

Mason County Fiscal Court
Regular Session
February 9, 2021
9:00 a.m.

County Attorney John Estill called the meeting to order. Present were Commissioner Joseph McKay (District 1), Commissioner Chris O'Hearn (District 2), Commissioner Phil Day (District 3), County Attorney John Estill, Assistant County Attorney Jackie Sue Wright via Zoom, Deputy Sheriff Terry Vice, Jailer Lisa Kern-Yearly via Zoom, County Treasurer Kim Muse, Emergency Management Director Clay Buser via Zoom, Maysville-Mason County Industrial Development Director Owen McNeill and Administrative Assistant Judy Birt.

County Attorney Estill paid tribute in honor and memory of Judge Executive Joseph P. Pfeffer's legacy, who passed away unexpectedly on February 1, 2021.

Appointment of Acting Clerk

Motion made by Commissioner McKay, seconded by Commissioner O'Hearn, to appoint Judy Birt as Acting Fiscal Court Clerk due to the absence of County Clerk Stephanie Schumacher.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day - Yes

Resolution 20-21: Declaring a Vacancy in the Office of Judge Executive and Authorizing Commissioner Phil Day to Perform the Duties of the Office of Judge Executive Pending Filling of the Vacancy by Appointment of the Governor

County Attorney Estill read aloud a letter to the Honorable Andy Beshear, Governor, Commonwealth of Kentucky, from County Clerk Stephanie Schumacher on the formal notice of Judge Pfeffer's death and a vacancy in the office in accordance with KRS 63.210. Further, Estill presented and read aloud Resolution 21-01 declaring a vacancy in the office of Judge Executive and authorizing Phil Day to perform the duties of the Office of Judge Executive pending filling of the vacancy by appointment of the Governor. Motion made by Commissioner McKay, seconded by Commissioner O'Hearn, to approve Resolution 20-21 to elect Commissioner Phil Day to perform the duties of the Office of Judge Executive, retroactive to February 1, 2021 as presented.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day - Yes

The meeting was turned over to Commissioner Day. A moment of silence was followed by tributes made by each of the Commissioners.

Approval of Minutes – January 12, 2021

Motion made by Commissioner O'Hearn, seconded by Commissioner McKay, to approve the

minutes from the January 12, 2021 regular meeting as presented.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day - Yes

Road Department

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, to accept the January report as submitted by Road Supervisor Joe Brown and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn - Yes
Commissioner Day – Yes

Animal Shelter

Motion made by Commissioner O’Hearn, seconded by Commissioner McKay, to accept the January report as submitted by Richard Newberry and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Sheriff’s Report

Motion by Commissioner McKay, seconded by Commissioner O’Hearn, to accept Sheriff’s Monthly Tax Disbursements for January 2021 in the amount of \$692,524.83 and the monthly vehicle report as submitted and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Landfill Report

Motion by Commissioner O’Hearn, seconded by Commissioner McKay, to accept the January report as submitted by Todd Leonard and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Recycling Center Report

Motion by Commissioner McKay, seconded by Commissioner O’Hearn, to accept the January report as submitted by Randy Hamm and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Solid Waste Report

Motion made by Commissioner O’Hearn, seconded by Commissioner McKay, to accept the January report as submitted by Arnold Dodge and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Detention Center

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, to accept the January report as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Southern Health Partners Agreement - Amendment #2

Jailer Lisa Kern-Yeary reported that Southern Health Partners, Inc. has agreed, effective January 1, 2021, that the annual base price be calculated based upon an average daily inmate population of up to 150 instead of the previous agreed daily inmate population of 190. County Attorney Estill reported that he has reviewed and approves the Agreement as amended. Motion made by Commissioner O’Hearn, seconded by Commissioner Day, to approve Amendment #2 to Health Services Agreement with Southern Health Partners, Inc., as attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day - Yes

Treasurer’s Report

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, to authorize the payment of claims, excluding legal fees in the amount of \$860.57 for the Zimmer case, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, to authorize the payment of additional claims in the amount of \$127,930.43, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Motion made by Commissioner O’Hearn, seconded by Commissioner McKay, to approve the

Financial Statement as of January 31, 2021, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, authorizing budget transfers totaling \$72,974.00 as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Treasurer Muse reported that the accounting software is capable of printing signatures of the County Judge and Treasurer on checks and deposits. Due to problems COVID has created with offices being closed, staff being quarantined, etc., she requested the Court’s consideration of approving electronic signatures. County Attorney Estill supported the recommendation of the Treasurer. Motion made by Commissioner McKay, seconded by Commissioner O’Hearn, to approve electronic signatures on checks and deposits, pursuant that safety protocols are in place.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Mason County Public Properties

Mason County Public Properties did not meet.

Executive Order 21-02: Emergency to Replace Oak Woods Road Bridge

John Estill reported the County was mandated by the Kentucky Transportation Cabinet to close the culvert bridge carrying Oak Woods Road over Indian Run Creek. Upon the mandated closure, Judge Pfeffer issued Executive Order 21-02 and filed an emergency funding application with the Transportation Cabinet, which has been approved in the amount of \$72,560 (80% of total project cost of \$90,670. E & E Contractors began the replacement on the bridge on February 8. A motion was made by Commissioner O’Hearn and seconded by Commissioner McKay, to authorize Commissioner Phil Day to sign any Agreements relative to the project and authorize Treasurer Kim Muse to make payment to the Contractor for expenses for replacement of the bridge.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Resolution 21-02: CDBG-CV Coronavirus Response Utility Assistance Program

Amy Kennedy, Buffalo Trace Area Development District Executive Director, joined the meeting via Zoom to discuss the Utility Assistance Program. The Resolution authorizes the filing of an application with the Department for Local Government in an amount not to exceed \$200,000, which will be a pass-thru grant to utility providers in Mason County. Motion made by Commissioner O’Hearn, seconded by Commissioner McKay, to approve Resolution 21-02: CDBG-VA Coronavirus Response Utility Assistant Program as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Resolution 21-03: Authorizing Buffalo Trace ADD as Administrator of CDBG-CV Coronavirus Response Utility Assistance Program

Motion was made by Commissioner O’Hearn, seconded by Commission McKay, to approve Resolution 21-03: Authorizing Buffalo Trace ADD as Administrator of CDBG-CV Coronavirus Response Utility Assistance Program as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Buffalo Trace Search and Rescue

Emergency Management Director Clay Buser, via Zoom, recommended that the rent for the building owned by the Mayslick Volunteer Fire Department and occupied by the Buffalo Trace Search and Rescue be paid for six months in the amount of \$750. The Affiliation Agreement with BTSR is due in July, at which time future funding will be discussed. Motion by Commissioner McKay, seconded by Commissioner O’Hearn, to authorize payment of rent in the amount of \$750, contingent upon Bracken County Fiscal Court authorizing the same.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

Surplus Report

There was no Surplus Report presented.

Permit Report

The Permit Report for January was submitted for review and attached hereto.

EMS Report

Fire Chief Kevin Doyle with the Maysville Fire Department submitted the January EMS Report for review. The report is attached hereto.

Other Business

City of Germantown Council

County Attorney Estill reviewed and explained a letter submitted to Governor Beshear from Tina Teegarden, Bracken County Judge Executive, requesting four individuals be appointed as Council members to the Germantown City Council, as presented and attached hereto. These seats represent members from both Bracken and Mason Counties. No action required.

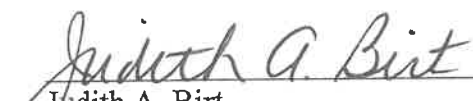
COVID-19 Vaccination Incentive Pay

County Attorney Estill reported the County Treasurer serves as the Human Resources Officer. He further reported that there was a low participation by eligible front-line employees to receive the COVID-19 vaccine. It is a benefit to the County all employees to be vaccinated and recommended to offer an incentive to staff who is vaccinated. Motion was made by Commissioner O’Hearn, seconded by Commissioner McKay, to approve that all full-time and part-time employees of the County who are not elected officials, are eligible to receive incentive pay of \$250 (before mandatory withholdings) upon showing proof of full vaccinations. For employees who have already been vaccinated they need to provide proof to the County Treasurer to receive their incentive pay.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes

The next fiscal court meeting will be Tuesday, March 9, 2021, at 9:00 a.m.

Respectfully submitted on this the 9th day of February 2021.



Judith A. Birt
Acting Fiscal Court Clerk

Approved for Review:



Commissioner Phil Day
Pursuant to Authority of KRS 67.705(1)
Acting in Vacancy of Office of Judge Executive