

February 4, 2020

The Oldham County Fiscal Court convened at a regular meeting at 2:00 p.m. with Judge-Executive David Voegele, County Attorney John Carter, and the following Magistrates in attendance: Brent Likins, Wayne Theiss, Albert Harrison, Steve Greenwell, Chris Haunz, Stephanie Hawkins, Bob Dye, and Michael Logsdon.

APPROVAL OF AGENDA:

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to approve the agenda adding *Hotel Room Tax Litigation* under Community Business and removing *Magistrate Salaries-CPI Increase* as submitted. Motion carried unanimously.

APPROVAL OF MINUTES:

Motion made by Magistrate Logsdon and seconded by Magistrate Dye to approve the meeting minutes from January 21, 2020 as submitted. Motion carried unanimously.

PUBLIC COMMENT:

Teresa Gamsky (Director of Health Dept.) and Jessica Powell (Library Director) presented information on upcoming events and programs; such as free tax preparation, and Discover Exoplanets exhibit at the Library.

Larry Kiser, Maple Leaf Dr., spoke to the court regarding the need for a municipal owned broadband system.

RFP OPENING – PEAK ROAD DESIGN - PROFESSIONAL ENGINEERING SERVICES:

The following sealed proposals for *Peak Road Design – Professional Engineering Services* were opened and read aloud for the record. **Exhibit #1 2/4/20.**

<u>Company</u>	<u>Total Bid</u>
BTM Engineering	\$ 88,510.00
Integrated Engineering	\$237,720.00
Palmer Engineering	\$ 45,600.00
QK4 Engineering	\$100,000.00
SynTerra Corp.	\$125,000.00

RFQ OPENING – BROADBAND CONSULTING SERVICES:

The following sealed Statement of Qualifications for *Broadband Consulting Services* were opened and read aloud for the record. **Exhibit #2 2/4/20.**

Company

- Larry Kiser / Oldham County Citizens
- Lit Communications
- Magellan
- Mission Broadband
- Solarity

COUNTY ADMINISTRATION:

Payables

Motion made by Magistrate Logsdon and seconded by Magistrate Haunz to approve the payables as submitted. **Exhibit #3 2/4/20.** Motion carried unanimously.

COMMUNITY BUSINESS:

1st Reading – Zoning Map Amendment for 5900 W. Highway 146, Crestwood

Planner Tom McIntyre presented for a 1st Reading proposed Ordinance #KOC 20-920-34 relating to a change in the Oldham County Zoning Map rezoning 0.63 acres of a tract located at 5900 W. Highway 146, Crestwood from the existing CO-1 Conservation/Residential District Zoning and I-1 Light Industrial District Zoning to C-3 General Business District Zoning Classification. **Exhibit #4 2/4/20.** The 2nd Reading/Public Hearing is scheduled for February 18, 2020.

1st Reading – Zoning Map Amendment for 5500 Block of Schuler Lane, Prospect

Assistant Director of Planning & Development Amy Alvey presented for a 1st Reading proposed Ordinance #KOC 20-920-32 relating to a change in the Oldham County Zoning Map rezoning 34.86 acres of a tract located at the 5500 Block of Schuler Lane, Prospect from the existing AG-1 Agricultural/Residential District Zoning to R-2 Residential District Zoning Classification. **Exhibit #5 2/4/20.** The 2nd Reading/Public Hearing is scheduled for February 18, 2020.

2nd Reading/Public Hearing – Ordinance for Road Encroachment Permitting for Vehicle Ingress/Egress

County Engineer Jim Silliman presented for a second reading proposed Ordinance No. KOC 19-340-16 repealing and replacing Ordinance No. 00-340-370 relating to regulation of road encroachment permitting for vehicle ingress/egress and the floor was opened for public comment. There being no public comment, the public hearing was closed.

Motion made by Magistrate Logsdon and seconded by Magistrate Dye to adopt Ordinance No. KOC 19-340-16 repealing and replacing Ordinance No. 00-340-370 relating to regulation of road encroachment permitting for vehicle ingress/egress as submitted. **Exhibit #6 2/4/20.** Motion carried unanimously.

Resolution – Setting Sight-Distance Requirements for Road Encroachments for Vehicles Ingress/Egress

Motion made by Magistrate Greenwell and seconded by Magistrate Haunz to authorize the Judge Executive to sign Resolution No. 01-01-07-20 relating to the sight-distance requirements for road encroachments for vehicles ingress/egress as submitted. **Exhibit #7 2/4/20.** Motion carried unanimously.

Resolution – Setting Fee for Road Encroachment Permits for Vehicle Ingress/Egress

Motion made by Magistrate Greenwell and seconded by Magistrate Dye to authorize the Judge Executive to sign Resolution No. 02-01-07-20 relating to the fee for road encroachment permits for vehicle ingress and egress as submitted. **Exhibit #8 2/4/20.** Motion carried unanimously.

2nd Reading/Public Hearing – Ordinance for Encroachment permitting for Excavation & Utility Construction

County Engineer Jim Silliman presented for a second reading proposed Ordinance No. KOC 19-620-24 relating to establishing regulation of road encroachment permitting for excavation and/or utility construction and the floor was opened for public comment.

Dave Wallace, Spring Meadow Ln, was sworn in and expressed his concern the fees are set too high. County Engineer Jim Silliman responded to Mr. Wallace's concerns. There being no further comment, the public hearing was closed.

Motion made by Magistrate Hawkins and seconded by Magistrate Likins to adopt Ordinance No. KOC 19-620-24 relating to establishing regulation of road encroachment permitting for excavation and/or utility construction as submitted. **Exhibit #9 2/4/20.** Motion carried unanimously.

Resolution – Setting Fee for Road Encroachment Permits for Excavation & Utility Construction

Motion made by Magistrate Hawkins and seconded by Magistrate Greenwell to authorize the Judge Executive to sign Resolution No. 04-01-07-20 relating to the fee for road encroachment permits for excavation & utility construction as submitted. **Exhibit #10 2/4/20.** Motion carried unanimously.

Resolution – Setting Engineering, Design and Construction Standards – Excavation & Utility Construction

Motion made by Magistrate Greenwell and seconded by Magistrate Haunz to authorize the Judge Executive to sign Resolution No. 03-01-07-20 relating to the engineering, design, and construction standards for excavation & utility construction as submitted. **Exhibit #11 2/4/20.** Motion carried unanimously.

Hotel Room Tax Litigation

Motion made by Magistrate Harrison and seconded by Magistrate Theiss to file suit against three hotels for delinquent transient room taxes. Discussion followed.

Magistrate Logsdon called for question; carried 6 to 3 on a roll call vote. Judge Voegele and the following Magistrates voted yes; Harrison, Greenwell, Haunz, Hawkins, and Logsdon. Magistrates Dye, Theiss, and Likins voted no.

The main motion (to file suit against three hotels for delinquent transient room taxes) carried 8 to 1 on a roll call vote. Judge Voegele and the following Magistrates voted yes; Likins, Theiss, Harrison, Greenwell, Haunz, Dye, and Logsdon. Magistrate Hawkins voted no.

CONTRACT AGREEMENTS / RESOLUTIONS:

Resolution – 2020 Household Hazardous Waste Grant

Motion made by Magistrate Dye and seconded by Magistrate Hawkins to authorize the Judge Executive to sign Resolution No. 01-02-04-20 authorizing the application for a grant to hold a Household Hazardous Waste Collection, and authorizing the signing of the grant agreement if awarded, as submitted. **Exhibit #12 2/4/20.** Motion carried unanimously.

Resolution – 2021 Recycling Grant

Motion made by Magistrate Likins and seconded by Magistrate Logsdon to authorize the Judge Executive to sign Resolution No. 02-02-04-20 authorizing the application for a grant to provide Public Education and Recycling Center Equipment, and authorizing the signing of the grant agreement if awarded, as submitted. **Exhibit #13 2/4/20.** Motion carried unanimously.

Franchise Agreement Renewal – Trash Collection Services

Motion made by Magistrate Hawkins and seconded by Magistrate Dye to authorize the Judge Executive to sign the Contract Renewal with Republic Services relating to trash collection services as submitted. **Exhibit #14 2/4/20.** Motion carried unanimously.

Sheriff's Office 2019 Financial Statement

Motion made by Magistrate Likins and seconded by Judge Voegele to accept the Sheriff's Office's 2019 Financial Statement as submitted. **Exhibit #15 2/4/20.** Motion carried unanimously.

Sheriff's Office 2020 Kentucky Highway Safety Mini Grant

Motion made by Magistrate Greenwell and seconded by Magistrate Logsdon to authorize the Judge Executive to sign the 2020 grant application on behalf of the Sheriff's Office for Law Enforcement Overtime Projects as submitted. **Exhibit #16 2/4/20.** Motion carried unanimously.

Sheriff's Office 2021 Kentucky Highway Safety Grant

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to authorize the Judge Executive to sign the 2021 grant application on behalf of the Sheriff's Office for increased law enforcement efforts to decrease alcohol impaired driving, unrestrained passenger and speeding related fatalities in Oldham County as submitted. **Exhibit #17 2/4/20.** Motion carried unanimously.

Video Visitation Service Agreement with CPC

Motion made by Magistrate Haunz and seconded by Magistrate Dye to authorize the Judge Executive to sign the Telecommunications Agreement with Combined Public Communications relating to Video Visitation Equipment at the Detention Center as submitted. **Exhibit #18 2/4/20.** Motion carried unanimously.

PERSONNEL ACTIONS:

Parks & Recreation

Motion made by Judge Voegele and seconded by Magistrate Hawkins to promote Gary Parsons to Parks Director at \$62,500.00/year effective 2/3/2020. **Exhibit #19 2/4/20.** Motion carried unanimously.

PUBLIC COMMENT:

Larry Kiser asked the court to consider passing a resolution supporting a municipal owned broadband system.

ANNOUNCEMENTS:

Magistrate Harrison announced 2/2/2020 is Four Chaplains Day; 2/4/2020 is USO birthday; next week is National Salute to Veteran Patients Day.

MEETING ADJOURNED:

Motion made by Magistrate Greenwell and seconded by Magistrate Haunz to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:10 p.m.

Respectfully Submitted,

Sheila Faehr
Fiscal Court Clerk
February 4, 2020