

Mason County Fiscal Court
Regular Session
March 15, 2022
9:00 a.m.

Judge/Executive Owen McNeill 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, Road Department Supervisor Joe Brown, Landfill Supervisor Todd Leonard, Animal Shelter Supervisor Richard Newberry, Sheriff Patrick Boggs, Jailer Lisa Kern-Yearly, County Treasurer Kim Muse, Emergency Management Director Clay Buser, Animal Shelter Supervisor Billy Howell and Executive Assistant Nathan Truesdell.

Introduction of Guests

Judge/Executive McNeill introduced the Dog Squad, which is a group of student members who hold fundraisers and host virtual adoptions to benefit the Mason County Animal Shelter. Members present were Aleah Boggs, Ryan Owens, Jamison Stamm and Kynslee Thomas. On April 2, 2022, the group will be hosting a color run, with proceeds going to the animal shelter. The students presented two checks to Mason County Fiscal Court totaling \$270.00 for use at the shelter. Judge/Executive McNeill, along with the commissioners, thanked the students for their hard work.

Approval of Minutes – February 15, 2022

Motion made by Commissioner O'Hearn and seconded by Commissioner Day to approve the minutes from the February 15 regular meeting as presented.

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

Approval of Minutes – February 22, 2022

Motion made by Commissioner Day and seconded by Commissioner O'Hearn to approve the minutes from the February 22 special meeting as presented.

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

Road Department

Motion made by Commissioner Day, seconded by Commissioner O'Hearn to accept the February report as submitted by Road Supervisor Joe Brown and attached hereto.

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

Resolution 22-03 FY22 Flex Project

Judge/Executive McNeill explained the agreement between the Kentucky Transportation Cabinet, Department of Rural and Municipal Aid and Mason County Fiscal Court for the resurfacing of parts of Flat Fork Road, Pleasant Ridge Road and South Bear Wallow Road. The Department of Rural and Municipal Aid will provide funding not to exceed \$77,624.00.

Motion made by Commissioner McKay, seconded by Commissioner O'Hearn to approve Resolution 22-03 as presented.

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

Permit 22-01 – Permit Granting EKP access to use South Ripley Road

County Attorney Estill said these permits have been issued over the years. He suggested the members of the court consider setting a permit fee for the issuance of these permits, as several inspections are performed during the permit process.

Motion made by Commissioner McKay, seconded by Commissioner Day to establish a basic permit application fee of \$250.00.

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

Motion by Commissioner O'Hearn, seconded by Commissioner Day to issue permit 22-01 to East Kentucky Power for the use of South Ripley Road for hauling clay and other materials.

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

Animal Shelter

Motion made by Commissioner Day, seconded by Commissioner O'Hearn to accept the February report as submitted and attached hereto.

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

Sheriff's Report

Motion by Commissioner O'Hearn and seconded by Commissioner McKay to accept the Monthly Tax Disbursement Report for February totaling \$126,676.96 as presented by Sheriff Patrick Boggs and attached hereto.

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

The Monthly Vehicle Report was submitted for review.

Sheriff Boggs presented his Fee Settlement for 2021 with receipts totaling \$1,268,158.21, disbursements totaling \$1,268,158.21 of which \$6,870.95 were excess fees.

Motion made by Commissioner O'Hearn, seconded by Commissioner Day to accept the Sheriff's Fee Settlement for 2021 as presented by Sheriff Boggs and attached hereto.

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

Sheriff Boggs explained to the court that both the City of Maysville and the sheriff's department applied for a grant and were awarded funding for the encryption of the portable radios. With this encryption, people using scanners can longer hear what is being said on the portable radios. Sheriff Boggs further explained to the court that he can longer buy the portable radios his

deputies are currently using. Instead of loading the encryption chips into radios that cannot be replaced, he advised it would be best to buy new radios. He received a bid from Southern Communications for \$13,327.35 for the purchase of 15 new portable radios. These will match up to the current digital system and will accept the encryption chip. Sheriff Boggs also said if the purchase of the new radios were approved, he would like to give five of the current radios to Clay Buser, with emergency management for use as needed.

Motion by Commissioner Day, seconded by Commissioner O'Hearn to approve the bid from Southern Communications for \$13,327.35 for the purchase of 15 new portable radios.

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

Landfill Report

Motion by Commissioner Day, seconded by Commissioner O'Hearn to accept the February report as presented by Todd Leonard and attached hereto.

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

Recycling Center Report

Motion by Commissioner McKay, seconded by Commissioner O'Hearn to accept the February report as submitted by 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, seconded by Commissioner Day to accept the February report as submitted by Chris Carpenter and attached hereto.

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

Property Abatement and Illegal Dumping Report

Motion by Commissioner Day, seconded by Commissioner O'Hearn to accept the February report as submitted by Shane Taylor and attached hereto.

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

Garbage Collection Report

Motion by Commissioner Day, seconded by Commissioner McKay to accept the February report as submitted by Nicole Storms and attached hereto.

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

Detention Center Report

Motion made by Commissioner O'Hearn, seconded by Commissioner Day to accept the February 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 presented the budget for Fiscal Year 2022-2023 for review. No action was needed.

Bid Opening – Print on Demand Ballot Printers

Judge/Executive McNeill announced only one bid had been submitted for the Mason County Fiscal Court's request for bids for seven print on demand ballot printers to be used in elections in conjunction with the Verity election equipment owned by fiscal court. Harp Enterprises, Inc. submitted a bid totaling \$42,927.00.

Motion made by Commissioner O'Hearn, seconded by Commissioner McKay to accept the bid as presented and authorize purchase of the seven printers.

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

Treasurer's Report

Motion made by Commissioner McKay, seconded by Commissioner Day to authorize the payment of claims, including additional claims totaling \$39,626.43, as presented and attached hereto.

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

Motion made by Commissioner Day, seconded by Commissioner O'Hearn to approve the Financial Statement as of February 28, 2022, 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, seconded by Commissioner McKay to approve budget transfers in the amount of \$97,450.00.

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

Motion by Commissioner McKay and seconded by Commissioner O'Hearn to adopt **Order 22-01**, the annual standing order to pre-approve certain recurring expenses for fiscal year 2022-2023.

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

EMS Report

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

Permit Report

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

New Business

Kristi Dodge, with the Buffalo Trace Area Development District, explained Mason County Fiscal Court was awarded a Community Development Block Grant through the Department for Local Government for the renovation of six of the senior housing units. With these grants, the following resolutions are required to receive federal funding.

Resolution 22-04 – Adoption of State Analysis of Impediments to Fair Housing

Motion made by Commissioner Day, seconded by Commissioner O’Hearn to adopt Resolution 22-04, whereby the fiscal court adopts the Kentucky State Analysis of Impediments to Fair Housing and will work to enforce the laws and increase accessibility in Mason County.

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

Grantee Section 3 Affirmative Action Plan

Motion made by Commissioner O’Hearn, seconded by Commissioner McKay, to adopt the Affirmative Action Plan and therefore the fiscal court agrees to implement steps directed at increasing opportunities for training and employment for lower income residents.

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

CDBG 18-021 – Administrative Agreements

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn to adopt the administrative agreement between Mason County Fiscal Court and the Buffalo Trace Area Development District for the purpose of administering the Community Development Block Grant Program for the new Senior Center Facility construction project.

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

Resolution 22-05 – Cost Overruns

Motion made by Commissioner O’Hearn, seconded by Commissioner Day to adopt Resolution 22-05, in which the county gives assurance to the Department for Local Government that if cost overruns occur in the new Senior Center Facility construction project, the county will bear responsibility for those cost overruns.

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

Grievance Procedure

Motion made by Commissioner Day, seconded by Commissioner O’Hearn to adopt the grievance procedure for complaints relating to suspected allegations of discrimination on the basis of handicapped status in Mason County.

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

Resolution 22-06 – Rental Payments Compliance

Motion by Commissioner O’Hearn, seconded by Commissioner McKay to adopt Resolution 22-06, in which the fiscal court gives assurances to the Department for Local Government that if any future rental payments and/or fees occur in regards to the use of the Mason County Senior Housing, that funds will be collected, managed and reported in accordance with regulations promulgated un CFR 570.489E(1)(iv).

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

Resolution 22-07 – Treasurer Distribution of Funds

Motion made by Commissioner Day, seconded by Commissioner O’Hearn to adopt Resolution 22-07, which authorizes the county treasurer to distribute Community Development Block Grant funds received for the project within five days of receipt, and authorizes the Judge/Executive to sign any and all documents related to the project.

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

Appointment of Grievance Officer

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn to appoint the Judge/Executive as the Fair Housing Equal Employment Opportunity and Grievance Officer for the project.

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

Approve Advertising of Notices for Project

Motion by Commissioner Day, seconded by Commissioner O’Hearn to approve the advertising of necessary notices, including the Fair Housing Equal Employment Opportunity and Grievance Procedures, as well as required environmental notices.

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

Approve the Procurement of Architect/Construction Manager

Motion by Commissioner O’Hearn, seconded by Commissioner McKay to approve procurement of either an architect or a construction manager for the construction oversight of the project as required by the DLG and CDBG grant and will follow federal procurement standards.

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

Buffalo Trace Search and Rescue Rent Payment and Utilities

Motion made by Commissioner Day, seconded by Commissioner O’Hearn to approve rent and utility payments in the amount of \$4,571.55 to the Mays Lick Volunteer Fire Department on behalf of Buffalo Trace Search and Rescue, which uses the building to conduct meetings and store vehicles, equipment and supplies. These expenses are split with Bracken County Fiscal Court.

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

Resolution 22-08 – Adoption of the Buffalo Trace Regional Hazard Mitigation Plan

Motion by Commissioner Day and seconded by Commissioner O’Hearn to adopt the updated Buffalo Trace Regional Hazard Mitigation Plan.

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

Resolution 22-09 – KEDF/MMCIDA/Federal Mogul Property

Motion by Commissioner Day, seconded by Commissioner McKay to adopt Resolution 22-09, authorizing the Judge/Executive to sign all necessary documents regarding the grant application and acceptance thereof, and to be the authorized correspondent for the project.

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

Old Business

Emergency Management Director Clay Buser spoke to members of the court about the importance of using what we learned from the devastating tornadoes in Western Kentucky in December and using that information for future training. The main two takeaways from the incidence in Western Kentucky is the need for good communication and to have a plan in place prior to an emergency. On March 18, the local emergency planning committee will be meeting and on May 26, a tabletop exercise will be conducted with different agencies.

Board Appointments

Judge/Executive McNeill announced that both Rick Lawrence and Lori Ulrich have been appointed to the tourism board.

Cummins Nature Preserve

Cummins Nature Preserve has published its schedule of events for the season, which includes group hikes, scavenger hunts and concerts, as well as its popular Pumpkin Glow during Halloween. The list is available on the website.

Arbor Day – April 1, 2022

Judge/Executive McNeill issued a Proclamation proclaiming April 1, 2022, as Arbor Day in the state of Kentucky and urged all citizens to plant a tree in observance of this day.

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

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

The next fiscal court meeting will be Tuesday, April 12, 2022, at 9:00 a.m.

Respectfully submitted on this the 15th day of March 2022:



Stephanie G. Schumacher
Fiscal Court Clerk

Approved for Review:



Owen J. McNeill
Mason County Judge/Executive