

At a regular monthly meeting of the Fleming County Fiscal Court held Tuesday, July 13, 2021 at the Fleming County Courthouse, 100 Court Square, Flemingsburg, Kentucky the meeting was called to order at 9:00 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. Also, present was Assistant County Attorney Nathan Tomlin and County Treasurer Kathy Dryden. Magistrate Chris Hickerson was absent.

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

A motion was made to approve the minutes of June 8, 2021 meeting.

Vote Unan.                      Motion: Ray H. Money                      Second: Donnie Fawns

A motion was made to approve the minutes of June 30, 2021 meeting.

Vote Unan.                      Motion: Richie Kielman                      Second: Donnie Fawns

A motion was made to approve and authorize Resolution 21-1339 and agreement regarding TENCO and to give the County Judge Executive the authority to sign and execute any and all documents.

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

A motion was made to approve the renewal of contract with Softworks for FY2021-2022 road department software.

Vote Unan.                      Motion: Donnie Fawns                      Second: James Smoot

A motion was made to approve the Mayor of Flemingsburg's and County Judge Executive's recommendations to appoint Jowanna Fritz and Belinda Newman to serve on the Fleming County Ambulance District Board effective 7/13/2021 through 7/13/2023.

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

A motion was made to approve the County Treasurer's annual, monthly and quarterly reports ending June 30, 2021 as presented by Dryden totaling \$ 3,688,838.05. Fund Balances are General Fund \$ 1,347,378.35, Road Fund \$ 187,772.99, Jail Fund \$ 196.46, LGEA Fund \$ 80,826.54, Forest Fire Fund \$ 148.88, Revolving Loan Fund \$ 14.34, Dispatch Fund \$ 356,203.38, ARPA Fund \$ 1,416,241.43 and Capital Improvement Fund \$ 300,055.68.

Vote Unan.                      Motion: Ray H. Money                      Second: Donnie Fawns

A motion was made to approve the Budget Transfers report as presented by Dryden.

Vote Unan.                      Motion: James Smoot                      Second: Richie Kielman

A motion was made to approve the Cash Transfers report as presented by Dryden.

The first reading of Ordinance 21-1340 Budget Amendment was held by Dryden.

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

A motion was made to approve the first reading of Ordinance 21-1340 Budget Amendment.

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

A motion was made to approve the Annual Order setting salaries effective 7/1/2021 as presented by Dryden.

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

A motion was made to approve the Road Department pay scale effective 7/1/2021 as presented by Dryden.

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

A motion was made to approve Claims and Carry In Claims reports as presented.

Vote Unan.                      Motion: Donnie Fawns                      Second: Ray H. Money

A motion was made to declare an emergency exists on two roadway slips on Upper Rock Lick Road and Markwell Road. The Fleming County Fiscal Court determines that competition on the Upper Rock Lick Road and Markwell Road is not feasible. An emergency exists for the is hereinafter set out; The Fleming County Fiscal Court determines that an emergency exists on Upper Rock Lick Road and Markwell Road due to roadway slippage from rain events. The emergency is as follows: 1) that the repairs to both roads are necessary to eliminate public harm to the area. 2) There are emergency funds from KTC to assist with the payment of the repair process; 3) the work must be completed before a large amount of

rainfall. 4) If the slippage repairs are not done there will be excessive cost to the county after heavy rainfall. These funds are not available in the county's budget. 5) The Fleming County Fiscal Court is aware that only a limited number of contractors that have the manpower and equipment within this area to carry out the work. 6) Extreme hardship to residents, school transports, emergency services, postal routes that cannot travel these roads. 7) Local government has the responsibility to protect the public health, safety and welfare, and to mitigate such repairs. Therefore, the Fleming County Fiscal Court declares an emergency pursuant to the Procurement Code to allow the contract for the services through noncompetitive negotiation because competition to let the contract is not feasible and an emergency exists which will cause public harm to delay the project with competitive bidding procedure.

Vote Unan.                      Motion: Donnie Fawns                      Second: James Smoot

A motion was made to approve Pettit Contracting to repair the both emergency roadways slips and to pay invoices upon completion.

Discussion was held regarding seasonal road department position.

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

A motion was made to approve the June 2021 County Road Maintenance Reports totaling \$ 191,583.48.

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

A motion was made to approve the Amended 2021 Fleming County Clerk's Budget, Quarterly Report ending 6/30/2021 and Month end report ending 6/30/2021 as presented by Fritz.

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

A motion was made to approve the Fleming County Sheriff's month end 6/30/2021 Report, Quarterly Report ending 6/30/2021 and 2020 Tax Settlement ( pending audit ) as presented.

Discussion was held regarding application from Brummett's Towing to be added to the wrecker rotation schedule. The Fiscal Court gave Charlotte Benton the authority to add Brummett's upon completion of inspection and three month trial option at her discretion. Benton gave the June's report of requests for emergency services.

The Fleming County Attorney's office submitted financial reports.

The Fleming County Emergency Medical Services submitted financial and meeting reports.

The Jailer report was received but not presented and will be added to next month's report.

Vote Unan.

Motion: James Smoot

Second: Richie Kielman

A motion was made to approve additional surplus items and reaffirm the prior approvals and disposal of the following items that were not sold last Fiscal Year due to scheduling conflicts: 2003 Ford Crown Victoria VIN # 2FAFP71W83X119637, Beige - 4 door, Mileage: 187,126, 2014 Dodge Charger VIN # 2C3CDXAG4EH348364, White - 4 door, Mileage: 108,976, Mechanical Issues, 1994 Ford Transport Van VIN # 1FBJS31H1RHB04388, Tan, Mileage: Unknown, 2013 Dodge Charger VIN # 2C3CDXAT4DH693390, Black, Mileage 103,900, 1988 Case International Tractor Model # 585 Serial # B500223B022840, Hours Unknown, Alamo 5 ft. side mower/bush hog w/ tank and pump, Case Model 585 Serial # B500223B019583, Hours Unknown, 2008 Ford Police Cruiser, VIN # 2FAFP71Y48X112053, White, 2014 Dodge Charger VIN 2C3CDXAT9EH191010, Black, Mileage: Unknown due to wrecked and not working – Salvage Title Only, 6 ft. Alamo pull behind bush hog , (6) International tractor weights and bracket approximately 600 lbs.

Property owners from Park Place Subdivision came before the Fiscal Court seeking adoption of Pacific Avenue. A petition was presented and filed in accordance. Discussion was held regarding the current conditions of the roadway and its use for school buses, mail delivery and residents as well as past requests for maintenance of the subdivision. A request was made for Fiscal Court members to personally inspect the location for a solution and options for the county to help the residents in need for further discussion. County Judge/Executive and members agreed to inspect the location and research of any exemptions and/or waivers could apply in this case due to county subdivision regulations were enacted after the project was in progress. Additional discussion was held regarding the county requiring bonded subdivision projects in the future as well as class action that may be taken by the residents and/or county for the remediation of the subdivisions roadways and drainage issues.

A Special Call meeting was set for Wednesday, July 21, 2021 at 8:30 AM to open bids for used transport vehicle and any other properly noticed items as needed.

Vote Unan.

Motion: Richie Kielman

Second: Ray H. Money

A motion was made to adjourn the meeting 10:39 AM.