

**RUSSELL COUNTY FISCAL COURT
REGULAR MEETING
MONDAY MARCH 14, 2011
6:00 P.M.**

The Russell County Fiscal Court held their regular monthly meeting on Monday March 14, 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, County Treasurer Kathy Tupman, Occupation Tax Administrator Sherry Stephens, Deputy Judge Chris Ramsey.

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

MINUTES: Judge Robertson presented minutes from the February 15th and 22nd and March 2nd meetings. Magistrate Popplewell made a motion to approve the minutes with Magistrate Johnson seconding. The roll call was unanimous.

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

APPROVAL OF DETENTION CENTER BILLS: Magistrate Johnson made a motion to approve the Detention Center bills with Magistrate McQueary seconding. The roll call was unanimous.

H.M. BOTTOM – PRIDE GRANT, APPLICANT'S AGENT: The pride grant this year is for \$7,500 and can be used for roadside cleanup, free disposal day and illegal dumps. April is when we normally do the free disposal day so he would like to ask to do that again this year. He is never sure how much it will be until we have it but he is trying to get extra money from the grant. Magistrate Johnson made a motion to hold the free dump day with a second by Magistrate Cochran. The roll call was unanimous. H.M. explained that we have FEMA money coming for approximately \$48,000 but he needs to be designated as the applicant's agent in order to receive the money. Magistrate Johnson made the motion to designate H.M. as the applicant's agent. Magistrate Popplewell seconded. The roll call was unanimous.

2nd READING OF ORDINANCE # 11-02: County Attorney Shearer read the Occupational Tax Ordinance. From the sign-in sheet for public discussion, Judge Robertson asked citizens to voice their opinion on the matter. Stephen Vaughan, Steve Roy, Mike Adams, Terry Stephens, Rollin S. McFarland and David Blakey voiced negative opinions concerning the tax. It was suggested that if we have to raise it to 1% then put a 2 year sunset clause on it. Magistrate Popplewell made a motion to pass it with a 2 year sunset clause. Attorney Shearer stated that we can't vote on the ordinance with a sunset clause because it was read without a clause and it would need to be changed and have a 1st and 2nd reading. After much discussion Judge Robertson recommended passing it as read tonight. Magistrate Johnson made a motion to pass the ordinance as read with 1% payroll, 1% net profit, \$800 net profit tax and no sunset clause. Magistrate McQueary seconded the motion. Voting yes was Magistrates Johnson and McQueary and Judge Robertson. Voting no was Magistrates Popplewell, Cochran and Holt. The vote was a tie so it did not pass.

Judge Robertson made a motion to go into executive session according to KRS 61.810 (f) to discuss personnel issues for the purpose of laying off staff. Magistrate McQueary seconded. The roll call was unanimous.

Magistrate Popplewell made a motion to come out of executive session per KRS 61.810 (f) with no action taken. Magistrate McQueary seconded. The roll call was unanimous. Judge Robertson commented that he would be talking with employees tomorrow to see if there were any volunteers to be laid off.

JAIL REPORT: Jailer Dunbar reimbursed the county \$1,900 from the commissary fund for the televisions we bought for the jail. He also read the jail report as follows: Jail fees \$283.09; medical co-pay \$413.15; telephone reimbursement \$0.00; bond preparation \$0.00; incarceration fees \$0.00; court cost supplement \$0.00; DUI quarterly \$0.00; booking fees \$1,628.49 for a total income \$2,324.75; overtime 112. Jailer Dunbar explained that the overtime was due to the transition of inmates from Casey County which started February 17th. They made 6 trips with 3 vehicles which took 2 days to transport and book them into our system. Jailer Dunbar stated that there were 86 inmates this morning with 17 of those

being state inmates. Magistrate Johnson made a motion to accept the jail report with Magistrate Cochran seconding. The roll call was unanimous.

RC SHERIFF 2010 FEE ACCOUNT SETTLEMENT: Sheriff Bennett submitted \$2,417.90 as the final payment. Magistrate McQueary made a motion to accept the fee settlement with Magistrate Holt seconding. The roll call was unanimous.

HOSPITAL BOARD APPOINTMENT: Judge Robertson stated that Rodney Johnson's appointment has expired. He recommended Sheldon Stephens. Magistrate McQueary made a motion to appoint Sheldon with Magistrate Holt seconding. The roll call was unanimous.

Russell County Hospital CEO David Rathsmussen gave an update on the hospital activities. He has been at the hospital since January 10th. He stated that they are holding a positive bottom line.

FUND TRANSFER FROM GENERAL TO JAIL: Judge Robertson stated we need to transfer \$200,000 from General to Jail. Magistrate McQueary made a motion to transfer with Magistrate Johnson seconding. The roll call was unanimous.

RESOLUTION #11-02 – COUNTY ROAD AID CONTRACT: Judge Robertson presented Resolution #11-02 to adopt and approve a County Road Aid Coop Program Contract between Russell County Fiscal Court and the Kentucky Transportation Cabinet beginning July 1, 2011 for \$516,292.00. Magistrate Johnson made a motion to accept the resolution with Magistrate Cochran seconding. The roll call was unanimous.

TAKE IN COUNTY ROADS: Magistrate Johnson made a motion to take Pearl Dunbar Road and Beachview Drive into the county road system in district 3. Magistrate McQueary seconded. The roll call was unanimous. Magistrate Cochran made a motion to take Alfred Antle Road which is a bus turnaround into the county road system in district 2. Magistrate Holt seconded. The roll call was unanimous.

KENTUCKY CONSERVATION OFFICERS ASSOCIATION DONATION: Judge Robertson presented a request that was sent to him from this association asking for a donation. No motion was made.

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

Gary Robertson
County Judge Executive

Kathy Tupman
Fiscal Court Clerk