

**June 7, 2016**

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, Steve Greenwell, JD Sparks, Kevin Eldridge, Bob Dye, and Magistrate Logsdon. Magistrate Leslie was absent.

**APPROVAL OF AGENDA:**

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to approve the agenda removing 1<sup>st</sup> Reading of proposed Storm Water District Ordinance and adding Discussion on 2017 Flood Mitigation Grants as submitted. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Motion made by Magistrate Greenwell and seconded by Magistrate Eldridge to approve the minutes of May 17, 2016 after correcting the attendance to show Magistrate Likins was absent. Motion carried 6-0-2. Judge Voegele and Magistrate Likins abstained.

**PUBLIC COMMENT:** None.

**PROCLAMATION – ROBERT REID DAY:**

Judge Voegele declared May 31<sup>st</sup> “Robert Reid Day” in Oldham County and recognized Mr. Reid as he retires, for his many years of service and commitment to the Boy Scout Program in Oldham County.

Judge Voegele announced he will be appointing Steven Sikkema to fill the vacant Constable position in District 8.

**OLDHAM COUNTY HEALTH DEPARTMENT PRESENTATION:**

Director Theresa Gamsky and Health Department staff presented information to the court relating to the Zika virus and responded to questions from the court.

**OCEA BUDGET PRESENTATION AND RATE INCREASE APPROVAL:**

Art Henson, Treasurer of the Environmental Authority Board and Kevin Gibson, Veolia Project Manager, presented information on the OCEA budget for FY 2016/17 and responded to questions from the court.

Motion made by Magistrate Eldridge and seconded by Magistrate Greenwell to accept OCEA’s budget for FY 2016/17 to include a 5% sewer rate increase and a sewer compliance surcharge increase of \$2.77 per month/per account as submitted. **Exhibit #1 6/7/16.** Motion carried 5 to 3.

**COUNTY ADMINISTRATION:**

**Payables**

Motion made by Magistrate Sparks and seconded by Magistrate Logsdon to approve the payables as submitted. **Exhibit #2 6/7/16.** Motion carried unanimously.

**COMMUNITY BUSINESS:**

**Public Hearing – CRA & LGEA Funds**

As required by the Department for Local Government, the floor was open for public comment for the purpose of obtaining citizens comments regarding the possible uses of the County Road Aid and Local Government Economic Assistance Funds. There being no public comment, the hearing was closed.

**2<sup>nd</sup> Reading/Public Hearing – FY 16/17 Budget**

Magistrate Theiss presented for second reading proposed Ordinance KOC 16-200-218 relating to the annual budget and appropriations for fiscal year 2016/17 and the floor was open for public comment.

Jim Allen, 1416 Oldham View Dr., LaGrange, asked for clarification on a budget item and Judge Voegele responded.

There being no further comment, the public hearing was closed.

Motion made by Magistrate Theiss and seconded by Magistrate Eldridge to adopt Ordinance KOC 16-200-218 relating to the annual budget and appropriations for fiscal year 2016/17 as submitted. **Exhibit #3 6/7/16.** Motion carried 7 to 1 on a roll call vote. Judge Voegele and the following Magistrates voted yes: Likins, Theiss, Greenwell, Eldridge, Dye and Logsdon. Magistrate Sparks voted no.

Motion made by Magistrate Sparks and seconded by Magistrate Eldridge to approve the standing order for pre-approved recurring expenses as submitted. Motion carried unanimously. **Exhibit #3 6/7/16.**

**2<sup>nd</sup> Reading/Public Hearing – Fireworks Enforcement Ordinance**

Magistrate Likins presented for second reading proposed Ordinance No. KOC 16-820-207 establishing regulation of fireworks within the county, providing for enforcement and penalties.

Motion made by Magistrate Likins and seconded by Magistrate Theiss to adopt Ordinance KOC 16-820-207 establishing regulation of fireworks within the county, providing for enforcement and penalties as submitted.

Judge Voegele opened the floor for public comment.

The following people were sworn in and spoke to the court regarding the proposed Fireworks Ordinance:

Barbara Eaton, 3901 Sumerlin Dr., Buckner, spoke in support of the ordinance.

The following people spoke in opposition of the ordinance:

Randall Barber, 4104 Niagra Dr., LaGrange  
 Jim Allen, 1416 Oldham View Dr., LaGrange  
 Jack Shea, 5309 Bexley Cove, Buckner  
 Jessica Armsted, 4104 Niagra Dr., LaGrange  
 Bill Carney, 3708 Valley Creek Dr., Pendleton

There being no further public comment, the public hearing was closed.

Discussion followed.

Motion made by Magistrate Likins and seconded by Magistrate Sparks to adopt the proposed Fireworks Ordinance KOC 16-820-207, deleting *Section 4, Subsection B*, including the (6) dates fireworks may be used. After further discussion, Magistrates Likins and Sparks withdrew their motions.

Motion made by Magistrate Eldridge and seconded by Magistrate Theiss to table the proposed ordinance until further review. Motion failed 4 to 4 on a roll call vote. Magistrates Theiss, Greenwell, Eldridge and Logsdon voted yes. Judge Voegele and the following Magistrates voted no; Likins, Sparks, and Dye.

Discussion followed.

Motion made by Magistrate Likins and seconded by Magistrate Dye to amend the original motion and adopt Ordinance KOC 16-820-207 establishing regulation of fireworks within the county, providing for enforcement and penalties, with changes as discussed; removing only the (6) dates listed under *Section 4, Subsection B*.

Discussion followed and there was a call to vote. The motion to adopt the Fireworks Ordinance (with proposed changes) passed 5 to 3 on a roll call vote. **Exhibit #4 6/7/16**. Judge Voegele and the following Magistrates voted yes; Likins, Sparks, Dye and Logsdon. Magistrates Theiss, Greenwell and Eldridge voted no.

## **2<sup>nd</sup> Reading/Public Hearing – Amendment to Golf Cart Ordinance**

Magistrate Dye presented for second reading proposed Ordinance KOC 16-520-211 repealing and replacing Ordinance KOC 15-520-71 relating to permitting the operation of golf carts on Oldham County roads as submitted and the floor was open for public comment.

There being no public comment, the public hearing was closed.

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to adopt Ordinance KOC 16-520-211 repealing and replacing Ordinance KOC 15-520-71 relating to permitting the operation of golf carts on Oldham County roads as submitted. **Exhibit #5 6/7/16**. Motion carried 7 to 1.

## **CONTRACTS AGREEMENTS / RESOLUTIONS:**

### **Resolution – Fireworks Regulatory Fee**

Motion made by Magistrate Likins and seconded by Magistrate Sparks to authorize the Judge Executive to sign Resolution No. 01-06-16 relating to the regulatory license fee for the sale of fireworks as submitted. **Exhibit #6 6/7/16**. Motion carried 7 to 1.

### **URS Contract Agreement – Spring Hill Trace Sidewalk Project**

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to authorize the Judge Executive to sign the Contract Agreement with URS relating to Phase 1 design services for the Spring Hill Trace sidewalk project as submitted. **Exhibit #7 6/7/16**. Motion carried unanimously.

### **Resolution – Homeland Security Grant Application**

Motion made by Magistrate Dye and seconded by Magistrate Eldridge to authorize the Judge Executive to sign Resolution No. 03-06-17 relating to application for and administration of a Kentucky Office of Homeland Security Grant as submitted. **Exhibit #8 6/7/16**. Motion carried unanimously.

### **Resolution – Flood Mitigation Assistance Grants**

Motion made by Magistrate Likins and seconded by Magistrate Theiss to authorize the Judge Executive to sign Resolution No. 02-06-16 relating to application for Flood Mitigation Assistance Grants as submitted. **Exhibit #9 6/7/16**. Motion carried unanimously.

### **Flood Mitigation Assistance Discussion for 2017 Grant Applications**

Becky Zocklein provided a brief overview of the 2016 Flood Mitigation Assistance Program and responded to questions from the court.

Motion made by Magistrate Eldridge and seconded by Magistrate Likins to authorize Fiscal Court to apply for Flood Mitigation Assistance Program Funds for 2017. Motion carried unanimously.

### Waste Tire Grant Agreement

Motion made by Magistrate Eldridge and seconded by Magistrate Logsdon to authorize the Judge Executive to sign the 2016-17 Waste Tire Grant Agreement as submitted. **Exhibit #10 6/7/16.** Motion carried unanimously.

### CMRS Grant Award Documents

Motion made by Magistrate Sparks and seconded by Magistrate Greenwell to authorize the following actions relating to the 2015 CMRS Grant for the implementation of Integrated Protocol Software; accept the RFP from PowerPhone, approve the PowerPhone quote for \$53,178.00, authorize the Judge Executive to sign the Software License Agreement by PowerPhone and authorize the Judge Executive to sign the PowerPhone EMD Total Response Integration Quote by EmergiTech for \$7,500 as submitted. **Exhibit #11 6/7/16.** Motion carried unanimously.

### PERSONNEL ACTIONS / BOARD APPOINTMENTS:

#### Parks & Recreation

Motion made by Magistrate Dye and seconded by Magistrate Eldridge to hire Cathy Clore as Community Center Coordinator at \$15.50/hr effective 6/1/16. Motion carried 7 to 1.

Motion made by Magistrate Sparks and seconded by Magistrate Dye to hire Hunter Hamilton as Building Monitor at \$7.25/hr effective 6/8/16, Michela Olsen as Head Lifeguard at \$9.25/hr effective 6/8/16 and Taylor Ashby as Lifeguard at \$8.50/hr effective 5/18/16. Motion carried 7 to 1.

#### Maintenance

Motion made by Magistrate Greenwell and seconded by Magistrate Dye to approve the termination of Scott Compton effective 6/03/16. Motion carried unanimously.

#### Dispatch

Motion made by Magistrate Greenwell and seconded by Magistrate Sparks to approve the demotion of Tom McCane to Telecommunicator II at \$23.57/hr effective 6/3/16. Motion carried unanimously.

#### Police

Motion made by Magistrate Dye and seconded by Magistrate Likins to accept the resignation of Officer Daniel Brown effective 6/11/16. Motion carried unanimously.

Motion made by Magistrate Eldridge and seconded by Magistrate Dye to hire Officer Larry B. Simpson at \$24.02/base hourly rate effective 6/8/16. Motion carried 5 to 3.

Motion made by Magistrate Dye and seconded by Magistrate Greenwell to hire Officer Dean Murray at \$24.02/base hourly rate effective 6/20/16. Motion carried unanimously.

#### OLDA Board

Motion made by Magistrate Eldridge and seconded by Magistrate Sparks to accept the resignation of Don Basham from the OLDA Board, effective 6/1/16. Motion carried unanimously.

#### Code Enforcement Board

Motion made by Magistrate Theiss and seconded by Magistrate Eldridge to reappoint Berry Hampton to the Code Enforcement Board with a term to expire 6/18/19. Motion carried unanimously.

**PUBLIC COMMENT:** None.

### BUSINESS / ANNOUNCEMENTS:

Magistrate Logsdon provided a brief update of the state project on Hwy 22. He stated KYTC hopes to be done with the project in 2-3 weeks.

Magistrate Dye stated Brownsboro Alliance Trail Program is holding its "Youth Experience 2016" camp for 12-17 year olds, June 13-17. He thanked the road department for their cooperative efforts with the public, to keep trash picked up and the road right-of-ways mowed.

Magistrate Sparks thanked Judge Voegele and his staff for preparing the proclamation honoring Robert Reid.

Magistrate Greenwell thanked Don Basham for his many years serving on the OLDA Board.

John Carter announced the Tax Sale for delinquent property taxes is scheduled for August 11th. To avoid a delinquent tax bill being sold at auction, contact the county attorney's office at 222-7342 to make payment arrangements.

### MEETING ADJOURNED:

Motion made by Magistrate Sparks and seconded by Magistrate Likins to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 4:50 P.M.

Respectfully Submitted,

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Sheila Faehr  
Fiscal Court Clerk  
June 7, 2016