

At a regular monthly meeting of the Fleming County Fiscal Court held Tuesday, May 11, 2021 at the Fleming County Courthouse, 100 Court Square, Flemingsburg, Kentucky the meeting was called to order at 9:01 AM by Fleming County Judge/Executive Larry H. Foxworthy. Roll Call was conducted by Fiscal Court Clerk Tammy L. Gray. Magistrates present: David J. DeAtley, Richie Kielman, James Smoot, Donnie Fawns and Ray H. Money. Magistrate Chris Hickerson arrived at 9:10 AM. Also present was County Attorney Monica Hill and County Treasurer Kathy Dryden.

Vote Unan. Motion: David J. DeAtley Second: Richie Kielman

A motion was made to approve the meeting minutes of April 13, 2021 and April 22, 2021.

Vote Unan. Motion: David J. DeAtley Second: Ray H. Money

A motion was made to approve the second reading and passage of Amendments to Ordinance 13-1150 Fleming County Administrative Code/Personnel Policies as follows in **BOLD**:

SECTION 5.30 Sick Leave

- K. Employees shall be allowed to accrue an unlimited number of sick leave hours. Upon termination of employment with the county, ~~other than retirement~~ **other than retirement from the county position**, unused sick leave shall be forfeited without pay. Part-time, seasonal or temporary employees are not eligible to earn sick leave hours.

SECTION 11.7 Guidelines and regulations for installing culverts

- A. The landowner must provide a drawing or map providing the location with complete description of the proposed encroachment or entrance showing the following:
- (1) All work areas affected and photographs of site when available.
 - (2) Permanent residential structure or foundation completed.
 - (3) Mobile homes must be in place and on proper foundation.
 - (4) Number and names of all streets and highways that appear on the drawings or map.
 - (5) Width of existing roadways and shoulders
 - (6) Location of property lines
 - (7) Length of property road frontage
 - (8) Location and size of any existing or proposed cross drain or side drain pipes or culverts, and direction of flow within these structures.
 - (9) Minimum size of pipe will be 15" circumference and ~~20' in length~~ **24' in length** of corrugated metal and must be approved by the County Road Supervisor.

Vote Unan. Motion : Richie Kielman Second : Donnie Fawns

A motion was made to approve the FY2021-2022 Compass Minerals Agreement to purchase road salt.

Vote Unan. Motion: Ray H. Money Second: Richie Kielman

A motion was made to approve an agreement with KTC for Discretionary Funding and authorize Resolution 21-1328.

Vote Unan. Motion: David J. DeAtley Second: Richie Kielman
A motion was made to approve the FY2021-2022 AOC Court Facilities Agreement.

Discussion was held regarding award of ARPA funding and guidelines for distribution over two fiscal years.

Vote Unan. Motion: Ray H. Money Second: James Smoot
A motion was made to approve ARPA Funding Agreement.

Vote Unan. Motion: Richie Kielman Second: James Smoot

A motion was made to approve the Fleming County Treasurer's month end April 30, 2021 financial reports as presented totaling \$ 2,507,339.11. General Fund \$ 1,617,129.35, Road Fund \$ 98,714.69, Jail Fund \$ 6,567.72, LGEA Fund \$ 173,319.29, Forest Fire Fund \$129.08, Revolving Loan Fund \$14.34, Dispatch Fund \$ 315,468.45 and Capital Improvement Fund \$ 295,996.19.

Magistrate Hickerson arrived at meeting at 9:10 AM.

Vote Unan. Motion: Donnie Fawns Second: Ray H. Money
A motion was made to approve the Budget Transfers as presented.

Vote Unan. Motion: Chris Hickerson Second: James Smoot
A motion was made to approve the Cash Transfers as presented.

Vote Unan. Motion: Chris Hickerson Second: David J. DeAtley
A motion was made to approve the Claims Reports and Carry In Claims reports as presented.

Vote Unan. Motion: Chris Hickerson Second: David J. DeAtley
A motion was made to approve county road maintenance reports presented: October 2020 totaling \$ 393,085.74, November 2020 totaling \$ 374,111.53 and April 2021 totaling \$ 100,045.44.

Vote Unan. Motion: Chris Hickerson Second: Richie Kielman
A motion was made to approve the first reading of Ordinance 21-1239 Budget Amendment.

Emergency Management Director Dwayne Price retired effective 5/1/2021.

Vote Unan. Motion: James Smoot Second: Richie Kielman

A motion was made to approve the County Judge/Executive's appointment of Martin Voiers to serve as Emergency Management Director effective May 1, 2021 with salary of \$ 21,840.00.

Vote Unan. Motion: Ray H. Money Second: Richie Kielman

A motion was made to approve the second reading and passage of Ordinance 21-1327 Fiscal Year 2021-2022 Budget.

Steve Brown came before the Fiscal Court to present the annual Conservation District Report.

A letter was distributed regarding request to adopt U Forbes Way into the county road maintenance system. The request will be placed on the next agenda to discuss.

Vote Unan. Motion: David J. DeAtley Second: Donnie Fawns

A motion was made to approve the Fleming County Clerk's month end April 2021 report as presented by Fritz.

Vote Unan. Motion: Ray H. Money Second: David J. DeAtley

A motion was made to approve the Fleming County Sheriff's month end April 2021 report as presented by Kinder.

Delinquent tax bills are now held by the County Clerk. The annual delinquent tax sale is scheduled in August 2021 per Fritz.

Discussion was held regarding limiting constables' activities. Prior Fiscal Court members and meeting actions were taken enact limitations and it was deemed necessary to reaffirm the current Fiscal Court's decision. A certified letter will be mailed to each constable of the Fiscal Court's actions.

Vote Unan. Motion: David J. DeAtley Second: Ray H. Money

A motion was made to enact limitations of constable activities to include:

1. No Fleming County Constable may use any form of emergency lights during course of any constable duties. (KRS 189.950 (6))
2. No Fleming County Constable may use any form of emergency sirens during course of any constable duties. (KRS 189.950(6))
3. No Fleming County Constable may carry any form of firearms or weapons during course of any constable duties.
4. No Fleming County Constable may use/contact Fleming County Dispatch Center with an attempt to gain access of classified records or request for services during the course of any constable duties.

Vote Unan. Motion: Chris Hickerson Second: David J. DeAtley

A motion was made to approve the Fleming County Dispatch report by Director Benton.

Vote Unan. Motion: Chris Hickerson Second: Donnie Fawns

A motion was made to approve to pay the full cost of a single health insurance plan for county employees effective July 1, 2021 for one (1) Fiscal Year.

Fleming County EMS Director Mark Smith gave an update of financial status of the Ambulance District and internal audit findings.

Vote Unan. Motion: Richie Kielman Second: James Smoot

A motion was made to adjourn the meeting at 11:02AM.