

Mason County Fiscal Court
Regular Session
May 14, 2024
9:00 a.m.

Judge/Executive Owen McNeill called the meeting to order. Present were Commissioner Joseph McKay (District 1), Commissioner Chris O'Hearn (District 2), Commissioner Peggy Frame (District 3), County Attorney John Estill, Assistant County Attorney Jackie Sue Wright, Sheriff Ryan Swolsky, County Treasurer Kim Muse, Road Supervisor Joe Brown, Landfill Supervisor Travis Cooley, Jailer Lisa Yeary, Animal Shelter Supervisor Marilyn Feil, and Emergency Management Director Tony Liess.

Introduction of Guests

Judge/Executive McNeill welcomed Maysville Utilities Director Darin Spence and employee Luke Huron. Director Spence spoke about the Marshall Station water line tie-in project. The purpose of this project is to redirect water from other lines to customers when a break in a water line occurs. This will serve the Mays Lick area which recently did not have water for several days due to a water line break.

Next, Judge/Executive McNeill introduced Supervisor Travis Cropper with the Kentucky Transportation Cabinet (KYTC), District 9, who presented recommendations to fiscal court for upcoming roadwork repairs in Mason County for fiscal year 2024-2025. As required by statute, the Transportation Cabinet meets with Fiscal Court on an annual basis to review Rural Secondary Recommendations for projects the Cabinet would like done. Funds have been allocated in the amount of \$900,006.00. Of that, \$408,875.00.00 is on the Rural Secondary Roads Recommendations List for the asphalt resurfacing of Taylor Mill Road and Mt. Gilead Road. Mr. Cropper also presented the County Road Coop Program Contract between the Mason County Fiscal Court and the Kentucky Transportation Cabinet for approval.

Motion made by Commissioner McKay and seconded by Commissioner O'Hearn to adopt **Resolution 24-07**, approving the County Road Aid Coop Program Contract between the Mason County Fiscal Court and the Kentucky Transportation Cabinet.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame - Yes
Judge/Executive McNeill – Yes

Motion made by Commissioner O'Hearn, seconded by Commissioner Frame, to adopt **Resolution 24-09**, accepting the Rural Secondary Recommendation from KYTC as presented and listed, which is the asphalt resurfacing of Taylor Mill Road and Mt. Gilead Road.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame - Yes
Judge/Executive McNeill – Yes

Lastly, Judge/Executive McNeill introduced Michelle Crawford. Mrs. Crawford explained that her husband, Eric, has a medical condition that would be greatly helped with the use of medicinal marijuana. Mrs. Crawford has been traveling to Frankfort for years and speaking with legislators advocating for medicinal marijuana to be legal in Kentucky. This past legislative session saw the passing of a bill legalizing marijuana for medical use. She explained there will be 11 dispensaries across the state and she is advocating for Mason County to be friendly to the medical cannabis businesses. Additionally, there will be regulated cultivators, producers, and quality checks throughout the state. Medical cannabis businesses may begin applying for licensure through the state beginning July 1, 2024. Members of the court agreed to take no action restricting medical cannabis businesses in the county. The legislation that was passed addresses fee schedules for the businesses. Additionally, George Larger, with the Maysville-Mason County Planning and Zoning Commission said the commission will make recommendations to the court to amend the current zoning plan to determine where these businesses may locate in the county.

Approval of Minutes

Motion made by Commissioner Frame and seconded by Commissioner O'Hearn to approve the minutes from the April 9 regular meeting as presented.

Commissioner McKay – Yes
Commissioner O'Hearn - Yes
Commissioner Frame - Yes
Judge/Executive McNeill – Yes

Approval of Minutes

Motion made by Commissioner O'Hearn and seconded by Commissioner Frame to approve the minutes from the April 30 public hearing as presented.

Commissioner McKay – Yes
Commissioner O'Hearn - Yes
Commissioner Frame - Yes
Judge/Executive McNeill – Yes

Approval of Minutes

Motion made by Commissioner Frame and seconded by Commissioner O'Hearn to approve the minutes from the April 30 special meeting as presented.

Commissioner McKay – Yes

Commissioner O'Hearn - Yes

Commissioner Frame - Yes

Judge/Executive McNeill – Yes

Road Department

Motion made by Commissioner McKay, seconded by Commissioner Frame to accept the April report as presented by Road Supervisor Joe Brown and attached hereto.

Commissioner McKay – Yes

Commissioner O'Hearn - Yes

Commissioner Frame – Yes

Judge/Executive McNeill – Yes

Supervisor Brown informed members of the court that one of the mowers is in bad shape. He said the court will need to consider purchasing a new mower in the near future. The estimated cost is \$30,000.00 for a new mower.

Animal Shelter

Motion made by Commissioner O'Hearn, seconded by Commissioner Frame to accept the April report as presented by Supervisor Marilyn Feil and attached hereto.

Commissioner McKay – Yes

Commissioner O'Hearn – Yes

Commissioner Frame – Yes

Judge/Executive McNeill – Yes

Sheriff's Report

Motion by Commissioner O'Hearn and seconded by Commissioner Frame to accept the Monthly Tax Disbursement Report for April totaling \$167,116.25 as presented by Sheriff Ryan Swolsky and attached hereto.

Commissioner McKay – Yes

Commissioner O'Hearn – Yes

Commissioner Frame – Yes

Judge/Executive McNeill – Yes

The Monthly Vehicle Report for April was submitted for review.

Motion by Commissioner Frame, seconded by Commissioner O'Hearn to accept the Activity Data Report for April as presented by Sheriff Swolsky and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Emergency Management

Motion made by Commissioner O'Hearn, seconded by Commissioner Frame to accept the April report as presented by Emergency Management Director Tony Liess and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Motion by Commissioner O'Hearn and seconded by Commissioner Frame to adopt **Resolution 24-08**, which outlines the responsibilities of the Mason County Fiscal Court, Buffalo Trace Search and Rescue and Mason County Emergency Management as well as pay the search and rescue team \$2,106.25, to help with operational needs of the team. The rate is no longer based on per capita but is a flat rate. This is the same rate paid as last year.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Landfill Report

Motion by Commissioner O'Hearn, seconded by Commissioner McKay to accept the April report as presented by Supervisor Travis Cooley and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Director Cooley said the landfill committee met recently and recommended to the court an increase in tipping fees and garbage collection fees as attached hereto. These rates would go into effect July 1.

Motion made by Commissioner Frame, seconded by Commissioner O'Hearn to increase the tipping fees as recommended by the landfill committee and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Motion by Commissioner O'Hearn, seconded by Commissioner McKay to increase garbage collection rates and fees as recommended by the landfill committee and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – No
Judge/Executive McNeill – Yes

Lastly, Director Cooley and Judge/Executive McNeill explained that a bid for the installation of a litter fence at the landfill was recently put out for bid. Fiscal court received two bids, one from Burcor Fencing in the amount of \$244,750.00 and the second bid was from Burton Fencing in the amount of \$119,268.79. The landfill committee recommended the bid from Burton Fencing.

Motion made by Commissioner McKay, seconded by Commissioner O'Hearn to accept the bid from Burton Fencing in the amount of \$119,268.79 for the installation of the litter fence at the landfill.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – No
Judge/Executive McNeill – Yes

Judge/Executive McNeill also noted that Scott Sharp with the Kentucky Association of Counties (KACO) signed a Recommended Order approving the proposed lease and finance plan for the purchase of the new compactor for use at the landfill. See attached copy.

Recycling Center Report

Motion by Commissioner O'Hearn, seconded by Commissioner Frame to accept the April report as submitted by Randy Hamm and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Solid Waste Report

Motion by Commissioner McKay, seconded by Commissioner O'Hearn to accept the April report as submitted by Chris Carpenter and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Property Abatement and Illegal Dumping Report

Motion by Commissioner O'Hearn, seconded by Commissioner McKay to accept the April report as submitted by Shane Taylor and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Garbage Collection Report

Motion by Commissioner Frame, seconded by Commissioner O'Hearn to accept the April report as submitted by Shane Taylor and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Detention Center Report

Motion made by Commissioner O'Hearn, seconded by Commissioner Frame to accept the April report as presented by Jailer Yeary attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

A. Jail Services Agreement with Rowan County

Motion made by Commissioner O'Hearn, seconded by Commissioner McKay approving and authorizing Jailer Yeary to enter an Adult Detention Agreement with Rowan County Detention Center for the care and custody of inmates that may be committed by the court judges of Mason

County. Mason County Fiscal Court would be responsible for paying \$42.00 per day per inmate committed by court judges in Mason County. The agreement is attached hereto.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

B. Southern Health Partners Contract

Southern Health Partners is the on-site inmate healthcare provider at the Detention Center. The Health Services Agreement, which is renewed on a yearly basis, was presented to the court for its consideration. There is a three percent increase from last year with the base annual cost totaling \$313,491.60, or \$26,124.30 per month. Also, when there are more than 185 inmates, the per diem rate increased to \$1.40.

Motion made by Commissioner McKay, seconded by Commissioner O’Hearn to approve the renewal of the Health Services Agreement with Southern Health Partners with the 2 % increase on the base fee for an annual cost of \$313,491.60. The term of the contract is July 1, 2024, through June 30, 2025.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

C. Resolution 24-06 – HB 1 – Jail Arraignment Equipment – Phase II

Motion by Commissioner O’Hearn, seconded by Commissioner McKay adopting **Resolution 24-06**, authorizing Judge/Executive McNeill to make application for monies for the purchase of video arraignment equipment for use at the Detention Center.

Commissioner McKay – Yes
Commissioner O’Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Treasurer's Report

Motion made by Commissioner McKay, seconded by Commissioner O'Hearn to authorize the payment of claims, including additional claims totaling \$38,541.00, as presented, and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Motion made by Commissioner McKay, seconded by Commissioner O'Hearn to approve the Financial Statement as of April 30, 2024, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes.
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Motion by Commissioner O'Hearn, seconded by Commissioner McKay to approve budget transfers in the amount of \$333,272.00, as presented and attached hereto.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

Order 24-04 – Annual Standing Order to Pre-Approve Certain Recurring Expenses

Motion by Commissioner O'Hearn and seconded by Commissioner McKay to adopt Order 24-04, the annual standing order to pre-approve certain recurring expenses for fiscal year 2024-2025.

Commissioner McKay – Yes
Commissioner O'Hearn – Yes
Commissioner Frame – Yes
Judge/Executive McNeill – Yes

New Business

Judge/Executive McNeill signed a Proclamation announcing that May is designation as Building Safety Month. Jim Fawcett with the Codes Enforcement Office with the City of Maysville was present to promote this announcement.

After some discussion, Judge/Executive McNeill said the court will table the agreement with Siemens Industry until the next meeting to give members time to review the agreement. Siemens

Industry provides fire protection for the Mason County Justice Center.

Judge/Executive McNeill said the Mason County Cooperative Extension Service submitted its budget for fiscal year 2024-2025.

Judge/Executive McNeill discussed with members of the court the idea of purchasing apparel for county employees. The thought is to purchase one shirt per employee with the county emblem on the shirt. The estimated cost is \$2,500 to \$2,750. After discussion amongst the court, members agreed to table this until a later time.

Also, Niccole Harris with the Maysville Hands of Hope submitted a letter requesting a donation to help with expenses. Judge/Executive McNeill said a specific amount was not specified in her request. Commissioner O'Hearn and Commissioner McKay said this a much-needed resource for our community. Members agreed to reach out to her to see if in-kind services from the county would be helpful to her.

Board Appointments

Judge/Executive McNeill announced that Josh Underwood has been reappointed to the Fleming-Mason Airport Board and Ward Blakefield has been appointed to the Port Authority.

Communication from Judge/Executive and Commissioners

Judge/Executive McNeill announced several dinners at our volunteer fire departments over the next few weeks. Also, he commended the recent event held at Federal Hill in Old Washington. Federal Hill was home to the Marshall family and is currently in the process of beginning some restoration.

Adjournment

Having no further business, motion made by Commissioner Frame, seconded by Commissioner McKay to adjourn.

Commissioner McKay – Yes

Commissioner O'Hearn – Yes

Commissioner Frame – Yes

Judge/Executive McNeill – Yes

The next fiscal court meeting will be Tuesday, June 11, 2024, at 9:00 a.m.

Respectfully submitted on this the 14th day of May 2024:

Stephanie G. Schumacher

Stephanie G. Schumacher
Fiscal Court Clerk

Approved for Review:

Owen J. McNeill

Owen J. McNeill
Mason County Judge/Executive