

GALLATIN COUNTY FISCAL COURT
April 13, 2017

The meeting of the Gallatin County Fiscal Court was called to order by Judge Ken McFarland on April 13, 2017 at 6:30 p.m. at the Gallatin County Senior Center, Warsaw, Kentucky. Magistrates present were Eric Moore, Jeff Wallace, Joel Shinkle and Sally Davis. County Attorney John G. Wright was also present. Everyone stood for the pledge of allegiance.

Minutes: Minutes from the Regular Meeting of March 9, 2017 were approved by Jeff Wallace. Joel Shinkle seconded the motion. All ayes.

Consent Agenda: Eric Moore moved to approve the consent agenda. Sally Davis seconded. All ayes.

Vendor Claims: Claims were presented for approval to pay which included the added blue sheet. Joel Shinkle moved to approve the vendor claims as presented and Jeff Wallace seconded. All ayes.

March 2017 Financial Reporting

1. Treasurer Report – Treasurer Lesa Bullard presented the report for the month ending March 31, 2017. Eric Moore moved to approve the Treasurer’s Report and Joel Shinkle seconded. All ayes.
2. Interfund Cash Transfers – Joel Shinkle moved to approve the interfund transfers. Jeff Wallace seconded. All ayes.
3. Budget Transfers – Eric Moore moved to approve the budget transfers and Sally Davis seconded. All ayes.
4. Budget Amendment 030917 #6: 2nd Reading realizing unbudgeted receipts from Sheriff Excess Fees, Miscellaneous Revenues, County Clerk Excess Fees and other Miscellaneous Revenue all totaling \$137,461.12. Amendment has been approved by State Local Finance Officer. Budget amendment approved by Jeff Wallace and seconded by Eric Moore. All ayes.

OLD BUSINESS

NUGENT

Judge McFarland opened by asking if there were any questions or concerns in regard to the matter of Nugent Sand Company’s request for a zoning change. Attorney Ruth Baxter on behalf of Nugent Sand, asked for a delay of one month, per the available 90 day time period allowed by Statute, in order to investigate the claims that were made at the public hearing and speak with those who testified there. She continued that it is their belief that there was misinformation and incorrect information presented. County Attorney Wright, in response to Ms. Baxter presented options to the Fiscal Court, which included allowing for the time as requested, holding an additional public hearing or affirming the decision of Planning and Zoning. Judge McFarland added that he understands that there could be additional information, however at the conclusion of the meeting it was asked if there was anything else to be said on the matter. Mr. McFarland continued, saying based on the transcript of the meeting, he suggests the decision be based on

what has been presented at the Planning and Zoning public hearing, in the interest of not undermining the decision of Planning and Zoning. Then if any new information surfaces, it could be addressed at that time. County Attorney Wright reminded the court that the issue at hand is whether the zone change is appropriate. The current operations at the facility or the feelings in regard to the facility itself are not necessarily a part of the decision. What must be considered is the County's Comprehensive Plan and changes to land use in the county and or the area. Magistrate Sally Davis asked what is it that the citizens there are wanting? County Attorney Wright responded that it is hard to answer as to the specific desires of the citizens in the area but included some of the concerns as mentioned by Ms. Baxter, traffic, noise, hours of operation. County Attorney Wright said the question remains, do you want to further investigate the concerns, accept the decision of Planning and Zoning or give more time.

Jeff Wallace made a motion to affirm the recommendation of the Planning and Zoning Board based on the recommendation. Joel Shinkle seconded. Motion passed unanimously.

NEW BUSINESS

GALLATIN COUNTY BOARD OF ASSESSMENT APPEALS

Judge McFarland informed the court that the Board of Assessments is in need of an appointment. The candidate can come from anywhere within the county, he asked that the magistrates inform him of anyone that may be interested in serving.

DATA BREACH POLICY

Judge McFarland read aloud the Data Breach Policy to be adopted upon the court's approval. Eric Moore moved to approve the adoption of the Data Breach Policy as presented. Sally Davis seconded. All ayes.

COUNTY ROAD AID COOPERATIVE PROGRAM AGREEMENT

Judge McFarland presented the County Road Aid Cooperative Agreement which calls for the county to receive an apportionment of \$499,071.03. Jeff Wallace moved to accept the program allotment and enter into the agreement. Joel Shinkle seconded. All ayes.

GALLATIN COUNTY CONSERVATION DISTRICT – ANNUAL PLAN OF WORK

Judge McFarland presented the Conservation District's Annual Plan of Work for 2017-18. Jeff Wallace moved to approve the plan and Eric Moore seconded. All ayes.

PVA AUDIT

Judge McFarland reported that from his review of the PVA Audit it was a good audit and appears to be in line. Joel Shinkle moved to accept the PVA's Audit. Eric Moore seconded. All ayes.

NUCOR – ANNUAL EARTH DAY

Judge McFarland informed the court of an invitation to the Annual Earth Day Celebration to be held at Nucor Steel on April 27, he noted that the gates open at 10:45 am.

LITTLE SUGAR – BRIDGE REPORT

Judge McFarland reported that he received a request to reduce the load limit on the bridge to 3 tons. Upon receiving the request additional repairs were made to the bridge and the load limit was reinstated to 15 tons.

CONSENT AGENDA

NOTICE OF PUBLIC HEARING

Judge McFarland informed the court of approval to conduct a public hearing in accordance with FAA Order in reference to Implementing Instructions for Airport Actions and to the Environmental Impacts: Policies and Procedures. The hearing will take place on May 16 at the Gallatin County Senior Center from 6:00 – 8:00 pm.

COMMENTS

Magistrate Joel Shinkle asked if there would be a County Cleanup Day as has been held in the past. Judge McFarland answered that one is not specifically planned as the dumpsters at the County Barn are available Monday through Friday. He added that additional dumpsters will be available on May 19 at Concord, Glencoe and Sparta. There will be two dumpsters at each location.

Magistrate Sally Davis asked if there was anything that could be done for improvements to HWY 42. She acknowledged that it is a State Road but noted that it is in quite bad shape. Magistrate Moore agreed with her comments. Judge McFarland reported that he has been in contact with Representative Rand about the possibilities of blacktop from Warsaw to Boone County, among other options.

Magistrate Jeff Wallace informed the court that the last slip that was repaired on HWY 184 is getting worse by the day and needs to be addressed, with some signage needed if it is not taken care of soon. Judge McFarland noted that the spot was in the plan of work for this year.

Troy Parker asked who to contact to have holes patched on Steele's Bottom Road. Judge McFarland answered that his office has been working on those holes as it has been a concern of theirs. He added that there has been a request sent to District 6. Michael Hornsby, a resident of the area, offered his opinion that the damage on Steele's Bottom is very apparent it is from the truck traffic. He asked has any study been done to affirm this. Judge McFarland explained that the state has been notified about the issues with the truck traffic, the holes, and the degrading conditions of the road.

Linda Roberts, also of Steele's Bottom thanked the court for accepting the decision of Planning and Zoning.

With no further business before the court, Eric Moore made a motion to adjourn. Sally Davis seconded the motion. All Ayes.

Doug Miles
Gallatin County Fiscal Court Clerk