

**RUSSELL COUNTY FISCAL COURT
REGULAR MEETING
MONDAY JUNE 13, 2011
6:00 P.M.**

The Russell County Fiscal Court held their regular monthly meeting on Monday June 13, 2011 at 6:00 p.m. at the Russell County Courthouse. Those in attendance were County Judge Executive Gary Robertson, Magistrates Greg Popplewell, Brook Cochran, Ronald Johnson, Jimmy McQueary, Larry Holt, County Attorney Kevin Shearer, Assistant County Attorney Don Byrom, Deputy Judge Executive Christopher Ramsey, County Treasurer Kathy Tupman, Administrative Assistant Lesley Barger and Occupational Tax Administrator Bobbie Garner.

WELCOME, PLEDGE & OPENING PRAYER: Judge Robertson welcomed all those present and led everyone in the pledge followed by a prayer by Delvin Wilson.

MINUTES: Judge Robertson presented minutes from the May 9 & 26, 2011 meetings. Magistrate Popplewell made a motion to approve the minutes with Magistrate Holt seconding. The roll call was unanimous.

PAY BILLS: Judge Robertson submitted a list of regular bills for the month of May to be approved. After some questions the motion was made by Magistrate McQueary to pay the bills with Magistrate Johnson seconding. The roll call was unanimous.

DETENTION CENTER REPORT: Jailer Dunbar read the jail report as follows: Jail fees \$369.27; prisoner reimbursements \$3,374.60 misc. reimbursements \$0.00; medical/prescription co-pay \$528.74; per diem \$1,498.87; state inmates \$61,113.00 which was for 2 months; telephone reimbursement \$5,085.96; bond preparation \$0.00; incarceration fees \$0.00; court cost supplement \$0.00; DUI quarterly \$0.00 for a total income \$71,970.44; overtime 0. Jailer Dunbar stated they have 34 state inmates as of this morning. Jailer Dunbar stated that they went through a state inspection recently and the only thing they were written up for is not having classes for narcotic and alcohol abuse. They will be starting those classes this week. Jailer Dunbar also stated that they have several inmates working at the recycle center, the city of Russell Springs, litter pick-up and the Detention Center kitchen. Magistrate Johnson made a motion to accept the jail report with Magistrate Holt seconding. The roll call was unanimous.

EMPLOYEE HEALTH INSURANCE RECOMMENDATION FROM INSURANCE COMMITTEE: Treasurer Tupman stated that the renewal rate from Anthem came in at \$443.91. KACo submitted a bid for \$437.55 including vision and McKinney & Blair submitted a bid for \$437.43 also including vision. The insurance committee voted to recommend McKinney & Blair's bid. Magistrate Johnson made a motion to accept their recommendation with Magistrate Cochran seconding. The roll call was unanimous.

DONNA DIAZ – COMMODITIES: Mrs. Diaz stated that the Feeding America program contacted her saying that Russell County is the only county in the region and possibly the state that does not participate in the program. The only cost to the county would be either go get the food or they deliver for 3cents a pound not to exceed \$225.00 per month. They have checked around and can get free storage and can get volunteers to distribute. Judge Robertson stated that we might need to purchase a jack for \$250 to \$300 to move the pallets. They are going to have citizens bring their own bag or laundry basket to carry their items instead of us buying bags. This is a different program than the Senior Citizen program. Magistrate McQueary made a motion to contract with them with Magistrate Johnson seconding. The roll call was unanimous.

MATT LEVERIDGE – RICKET DOCKET: Commonwealth Attorney Leveridge explained what the Rocket Docket is and how it works. This program gets inmates released on parole quicker which frees up bed space and saves the county money. The cost to the county would be the base salary of an employee which would be \$20,000 to \$30,000 plus 7.65% FICA and 19.82% retirement. The magistrates will talk to other counties and decide something at a future meeting.

BOARD APPOINTMENTS: Judge Robertson stated that Mark Antle's Hospital Board term is up in June. He has served 1 term and since he has been in trainings with Rural Development and the expansion plans, Judge Robertson recommended appointing him for a second term. Magistrate Holt made a motion to appoint with Magistrate Johnson seconding. The roll call was unanimous. James Gray was put on the Ambulance Board last year for a 1 year term. He has served as chairman of the board and has made a lot of positive changes. Judge Robertson recommended appointing him to serve another 2 year term. Magistrate McQueary made a motion to appoint with Magistrate Cochran seconding. The roll call was unanimous. Judge

Robertson stated that the terms were up for Library Board members Nick Shearer and Matthew Lunsford. He recommended appointing Patty Lamb and Ken Kimsal to serve until June 30, 2015. Magistrate Popplewell made a motion to appoint with Magistrate Johnson seconding. The roll call was unanimous.

EMERGENCY ORDINANCE #11-06 – VOTING MACHINE FUNDING: Treasurer Tupman stated that we received \$72,000.00 from the state for voting machines and since we didn't have that budgeted, it is necessary to amend the budget by that amount. Magistrate Johnson made a motion to pass the ordinance for the budget amendment with Magistrate McQueary seconding. The roll call was unanimous.

2nd READING – BUDGET ORDINANCE #11-05 – 2011-2012 – COUNTY BUDGET: Judge Robertson stated that the budget was approved by the Department for Local Government with a few changes. He read the budget totals as follows: General Fund \$2,032,973.00; Road Fund \$1,176,443.00; Detention Center \$1,751,962.00; 911 Dispatch \$313,424.00; Airport General \$33,271.00; Airport Project \$169,797.00; LGEA \$8,418.00; CDBG \$200,000.00; ASAP \$50,000.00; NSP \$33,000.00; DFC \$125,000.00; Tourism \$100,050.00; grand total \$5,994,338.00. Magistrate Johnson made a motion to accept the budget with Magistrate McQueary seconding. The roll call was unanimous.

SUBMIT 2011-2012 BUDGET FOR RUSSELL COUNTY AMBULANCE SERVICE, LCADD and AIRPORT BOARD: Judge Robertson stated that we will have the Industrial Development, Hospital and Library budgets on our called meeting June 29th. The magistrates looked at the budgets. No vote required.

James Gray and Terry Hancock came before the Court to talk about the Ambulance budget. There are some big differences in the budget from the past. There were a log of changes in administration in the last few years and some things were put in wrong that they are now trying to correct. The 911 service is only budgeted through October and if they decide to help fund it after that, they can amend their budget. They have increased their fee schedule so they should see some increases from that. They will probably need to raise taxes this year. There was a lot of discussion concerning cutting the employee health insurance, they will probably be doing something different on that.

EXECUTIVE SESSION TO DISCUSS LITIGATION AT DETENTION CENTER: KRS: 61-810C – Discussions of proposed litigation at the Detention Center. Magistrate Johnson made a motion to go into executive session with Magistrate Holt seconding. The roll call was unanimous. Magistrate Johnson made a motion to come out of executive session with Magistrate Cochran seconding. The roll call was unanimous. Judge Robertson explained the reason for the executive session. A subcontractor, Jamie Taylor Masonary, done some work at the Jail and left an unacceptable mess which they were warned of by the project manager. They got another company to do the clean up for approximately \$19,000. and we are withholding that along with the other \$29,521.67. They are trying to get all the parties together that are involved which is G&G Contracting, the sub contractor which is Jamie Taylor Masonary and Stephen P. Stoltz, the attorney for Jamie Taylor. They will be meeting with County Attorney Shearer and Assistant County Attorney Byrom to try to work out something and at the same time we will pay the \$29,521.67 to G & G Contracting. Judge Robertson asked for a motion to give our Attorneys authority to deal with the companies on this matter. Magistrate McQueary made that into a motion with Magistrate Holt seconding. The roll call was unanimous.

UPDATE ADMINISTRATIVE CODES: Deputy Judge Ramsey explained that the Administrative Codes require an annual review at the beginning of each fiscal year. He stated that there was a change on page 18, section 5.16 B in which there was one sentence inserted: The County Judge at his/her discretion may utilize a hiring committee to interview and recommend to the County Judge whom to hire for the open position. The only other change was to the road specs which were voted on this past fall. Magistrate Johnson made a motion to accept the changes with Magistrate McQueary seconding. The roll call was unanimous.

Judge Robertson stated that Amon West who's property is next to the landfill wants to put up a fence on the boundary line and would like to split the cost of the fence. It would cost approximately \$1300 plus labor. Attorney Shearer recommended putting up the fence if we have a survey. We traded his land next to the road to ours in the back so we would have more room for trucks to turn in. Magistrate Johnson made a motion to buy the fence and have him put the fence up. Magistrate McQueary seconded. The roll call was unanimous.

OPEN BIDS FOR JANITORIAL SUPPLIES: Treasurer Tupman opened the only bid which was from Southeast Janitorial. Since this was the only bid Magistrate Johnson made a motion to accept with Magistrate McQueary seconding. The roll call was unanimous.

SECTION 125 PLAN DOCUMENT AMENDMENTS: Treasurer Tupman explained that American Fidelity administers our Section 125 Plan for Health Care and they sent us an update which was a result from the healthcare reform. There were changes to the eligible drug expenses and debit cards if we had them. Magistrate McQueary made a motion to adopt the changes with magistrate Holt seconding. The roll call was unanimous.

DISCUSS CHANGING DETENTION CENTER BANK ACCOUNT TO MONTICELLO BANKING COMPANY: Judge Robertson stated that several banks in the county have donated to the sirens and other things in the county and he thinks we should have accounts in other banks besides Bank of Jamestown and First National. He suggested we move the Detention Center to Monticello Banking Company since they have helped with several endeavors in the county. Magistrate McQueary made a motion to change this account with Magistrate Holt seconding. The roll call was unanimous.

Judge Robertson stated that we will need to advertise for bids on the Janitorial and Maintenance for the Judicial Center since it will soon be opening. He will check with other counties to find out how they are handling their Judicial Centers.

Judge Robertson stated that we have 2 bids for the wrecked Chevrolet truck. Aaron Lawless bid \$650 and Tyler Brumley bid \$901.50. Magistrate Johnson made a motion to sell to the highest bidder with Magistrate Cochran seconding. The roll call was unanimous.

Judge Robertson stated that he received a letter from Michael Reynolds of the Russell County 10 Year Anniversary of 9-11-01 / Veterans Day Planning Committee saying they are going to have a memorial event at the Fairgrounds on 9/11. There are several businesses that will be helping with the funding and they are asking the Fiscal Court to donate funds to help with the event. Magistrate Johnson made a motion to donate \$100. Magistrate McQueary seconded. The roll call was unanimous.

Judge Robertson stated that we need to transfer \$50,000. from the General Fund to the Jail Fund. Magistrate Johnson made a motion to do the transfer with Magistrate McQueary seconding. The roll call was unanimous.

Judge Robertson opened the floor for public discussion. Kathy Foley, a Russell County citizen, asked for an apology from Magistrate Holt from a prior meeting. She stated that if her name was Terry Stephens, Randy Hart or just Tom, Dick or Harry, he wouldn't have spoken to her that way. The second item on her agenda was to ask if any of the Magistrates had a change of heart on the tax ordinance. Magistrate Popplewell stated that he has thought about it a lot but is leaning toward taking the cap off but doesn't want to make that a motion. Magistrate Cochran stated that he has called a few counties and they were helpful but not in any form to convince him to change his mind. Ms. Foley announced that she is in the process of forming a committee to study the feasibility of bringing a lawsuit to challenge the legality of the cap. If anyone is interested in joining give her a call. No one else had any comments.

Magistrate McQueary asked where we are with the 911 funding situation that is coming up soon. Judge Robertson stated that he has been talking to Adair, Garrard and Taylor Counties along with the Mayors and the Ambulance Service. He is waiting on them to get back with him. He should know more in 30 days.

ADJOURN: Magistrate Johnson made a motion to adjourn with Magistrate Cochran seconding. All was in favor.

Gary Robertson
County Judge Executive

Kathy Tupman
Fiscal Court Clerk