

Mason County Fiscal Court
Regular Session
July 13, 2021
9:00am

Judge Executive, Owen J McNeill called the meeting to order. In attendance 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, County Sheriff Patrick Boggs, Road Supervisor Joe Brown, Mason County Jailer Lisa Kearn-Yearly, Animal Shelter Supervisor Richard Newberry, Emergency Management Director Clay Buser, Landfill Supervisor Todd Leonard, County Treasurer Kim Muse, Finance Officer Megan Davenport, Executive Assistant Nathan Truesdell. County Clerk Stephanie Schumacher was absent.

Guests in attendance: Peggy Frame, Valerie Bennett-Jones, Planning & Zoning Commission George Larger, City of Maysville Public Works Director Dennis Truesdell, Assistant County Attorney Robin Rice, Keith Gifford, Alex Smith from Jeff Schumacher's office.

Appointment of Acting Clerk

Motion was made by Commissioner Day and seconded by Commissioner O'Hearn to appoint Executive Assistant Nathan Truesdell as the acting clerk for this meeting.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill – Yes

Approval of Minutes – June 15, 2021

Motion made by Commissioner McKay and seconded by Commissioner Day to approve the minutes from the June 15 regular meeting as presented.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill - Yes

Approval of Minutes – June 24, 2021

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to approve the minutes from the June 24 special meeting as presented.

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

Judge/Executive McNeill – Yes

Road Department

Motion made by Commissioner McKay and seconded by Commissioner Day to accept the June report as presented by Road Supervisor Joe Brown and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill – Yes

Animal Shelter

Motion made by Commissioner O'Hearn and seconded by Commissioner Day to accept the June report as submitted by Animal Shelter Supervisor Richard Newberry and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill – Yes

Sheriff's Report

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to accept the Monthly Tax Disbursement Report for June totaling \$7,177.62, as presented by Sheriff Patrick Boggs and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill – Yes

Monthly Vehicle Report & Daily Activity Log for June was submitted to the court to be acknowledged.

Landfill Report

Motion made by Commissioner O'Hearn and seconded by Commissioner McKay to accept the June report as submitted by Landfill Supervisor Todd Leonard and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill – Yes

Recycling Report

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to accept the June report as submitted by Recycling Center Supervisor, Randy Hamm, and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Solid Waste Report

Motion by Commissioner O'Hearn and seconded by Commissioner Day to accept the June reports as submitted by Solid Waste Supervisor, Chris Carpenter, and Garbage Collections Specialist, Nicole Storms, and attached hereto. Discussion to this motion was by Commissioner Day who acknowledged a job well done by Chris Carpenter.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Detention Center

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to accept the June report as presented by Jailer Lisa Kern-Yearly and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Jailer Yearly added that a check had been received from the First Day Forward Program \$9,000.00 to help with expenses for the program.

Treasurer's Report

Motion made by Commissioner McKay and seconded by Commissioner Day to authorize the payment of claims, including additional claims totaling \$111,091.05, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to approve the Quarterly Financial Statement as of June 30, 2021, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Motion made by Commissioner O'Hearn and seconded by Commissioner Day to approve the Quarterly Investment Journal as of June 30, 2021 totaling \$950,000.00 in investments for General Fund and \$1,152,958.57 for Landfill Fund, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Motion made by Commissioner Day and seconded by Commissioner McKay to authorize Order 21-04 to make interfund transfers as needed for FY21-22. The specifics of the transfers were read aloud by Treasurer, Kim Muse and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Motion made by Commissioner O'Hearn and seconded by Commissioner McKay to approve Annual Settlement as of June 30, 2021.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Treasurer, Kim Muse provided in each packet to all Commissioners and Judge/Executive FY 21-22 salaries of all employees as required by KRS 64.530-01

Cold Check Fees County Attorney

Motion made by Commissioner McKay and seconded by Commissioner Day to approve the County Attorney to keep Cold Check Collection Fees and retaining those fees from the past fiscal year.

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

Judge/Executive McNeill Yes

Resolution 21-23 – KYTC County Road Inventory

Motion made by Commissioner Day and seconded by Commissioner McKay to adopt Resolution 21-23 which states what roads and their lengths are in the county road system as in accordance with KYTC.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Tom Browning Boys and Girls Club

Judge/Executive McNeill welcomed Caitlin Waddell with Tom Browning Boys & Girls Club. Ms. Waddell shared a letter with the court requesting funding in the amount \$10,000.00 which is the amount requested and received in years prior. The letter is included hereto.

Motion made by Commissioner Day and seconded by Commissioner O’Hearn to donate \$10,000.00 to Tom Browning Boys & Girls Club.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Ordinance 21-06 Findings of Fact regarding Steve Wagler & Planning/Zoning Commission

Judge/Executive McNeill welcomed Robin Rice to brief the court in regards to the findings of Planning/Zoning Commission with regards to Zoning Application Request by Steve Wagler owner of Pleasant View Furniture on US 68 in Mayslick, KY. They were permitted to open and operate as a furniture store without expansion to be ‘grandfathered’ in. The property in question is not zoned for a commercial business. The application to joint planning commission was to open a seed/feed store and the findings were not that this ever occurred. The seed/feed store would have been permitted because it is agricultural in nature.

Next to speak on this matter was George Larger from the joint planning commission which he gave a little history of the business and how this became an issue. Essentially, the business expanded and grew to an 8-acre commercial business. This is no longer considered as ‘grandfathered’ because it expanded without the zoning changes.

Motion made by Commissioner Day and seconded by Commissioner McKay to not hold public hearings with regards to this matter and base the decision solely off the findings of fact from Planning & Zoning Commission

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Alex Smith then came before the court in defense of Steve Wagler on behalf of Jeff Schumacher who could not be in attendance today because he was on vacation.

Motion made by Commissioner O’Hearn and seconded by Commissioner Day to adopt Ordinance 21-06 rejecting the findings of fact from the joint planning commission pertaining to the application of Stephen and Rosie Wagler and Rezoning from A-2 Agriculture to B-2 Highway Business. This ordinance was adopted as a result of having two options available and is a first reading only to be read a second time and final vote recorded at the next regular session of fiscal court August 10, 2021.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Ordinance 21-05 Amending the Mason County Administrative Code

First reading of the ordinance 21-05 to court and to be read a second time and final vote recorded at the next regular session of fiscal court August 10, 2021

Board Appointments

Dennis Truesdell to Western Lewis Rectorville Water District. Dennis will fill the unexpired term of John Thomas, Jr which was set to expire January 1, 2022.

Thomas Coe to be reappointed to the Planning/Zoning Commission for a new four-year term to expire July 31, 2025.

Jerry Fields to be reappointed to the Western Mason Water District for a new four-year term to expire June 30, 2025.

Surplus Property

No Surplus Property Report was submitted

Permit Report

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

EMS Report

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

Sheriff Patrick Boggs – Research Findings from American Rescue Act Fund

Suggested that the Fiscal Court consider paying essential workers a bonus from the ARA Fund for those employees who worked throughout the pandemic.

Ordinance 21-04 Closure of a portion of Lee's Creek Rd

Second Reading of Ordinance 21-04 by County Attorney John Estill

Motion made by Commissioner McKay and seconded by Commissioner Day to accept and adopt Ordinance 21-04 and close the portion of Lee's Creek Rd mentioned in the Ordinance.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

Following the vote Sheriff, Patrick Boggs questioned the timeline involved with this closure. Per that question, County Attorney, John Estill suggested a meeting between Road Supervisor, Joe Brown and Sheriff, Patrick Boggs to place signage and barricades or gates to close within the next week.

A letter will need to be constructed and sent to Inland Container, LLC to make their drivers aware of the closure.

Communication from Judge/Executive and Commissioners

Judge/Executive McNeill referenced previous events which include the announcement of expansion by Kroger, the announcement of Industrial Development having purchased the former Federal Mogul facility, the visit of Department of Local Government Commissioner Dennis Keene and the grand opening and ribbon cutting of 41 West Grand.

Christie Hoffman Grand Opening is coming up on Saturday following Fiscal Court. Pioneer Awards were presented to Letha Orme and Marvin 'Mo' Warner for their years of service and retirement from the Maysville-Mason County Landfill.

The Judge joined Steve Clary and Matt Comer at the Mason County Innovation and Agritech Facility in Lewsiburg and gave commendation for the work done by the Livestock Association.

Valerie Bennett-Jones was invited to speak before the court. She made brief remarks about being involved more as a citizen and coming back again but appreciated being a part of the meeting.

Having no further business, motion made by Commissioner O'Hearn and seconded by Commissioner Day to adjourn.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Day – Yes
Judge/Executive McNeill Yes

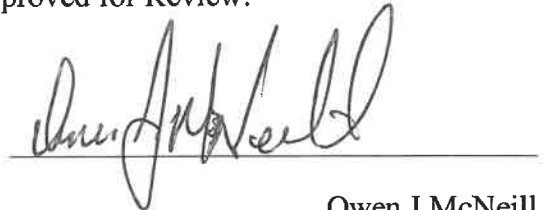
The next fiscal court regular meeting will be Tuesday, August 10, 2021 at 9:00am.

Respectfully Submitted on this the 10th day of August 2021

A handwritten signature in cursive script, appearing to read "Nathan H. Truesdell", written over a horizontal line.

Nathan H Truesdell
Acting Fiscal Court Clerk – June 2021

Approved for Review:

A handwritten signature in cursive script, appearing to read "Owen J. McNeill", written over a horizontal line.

Owen J McNeill
Mason County Judge Executive