

Mason County Fiscal Court  
Regular Session  
May 10, 2016  
9:00 a.m.

The meeting was called to order by Judge/Executive Joseph Pfeffer. Present were Commissioner Joseph McKay (District 1), Commissioner Annette Walters (District 2), Commissioner Phil Day (District 3), Deputy Judge/Executive Richard Newberry, County Attorney John Estill, Assistant County Attorney Jackie Sue Wright, Sheriff Patrick Boggs, County Treasurer Kim Muse and Judy Birt.

Motion by Commissioner Day and seconded by Commissioner Walters to approve the minutes from the April 12th meeting with corrections as noted.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Day and seconded by Commissioner McKay to approve the minutes from the April 20th meeting as presented.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Day and seconded by Commissioner McKay to approve the minutes from the April 26th meeting as presented.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Judge/Executive Pfeffer introduced George Larger III to the members of fiscal court. Mr. Larger was hired as the new Maysville-Mason County Planning & Zoning Administrator. He replaces Matt Wallingford.

Dana Bach, with the Buffalo Trace Area Development District, updated the court on the Homeland Security Grant for the Eastern Mason Siren which will be located near Industrial Park IV. The grant is for \$20,000 and the total cost of the project is \$25, 540.41. The installation of the siren is part of the process of the county being certified as a storm ready county.

### **Road Department**

Motion by Commissioner Day and seconded by Commissioner Walters to accept the report as presented by Joe Brown and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Judge/Executive Pfeffer said Walton Pike is closed to thru traffic due to 2 areas of slippage, each measuring approximately 60 feet long. Judge/Executive Pfeffer estimated it will cost over \$20,000 to repair each slip. Road Supervisor Brown recommended the slippages be repaired using T-rail and cribbing because it is less expensive, and in his opinion, a more permanent fix. County Attorney Estill recommended to the court to get specs for both T-rail and cribbing as well as baskets for the repair of each area of slippage.

### **Animal Shelter**

Motion by Commissioner Walters and seconded by Commissioner McKay to accept the report as presented by Roger Mullikin and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

### **Sheriff's Report**

Motion by Commissioner Day and seconded by Commissioner Walters to accept the Monthly Tax Disbursements Report for April in the amount of \$124,620.73 as presented by Sheriff Patrick Boggs and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Sheriff Boggs presented the 2015 Year Tax Settlement, showing a total of \$11,601,206.77 collected and a collection rate of 97.5%.

Motion by Commissioner Walters and seconded by Commissioner McKay to accept the 2015 Year Tax Settlement as presented by Sheriff Boggs and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Sheriff Boggs submitted the Monthly Vehicle Report for March for review and is attached hereto.

### **Landfill**

Motion made by Commissioner Day and seconded by Commissioner McKay to accept the report as presented by Todd Leonard and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner McKay and seconded by Commissioner Day to purchase the surplus fuel truck from Harper Oil for \$3,500.00 for use at the landfill and approval for the treasurer to pay the claim.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Todd reported that the landfill committee met to discuss the leachate line project. The City of Maysville will be the lead agency and applicant because of the eligibility of grant funding that the county may not qualify to receive. As a result of the leachate line project, it is proposed that the Western Mason Sanitation District will be able to serve Pinewood Subdivision. The tipping fees and revenues from the landfill account will pay for the construction of the leachate line.

### **Recycling**

Motion made by Commissioner Walters and seconded by Commissioner Day to accept the April report as presented by Steve Frodge and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

### **Solid Waste**

Motion made by Commissioner Day and seconded by Commissioner Walters to accept the April report as presented by Steve Frodge and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

County Attorney Estill spoke with members of the court about the mediation with Steve Klump and his property on the AA Highway. Mr. Klump is permitted to have a used car lot on the front of the lot and a repair garage in the back. County Attorney said after looking at the property, Mr. Klump has done a good job at cleaning up the property and is close to being in compliance with the original court injunction entered in 2007. After Mr. Klump has become in full compliance with the injunction, County Attorney Estill is advocating for the fiscal court to enter into an agreed order with Mr. Klump, in which he will post a \$25,000.00, promise-to-pay bond secured by the real estate. Any future violations of the court injunction or other zoning ordinances will result in Mr. Klump paying \$25,000.00 to the fiscal court as well as any fines due to non-compliance of ordinances.

### **Detention Center**

Motion made by Commissioner Walters and seconded by Commissioner McKay to accept the detention center report as presented by Jailer Lisa O’Hearn and attached hereto.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Fiscal Court had received bids to replace the existing 30 ton Carrier Air Conditioner at the Detention Center. The bid opening was held on May 9 and five bids were reviewed.

Motion by Commissioner Walters and seconded by Commissioner Day to exclude the bid from Fisher & Barger because the bid was not in compliance with the advertised bid specs, which specified a 30 ton unit. Fisher & Barger’s bid was for two, 15 ton units.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Walters and seconded by Commissioner Day to accept the low bid of \$20,200.00 submitted by Neff Refrigeration, Heating and AC and approval for the Treasurer to pay the claim.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

**Treasurer's report**

Motion by Commissioner Walters and seconded by Commissioner Day to pay all claims, including additional claims totaling \$10,143.60, as presented by Treasurer Kim Muse and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day - Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Walters and seconded by Commissioner Day to approve the Financial Statement as of April 30, 2016, as presented by Treasurer Kim Muse and attached hereto.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Walters and seconded by Commissioner McKay to approve budget transfers in the amount of \$49,200.00.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner McKay and seconded by Commissioner Walters to adopt **Order 16-02**, approving the following transfers:

General Fund to Road Fund	\$150,000.00
General Fund to LGEA Fund	\$200,000.00
General Fund to Solid Waste Fund	\$ 25,000.00

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner McKay and seconded by Commissioner Walters to adopt **Resolution 16-02**, the annual standing order to pre-approve certain recurring expenses for fiscal year 2016-2017.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Motion by Commissioner Walters and seconded by Commissioner McKay approving payment of precinct election officers for the May Primary.

Commissioner McKay – Yes  
Commissioner Walters – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

**New Business**

- A. Motion by Commissioner Walters and seconded by Commissioner Day to surplus the items in the May 2016 list and attached hereto.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

- B. Motion by Commissioner Day and seconded by Commissioner McKay to reappoint Kirk Clarke to the Maysville-Mason County Port Authority.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

- C. Motion by Commissioner Walters and seconded by Commissioner McKay to reappoint Doug Hendrickson to the Fleming-Mason Airport Board subject to concurrence by the City of Maysville.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

- D. Motion by Commissioner Walters and seconded by Commissioner Day to reappoint James Tierney to the Ethics Board. His term will be effective from the expiration of his term in January 2016.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Judge/Executive Pfeffer spoke of the repairs needed for the stairs at the KACO office building on Sutton Street. He discussed the options of repairing the stairs currently being used or replacing them. He was advised by the commissioners to get estimates for replacement of the stairs.

Judge/Executive Pfeffer informed members of the court of the June 1 application deadline for the grant for the Colonel Young cabin feasibility study. He said he would like this project to continue and receive more attention on a greater scale than just our regional area.

Motion by Commissioner Day and seconded by Commissioner Walters allowing Judge/Executive Pfeffer to sign and execute documents to apply for the grant for the Charles Young Cabin feasibility study.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

Judge/Executive Pfeffer discussed with members of the court Mason County's sponsorship of a booth at the Kentucky State Fair later this year. He said he would like input from different groups in the county to assist with the construction of the booth and promoting Mason County at the state fair. Judge/Executive Pfeffer formed a committee for the booth project and its members are Deputy Judge/Executive Richard Newberry, Judy Birt, Commissioner Phil Day, Commissioner Annette Walters, Vicki Steigleder with the Chamber of Commerce, Suzie Pratt, the Tourism Director for the City of Maysville and Jackie Sue Wright.

Judge/Executive Pfeffer reminded the commissioners that the draft of the interlocal agreements with the City of Maysville had been circulated. He asked for the commissioners to review the agreements and email any changes or corrections prior to the joint meeting scheduled with the City of Maysville later in the month.

### **Old Business**

Sheriff Boggs said he has received his packet from the NRA for the construction of the proposed shooting range on Halfhill Road. The sheriff's office will review the suggestions made in the packet prior to the start of the project.

Judge/Executive Pfeffer explained to members of the court that he had received a statement of repairs and costs incurred from Dr. Pamela Vaught who lives in the Whitsam Acres Subdivision. At a previous meeting, Dr. Vaught had asked the fiscal court to pay for the damage done to her property as a result of water drainage. After hearing her complaint, County Surveyor David Hord was asked to mark the county right-of-ways in the subdivision. It was then determined that none of the repairs Dr. Vaught had done were on county property, but rather were on private property.

Motion by Commissioner McKay and seconded by Commissioner Walters to deny the claim presented by Dr. Vaught because the repairs were done on private property and not on the county right-of-way.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

A resident on Laytham Pike has requested the county to install a corrugated pipe with topsoil covering it to alleviate the erosion caused by the flowing water that has damaged his private property. The pipe would allow the water to travel under the road rather than across the road. County Attorney advised the court to deny his claim because the court cannot undertake work to protect private property.

Motion by Commissioner Walters and seconded by Commissioner McKay rejecting the request for remediation or changing the structure and directing County Attorney Estill to notify the property owner of that rejection.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes



**Communication from Judge/Executive and Commissioners**

Judge/Executive Pfeffer offered his condolences on behalf of the fiscal court to Commissioner Day on the recent passing of his father, Gartrell Day.

Having no further business, motion made by Commissioner Day and seconded by Commissioner Walters to adjourn.

Commissioner Walters – Yes  
Commissioner McKay – Yes  
Commissioner Day – Yes  
Judge/Executive Pfeffer – Yes

The next fiscal court meeting will be Tuesday, June 14, 2016 at 9:00 a.m.

Respectfully submitted on this the 10<sup>th</sup> day of May 2016:



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Stephanie G. Schumacher  
Fiscal Court Clerk

Approved for Review:



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Joseph P. Pfeffer  
Mason County Judge/Executive