a problem with the lift station once before. He said that the lift station had 2 pumps in it for redundancy and one of the pumps was completely bad and the other had had power lost to it. The repair that was made was to restore power to the one good pump, but they never replaced the bad pump. 'This time the power again failed to the one good existing pump, and of course all that flows into that tank if not pumped up to the sewer plant, it overflows and starts heading back down to the lake. So we activated Emergency Management, got quite a few involved with the Fire Department, EMS, the Road Department, Fish and Wildlife briefly, Corps of Engineers, Division of Water. It was a potentially a very serious situation. The Division of Water was overseeing the incident. The concern was that the Lake might have to be closed, but staff from the Division of Water said that the lake would not be closed. If enough sewage escaped into the Lake, it would be posted, but the problem was getting the posting lifted. The Division of water saw that they were doing everything they could including erecting a small dyke to keep the flow from going back into the Lake They also shut down the flow going into the system from the State Park, the Marina and the Resort. Brought a tanker truck in to pump that station out so they could get down and work on the pump, that required the Road Department to level out and put some gravel down to get that truck back in there, sandbagging, we dug a retention basin down at the bottom of the hill and sandbagged around that. The pump was repaired and we were back to normal for all these entities. They limed that area Saturday, and again on Sunday. For the time being we are okay,' but the Judge said that he had written a letter to King Southern Bank, to urge them to make necessary repairs. They had been in the process, the Judge said he thought they had someone out there yesterday,' it was muddy, so they couldn't get up in there,' but the Judge said he would continue to monitor the situation. The Judge went on 'as many of you may know, King Southern is in the process of finding an operator to operate the resort, they're operating it in the meantime somewhat.' The Judge went on to say that

there had been an accident yesterday at the recycling Center. An employee was backing a truck out of the center when a resident was pulling in to drop material off, and the two had a collision. The Judge said he just wanted the Court to be aware of the incident. He went on to say that he talks to the employees and the Department Heads consistently about safety.' We must reduce our claims. We have made progress; this was an unfortunate accident. Now we must look into having back-up alarms on all our vehicles, and we are looking into also having cameras, back-up cameras. We will have more information on that as we get it.'

#### H. COMMUNICATIONS/REPORTS FROM MEMBERS, OTHER OFFICES AND COMMITTEES

##### 1. Zoning, readings and recommendations.

There was one first reading.

#### PUBLIC NOTICE

Please take notice that the Fiscal Court of Spencer County on the 18<sup>th</sup> of July 2016 will consider the following ORDINANCE(S) for second reading and adoption:

1. Larry C. Wheatley – requesting a zone change from B-2, commercial to AG-1, agricultural on a 13.49 acres located at 3655 Little Mount Road. (Hwy. 44E)

Attest: Lynn Hesselbrock

John Riley

No action needed on this first reading.

##### 2. Solid waste committee.

Esq. Judd had nothing to report on the solid waste committee. Esq. Judd said that he knew nothing of the accident at the recycling Center. He also said that he and Mr. Ochs had planned on having a meeting next Wednesday, but he was going to be out of town and they would reschedule the meeting. Treasurer Williams commented that they(recycling) had received a grant and the Judge stated that a copy was in the Magistrate's folders. The amount of the grant was \$61,604.00 and was for 'Kentucky Pride Recycling.'

##### 3. Veteran's committee

Esq. Judd had nothing new to report. The Judge commented that they had received one application for a plaque for the War Memorial.

##### 4. Equipment committee.

Esq. Goodlett and Esq. Williams had nothing to report. The Judge mentioned that they would have to repair/replace an ambulance. He also went on to say that the County had

significant equipment needs. He said that the Road Department had five (5) mowers down.

5. Building and grounds committee.

Esq. Williams had nothing to report. The Judge said that there were significant needs in that respect for the animal shelter. He also said there were other issues such as the Courthouse expansion.

6. Administrative Code committee.

Esq. Williams reported that they had not yet met, but would plan a meeting in the future.

7. Ethics committee.

Esq. Bayers mentioned that there was an Ethics committee meeting set for tonight (Monday, July 6<sup>th</sup>) for 5:00 pm for a final review of the Ethics Code.

8. Brian Spencer of the Parks Department came before the Court to make them aware of a tournament they were hosting this coming weekend. He asked for the Court's approval. He introduced Adrian Downs, who also worked with him at the Parks Department. They were trying to raise funds via the tournament to replace the equipment at the parks, which Mr. Spencer said was at least 15 years old. He said that the tournament fees would cover all related expenses. He said that they would not be able to replace any parts for the park equipment because the company that built the equipment had gone out of business. Purchasing new equipment would be expensive. Discussion ensued regarding the replacement of the equipment. Mr. Downs also mentioned that they were planning on having training camps for the children in an attempt to give them something to do as well as a way to raise funds for replacement equipment. Mr. Downs stated that he would like to see an 'equipment' fund established that would be dedicated to replacing the park equipment. Discussion then ensued about how the referees should be paid and about insurance coverage. Mr. Spencer answered all of the Court's questions.

- Motion by Esq. Bayers, seconded by Esq. Goodlett, with all members of the Court present voting 'aye', it is hereby ordered to approve the Parks Department to hold the basketball tournament this weekend.

9. The County Clerk came before the Court to voice concerns that she had regarding the line item in her salary cap. She stated that the Treasurer had placed a transfer of \$11,000.00 on the transfer sheet along with other routine transfers for Fiscal Court to approve. With the budget impasse, she had employees who wanted to cash out their accrued vacation and personal time. When asked for the balance in the line item

for the salary cap, she was informed that there was approximately \$600.00 left in the account. This was due to the transfer of the \$11,000.00 to pay for the Clerk's computer software program, which had no funds budgeted to it in 2015. The Clerk was concerned that no Budget Amendment or Resolution was put before the Court for this transfer. Also, \$1,000.00 was transferred from the Clerk's Technology Grant to the Clerk's Deputy's salary account. This also was done as a simple transfer, not through a Budget Amendment or Resolution. The Clerk stated that she had come before the Court last year to ask that this money not be used by the County to cover their shortfalls in the budget; this was not the intent of this grant, as is spelled out in KRS 186.040 (6)(c) which states these funds are to be used at the discretion of the Clerk to 'provide an unrestricted revenue supplement, for operations of the office related to the collection and administration of road fund taxes, to county clerk offices in counties containing a population less than twenty thousand (20,000) as determined by the decennial census, and for no other purpose.' The Clerk stated that she was reassured by the Judge that these funds would not be used unless the Treasurer consulted with the Clerk prior to the transfer. The Clerk noted that a Budget Amendment was needed to set the salary cap, and another Budget Amendment was needed to amend the salary cap as recorded in book F21 page 67, certainly a Budget Amendment or Resolution would be needed to remove funds from the line item within the salary cap. The Clerk asked the Magistrates to look at the transfers very carefully before voting to approve them in the future, and she also asked the County Attorney to look into the legality of transferring funds out of the line item within the salary cap without a Budget Amendment and also look into whether the Clerk would be liable in anyway if any of the deputies wanted to cash out their accrued time and the funds were not available according to Kentucky Wage and Hour standards.

- On the motion of Esq. Judd, seconded by Esq. Williams, with all members of the Court present voting 'aye', it is hereby ordered that before any transfers are made into or out of the Sheriff's or Clerk's salary line item or salary cap that the Sheriff or Clerk be notified of the proposed transfer.

**I. OLD BUSINESS**

1. Interlocal agreement with Kentucky State Police.  
Esq. Bayers asked that this be put off until the next meeting. He said some of the Magistrates were going to tour the KSP post and learn about their dispatch methods and other information. The Judge said that Mr. Woosley was in the audience to speak to the Court regarding KSP dispatching services. The Judge said he was very disheartened about some of the comments made around the table about KSP dispatch. The Judge asked Esq. Bayers when the last time he (Bayers) had visited the dispatch center and Esq. Bayers replied that he had never been there. The Judge then introduced Mr. Kevin Woosley from KSP. Mr. Woosley came before the court saying he was the 9-1-1 Business and Financial Manager for KSP. He went on to say that there was a separation between the Interlocal agreement and the actual operations at Post 12. He said the

Interlocal agreement was the agreement the State Police has between Post 12 and Spencer County to basically answer the 911 calls and dispatch out the first responders to those calls. Operations is totally separate from what we do here today. He said that he had invited Esq. Bayers to visit Post 12 and he extended that invitation to any other magistrate who would like to come and visit. He only asked they call in advance so Post 12 would know that they were coming. He said that Post 12 currently had contract with about 20 counties throughout Kentucky through the various posts. He said they were trying to standardize the 911 dispatch contracts. The current contract keeps the Board intact with representatives from the County Judge, the Sheriff's Department, the City of Taylorsville and the Fire Department that makes up the advisory board. The Judge interjected that on page 2, it spells out who is on that advisory committee. Mr. Woosley commented that there was a change in the number of members that would constitute a quorum. He said the number would have to be changed to 5 rather than 4. He spoke of accommodations if other counties wanted to contract with KSP for services, at which time, new members would be added to the advisory board rather than creating a separate board. He went on to say that there was a 10% increase in the contract to help offset their costs. He said the County was operating under the 2010 contract, and that contract expired June 30, 2016, but they would continue to provide services under the continuation clause in the contract. The Judge wanted to know if Spencer County could remain autonomous should another county wish to contract with KSP for services, leaving Spencer County's advisory committee as it currently is. Mr. Woosley said that he would have to run that past the committee. Discussion continued regarding the contents of the contract. The Judge concluded the discussion with 'I know that there have been some very serious allegations made that I played some part in some orchestrated effort to not inform the Sheriff and that is the furthest thing from the truth. I just want to make sure that is on the record.' Mr. Woosley again extended an invitation for any members of the Court to visit the KSP dispatch center.

**J. NEW BUSINESS**

## 1. Proposed budget transfers.

## Proposed Budget Amendments to Ord. #5

## Fiscal year 2016 series

**General Fund**

Transfer \$7000 from 0150011030(Dep.Co.Judge/Exec. salary) to 0150014450  
(Co.Judge/Exec Office Supplies)

Transfer \$7000 from 0152051020(K-9 officer salary) to 0152054030 (farm carcass  
removal contract)

**Road Fund**

Transfer \$15000 from 0261051430 (Road Labor salaries) to 026105409F (Rock  
Fabric)

The Judge said he would entertain a motion to approve the transfers. A motion was not forthcoming.

## 2. Review and approval of expenditures, purchases, invoices and transfers.



INVOICES AND TRANSFERSGENERAL FUND INVOICES/TRANSFERS

BUSINESS REFUND	0150475670 net profit overpayment	86.25
Lynn Hesselbrock	0150657370 label paper	20.75
Linda Greenwell	tax assessor	100.00
David Taylor	tax assessor	100.00
Gordon Deapon	tax assessor	100.00
Lynn Hesselbrock	tax assessor	100.00
Belinda Snider	board of elections	60.00
Steve Hesselbrock	board of elections	60.00
Lynn Hesselbrock	board of elections	60.00
Shelbyville Chrysler	sheriff vehicle expense	60.00
CMS Uniforms	sheriff shirts	151.38
CMS Uniforms	sheriff custom emblem 100 hashmarks	99.95
CMS Uniforms	sheriff shirt	64.00
Limestone Farm, Lawn	parks dept	60.00
Rumpke	Dumpster pick up	339.31
Siegels Uniforms	EMS badge	1,542.13
City of Taylorsville Water	water	124.00
John D. Dale Attorney	legal services P&Z	404.03
Logans	EMS mats	20.97
Logans	Court House mats	39.00
County Clerk	postage	20.00
Bennett Hardware	misc expenses	19.52
Chris Sullivan	Ethics mtg	331.69
Bill Drury	Ethics mtg	60.00
Jim Schaefer	Ethics mtg	60.00
Refund OTO	2015 NP mis-calculation	60.00
Air Gas	EMS Oxygen	86.25
AT&T	corner	93.58
AT&T	cellphones	104.53
AT&T	surveyor	2,054.55
AT&T	landlines/dsl	48.58
C&H Security	courthouse security	3,450.00
C&H Security	Occupational Tax Office	19.99
C&H Security	Attorney Office	19.99
Martin Heating	upstairs court room	19.99
Martin Heating	EMS building	637.55
Federal Signal Corporation	Emergency battery charger	4,665.40
EMSAR Medical Repair	Preventative Maintenance	598.00
KACO	Levee lease payment #23	100.00
Mid-State Exterminators	pest control Sheriffs office	3,695.38
Mid-State Exterminators	pest control Court House	45.00
Mid-State Exterminators	pest control Court House Annex	48.00
Mid-State Exterminators	pest control Tax Office	38.00
Quad Med Inc	EMS paper rolls	28.00
Win. Net Internet	government email	180.00
Zoll Medical	EMS Heart monitor first installment	115.00
Alldata	vehicle data repair service	27,243.24
Airgas	EMS	250.00
Salt River Veterinary	animal control	49.38
Electric City	Parks Dept lighting	201.72
Electric City	Sheriff Office lighting	55.34
Wright Express	coroner fuel	70.82
	ems fuel	59.91
	k9 fuel	1753.24
	maintenance fuel	462.21
		226.47

zoning fuel	48.44
parks fuel	689.93
recycle fuel	243.10
sheriff fuel	3320.06
occtax fuel	104.12

ROAD FUND INVOICES/TRANSFERS

Powerplan	0261055920 transmission repair, valve	2793.66
Diamond Mowers	0261054670 mower repair	218.33
Air Hydro Power	0261055920 parts	49.65
Air Hydro Power	0261055920 parts	15.13
Air Hydro Power	0261055920 part	36.68
CTW Electrical	0261055920 parts	183.09
CTW Electrical	0261055920 cable ties	196.77
Haydon Materials	0261054090 stone	718.96
Haydon Materials	0261054090 stone	351.76
Haydon Materials	0261054090 stone	1,066.66
Saf-ti-co	0261054690 gps device	627.00
A & M Oil	hyd fluid	429.00
CTW Electrical	electrical	113.46
Haydon Materials	rock	630.11
Haydon Materials	rock	624.76
Best One Giant Tire	tire repair	355.54
Arrow-Magnolia	weed killer	402.03
Bennetts	misc	159.62
A & M Oil	off road diesel	1,038.47
Wright Express	fuel	966.40

JAIL FUND INVOICES/TRANSFERS

Wright Express	jailer fuel	183.84
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<u>Cash Balances</u>	<u>General Fund</u>	<u>Road Fund</u>	<u>Jail Fund</u>
6/26/2013	\$635,426.25	\$256,512.58	\$94,224.50
7/29/2015	\$483,467.55	\$184,616.83	\$130,587.19
8/31/2015	\$432,331.91	\$934,004.65	\$111,226.60
9/30/2015	\$283,316.09	\$776,867.70	\$89,868.17
10/30/2015	\$707,125.67	\$712,103.61	\$75,578.15
11/30/2015	\$788,291.19	\$655,810.24	\$52,852.18
12/29/2015	\$903,934.84	\$399,956.31	\$77,069.34
1/31/2016	\$780,620.76	\$500,212.23	\$67,749.39
2/29/2016	\$740,207.62	\$691,020.23	\$71,410.58
3/31/2016	\$570,528.96	\$554,753.25	\$51,400.24
4/29/2016	\$683,484.95	\$517,618.51	\$86,221.46
5/31/2016	\$649,149.35	\$733,843.00	\$66,124.12
6/29/2016	\$622,141.05 (-loanpyrnt)		
		\$609,851.40 (-73000 Cedar Springs)	\$62,367.70

- On the motion of Esq. Rogers, seconded by Esq. Goodlett, with all members of the Court present voting 'aye', it is hereby ordered to approve all expenditures, purchases, invoices and transfers.

2. Assistant County Attorney salary.

The Judge said that the Court had agreed to pay the Assistant County Attorney \$625.00 per month and he sought a motion to approve this salary.

- On the motion of Esq. Goodlett, seconded by Esq. Rogers, with all members of the Court present voting 'aye', it is hereby ordered to approve paying the Assistant County Attorney, Melanie Brummer, \$625.00 per month.
- On the motion of Esq. Goodlett, seconded by Esq. Bayers, with all members of the Court present voting 'aye', it is hereby ordered to adjourn this meeting at 10:46 am.



Spencer County Judge Executive, John Riley

7-20-16  
Date



Attest: Spencer County Clerk, Lynn Hesselbrock

7-25-16  
Date