

**March 16, 2021**

The Oldham County Fiscal Court convened at a regular meeting at 2 p.m. via Zoom and Facebook Live with Judge-Executive David Voegele, County Attorney John Carter, and the following magistrates in attendance: Wayne Theiss, Albert Harrison, Steve Greenwell, Chris Haunz, Stephanie Hawkins, Bob Dye, and Michael Logsdon. Magistrate Brent Likins was absent.

**APPROVAL OF AGENDA:**

Motion made by Magistrate Logsdon and seconded by Magistrate Haunz to approve the agenda as submitted. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion made by Magistrate Haunz and seconded by Magistrate Logsdon to approve the meeting minutes from March 2, 2021. Motion carried unanimously.

**COVID-19 UPDATE:**

Matt Rhodes, director of public health for the Oldham County health department, provided an update on the status of COVID-19 in the community and the COVID-19 phased vaccine campaign for Oldham County.

**PUBLIC COMMENT:**

Jessica Hudnall commented she did not know why there was a rush to cut down the trees at Schamback Park when there is no timeline or official plan for the park.

Summer Soards commented on the change.org petition in support of keeping the trees and asked for there to be a compromise to keep the trees while continuing to make progress on the park. The original motion was to keep the healthy trees and remove the dead trees. She showed pictures of her family enjoying Schamback Park.

**BID OPENINGS-HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT**

The following sealed bids were opened and read aloud for the *Household Hazardous Waste Collection Event* scheduled for October 2, 2021. **Exhibit #1 3/16/21**

<u>Company</u>	<u>Bid Amount</u>
Clean Earth, Inc.-Glencoe, AL	\$32,083.30
Environmental Enterprises-Cincinnati, OH	\$29,000.00
MXI Environmental Services, LLC-Abingdon,VA	\$35,000.00
Tradebe Environmental Services-Merrillville, IN	no amount provided

Discussion followed. The bids were provided to Becky Zocklein, solid waste, recycling, and grants coordinator for review and recommendation.

**COUNTY ADMINISTRATION:****Payables**

Motion made by Magistrate Logsdon and seconded by Magistrate Hawkins to authorize the payables as submitted. **Exhibit #2 3/16/21** Motion carried unanimously.

**Surplus Property-Election Equipment (Voting Machines)**

Motion made by Magistrate Theiss and seconded by Magistrate Haunz to surplus old voting machines to scrap as submitted. **Exhibit #3 3/16/21** Motion carried unanimously.

**COMMUNITY BUSINESS:****Oldham County Arbor Day Proclamation**

Motion made by Magistrate Haunz and seconded by Magistrate Theiss to authorize the judge-executive to sign the proclamation declaring April 2, 2021 as Arbor Day in Oldham County as submitted. **Exhibit #4 3/16/21** Motion carried unanimously.

**2<sup>nd</sup> Reading/Public Hearing-Ordinance Relating to Flood Damage Prevention in Oldham County**

Jim Urban, director of planning & development services, presented for second reading/public hearing proposed ordinance KOC 21-360-201 repealing and replacing ordinance KOC 06-360-411 relating to flood damage prevention. Discussion followed.

Motion made by Magistrate Greenwell and seconded by Magistrate Logsdon to adopt ordinance KOC 21-360-201 repealing and replacing ordinance KOC 06-360-41 relating to flood damage prevention as submitted. **Exhibit #5 3/16/21** Discussion followed. Judge-Executive Voegele opened the floor to public comment. There being none, the public hearing was closed. Motion carried unanimously.

**2<sup>nd</sup> Reading/Public Hearing-Ordinance to Repeal and Replace the Oldham County Comprehensive Plan**

Thomas McIntire, senior planner of planning & development services, presented for second reading/public hearing ordinance KOC 21-910-71 to repeal and replace the Oldham County comprehensive plan in its entirety containing both the goals and objectives statements and plan elements, replacing ordinance KOC 13-120-399.

Motion made by Magistrate Harrison and seconded by Magistrate Logsdon to adopt Ordinance KOC 21-910-71 to repeal and replace the Oldham County comprehensive plan in its entirety containing both the goals and objectives statements and plan elements, replacing ordinance KOC 13-120-399, as submitted. Judge-Executive Voegele opened the floor to public comment. There being none, the public hearing was closed. Discussion followed. **Exhibit #6 3/16/21** Motion carried unanimously.

**CONTRACTS / RESOLUTIONS:****Amendment to Waste Hauling Contract-Republic Services**

Motion made by Magistrate Hawkins and seconded by Magistrate Logsdon to accept the amendments to paragraph h of the waste hauling contract with Republic Services as submitted. **Exhibit #7 3/16/21** Discussion followed. Motion carried unanimously.

**Resolution-Annual Transportation of Non-public School Students**

Motion made by Magistrate Greenwell and seconded by Magistrate Logsdon to pass resolution number 01-03-16-21, as it relates to the annual transportation of non-public school students as submitted. **Exhibit #8 3/16/21** Discussion followed. Motion carried unanimously.

**Bid Award-Surface Water Quality Monitoring within Oldham County Watersheds**

Motion made by Magistrate Theiss and seconded by Magistrate Hawkins to authorize the judge-executive to sign the contract with ATC Group Services, Louisville, for the surface water quality monitoring within Oldham County watersheds in the amount of \$9,400, as submitted. **Exhibit #9 3/16/21** Motion carried unanimously.

### **Deceased Farm Animal Removal Grant Program**

Motion made by Magistrate Greenwell and seconded by Magistrate Logsdon to authorize the judge-executive to sign the 2021 deceased farm animal removal (DAR) grant application and any other related forms for this grant and to authorize Polly Helton, animal control director, to act as the DAR grant administrator as submitted. **Exhibit #10 3/16/21** Discussion followed. Motion carried unanimously.

### **Resolution-Kentucky Association of Mitigation Managers (KAMM) 2021 Community Mitigation Grant Program**

Motion made by Magistrate Hawkins and seconded by Magistrate Haunz to authorize the judge-executive to sign the resolution to apply and administer a Kentucky Association of Mitigation Managers (KAMM) grant program which would provide \$500-\$4,000 of funding for the Currys Fork watershed program as submitted. **Exhibit #11 3/16/21** Discussion followed. Motion carried unanimously.

### **COMMITTEE RECOMMENDATIONS/REPORTS:**

#### **Building Committee-Bid Award-I.T. & Storage Room Addition Construction Project**

Motion made by Magistrate Haunz and seconded by Magistrate Dye to award the contract for the I.T. & storage room addition construction project to Jacobs Group, Buckner, in the amount of \$331,400, as submitted. **Exhibit #12 3/16/21** Discussion followed. Motion carried unanimously.

#### **Building Committee-Bid Award-Oldham County Fiscal Court Building Sidewalk Replacement Project**

Motion made by Magistrate Haunz and seconded by Magistrate Logsdon to award the contract to Seven Seas Construction for the Oldham County fiscal court building sidewalk replacement project in the amount of \$220,686.96, as submitted. **Exhibit #13 3/16/21** Discussion followed. Motion carried 7-1 with Magistrate Dye voting no.

#### **Finance Committee-Conservation District Budget FY 21/22**

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to approve the Oldham County conservation district budget, as submitted. **Exhibit #14 3/16/21** Motion carried unanimously.

### **PERSONNEL ACTION:**

#### **Dispatch**

Motion made by Magistrate Hawkins and seconded by Magistrate Haunz to hire Amberly Green for Telecommunicator II at \$21.52/hour effective 3/24/2021, as submitted. **Exhibit #15 3/16/21** Motion carried unanimously.

### **BOARD APPOINTMENT:**

#### **Oldham County Tourism Commission**

Motion made by Judge-Executive Voegelé and seconded by Magistrate Greenwell to reappoint Grant Abbott to the Oldham County Tourism Commission with a term to expire 04/03/2024, as submitted. **Exhibit #16 3/16/21** Motion carried unanimously.

### **PUBLIC COMMENT:**

Rosalind Streeter, resident of Westport, spoke in regards to Schamback Park and asked for plans to be shared by the fiscal court which include trees. She commented there are more than 350 signatures from people in an online petition concerned about the tree removal plan at Schamback Park.

Magistrate Hawkins asked Ms. Streeter about the petition. Ms. Streeter explained another concerned Westport resident put together a petition in support of keeping the trees until there is a plan for Schamback Park.

Magistrate Harrison asked Ms. Streeter if the petition has been screened to find out how many respondents have an Oldham County zip code and if it may be pared down further to see how many respondents have a 40077 zip code. He commented the petition is skewed by respondents who do not live in the area.

Ms. Streeter responded that people all over the county, the state, the region, and the country use the park. The park is open to everyone and anyone who has a vested interest, a vested concern, has an equally important viewpoint.

### **ANNOUNCEMENTS:**

Magistrate Haunz made the following announcements:

- A couple reported vehicle break-ins to vehicles that were unlocked. He urged everyone not to leave valuables in vehicles.
- With more rain expected, advised all citizens to not drive through ponding water (especially near Ash Avenue near the Shelby County line).
- In regards to the money from the federal government through the American Recovery Act, his hope is to be able to bring a couple of proposals to fiscal court for the broadband project; it is a priority of the court, but it is not going to happen overnight.

Magistrate Hawkins commented the following:

- All members of the fiscal court have received a lot of e-mails regarding the parks and she wanted to assure people they are being read.
- At the next parks committee meeting her hope is to have a contract for a full comprehensive plan for Schamback Park, and hopes to have concepts for Schamback Park by May 1.
- Thanked everyone who took the online survey.
- Had the opportunity to go deeper into the watershed and plant the live stakes that Becca Trueman, watershed coordinator, talked about earlier. It was enlightening to plant the stakes and hope in a couple of years it will grow roots to help stabilize the erosion.
- Next event will be at Borowick Farms on Maple Leaf from 1-3 p.m., Saturday, March 20, 2021.

Magistrate Theiss stated broadband is the most important thing fiscal court can do for Oldham County, but it will not happen overnight. The first step was the approval of the addition to the church building for the computer set-up for everything to initiate out of Oldham County. His hope is in the next couple of weeks is to be able to tell the county where we are going and what looks to be the path for broadband.

Magistrate Harrison reported the following:

- March 15 was the American Legion Day.
- March 25 was the National Medal of Honor Day.
- March 29 was the National Vietnam War Veterans Day.
- He observed something is occurring with fiscal court that is foreign to him. An event occurred where someone was dissatisfied with the way a certain vote went. He was taught if you come into a meeting with your own personality and your own opinion and perhaps a different view but when the vote is taken, the body has one point of view and that is the direction of the vote. You do not leave the room with the opposition held before the vote. Members of the court have come to public meetings he has held and spoken against what he was trying to explain to the people in attendance. The way the court members are conducting themselves now goes against the grain of anything and everything he has learned about being a member of an organization. Fiscal court needs to be unified, needs to one body, needs to be one voice.

Magistrate Logsdon thanked Jim Urban & the employees from planning & development services and the employees from the road department that check on the flooded areas.

Magistrate Dye reported he voted to remove the trees at Schamback Park. He hopes when the papers are formulated there is an activity (Zoom, public meeting) that announces what the plan is and to urge the citizens to speak up now before the plan is put into action. He stated that fiscal court need to ensure everyone is heard, even if it is two weeks after the date.

Magistrate Greenwell looked at the calendar and wished everyone a Happy Easter.

Judge-Executive Voegele stated:

- He stated he had not softened his position on the Schamback Park tree removal. He has listened to people, but he has been for removing the trees for several years; the most magnificent thing in Westport is power and majesty of the Ohio River and he believes it should be seen. There are a lot of things about the trees hanging down and unattractive. He went down to the park and sat near the trees and he thought about the decision whether to remove the trees or keep them there and he decided he will stick with his position to remove the trees. The fiscal court voted 7-2 to remove the trees and that decision will stay. He is dedicated to making something beautiful for the residents of Westport and the county as a whole.
- He lives on 5<sup>th</sup> Street in LaGrange and years ago the current mayor of LaGrange received complaints about speeders on that street and a stop sign was placed in front of his house. That is not a decision he made; he does not enjoy 1500 people a week stopping in front of his house, but he must live with it. Everyone has to live with something they don't like at some time or another.
- The Corps of Engineers and the Kentucky Environmental Cabinet through the Division of Water approved this project of removing trees. If there was risk to erosion or other possible damage to the environment, they would not have approved it. The bank is stabilized with armor in addition to tree roots. The armor protects the bank from erosion and makes it difficult to walk down the bank and there will need to be a footpath bridge from the upper bank down to the walking path along the river. Steps will be taken to display pictures of potential walkways along the river. As a fiscal court, the members should pass a resolution to object the offensive programming and stop the disgusting nature of programs such as the Grammy awards. Perhaps no one will pay attention to a resolution from the Oldham County fiscal court, but at least it would be a stone or a message going in another direction – do not send this type of programming into our homes.
- He asked, "Where were you in the summer of 2004? Did you hear a funny sound?" He reported the cicadas are returning. Research the internet on how to prepare and protect your trees.

Magistrate Harrison commented he did not and will not watch the Grammy's. He recalled seeing Elvis Presley the first time he was on public television on the Ed Sullivan show and the camera did not show him below the waist because they did not like the way he danced. He agrees completely with the resolution and offered his assistance in writing it.

**MEETING ADJOURNED:**

Motion made by Magistrate Dye and seconded by Magistrate Theiss to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:34 p.m.

Respectfully Submitted,

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Denise Clark  
Fiscal Court Clerk  
March 16, 2021