

**GALLATIN COUNTY FISCAL COURT**  
**September 8, 2022**

The Regular Meeting of the Gallatin County Fiscal Court was called to order by Judge Ryan Morris on September 8, 2022 at 6:00 p.m. at the Gallatin County Extension Office Annex, Warsaw, Kentucky. The meeting was also streamed on Facebook Live. Magistrates present were Joel Shinkle, Ethan Moore, M. J Haddix and Donnie Sullivan. County Attorney John G. Wright was also present. Everyone stood and recited the pledge of allegiance.

**Minutes:** Magistrate Haddix noted that his abstention on the Vendor Claims in August was due to not receiving the packet until the day of the meeting to review the claims as he normally does and would like for the minutes to reflect that. Motion to approve the minutes for the regular Fiscal Court meeting of August 11, 2022 as amended was made by Ethan Moore. Motion seconded by Joel Shinkle. Motion passed unanimously.

**Recognition of Audience:**

Ryan Bailey Gallatin County Dispatch Systems Administrator came before the court to announce that he has been able to secure the previously discussed RC Durr property for the needed radio tower to service the Sparta area. The RC Durr Foundation has offered to donate the land that is just under an acre. The only caveat is that the existing driveway not be used for access. An old access point will be used, which has been approved. He further reported that the only cost for the site to get it ready is to cut in the road and clear vegetation. He also noted that a 150-foot tower has been donated to the county by Paula Giles' family. The tower will need to be erected and he has recommended that it be installed on Knox Lillard to cover the county's other dead spot. At this location, the full 150 feet will not be needed to gain sufficient coverage.

Magistrate Ethan Moore asked if there is any legal agreement needed with the Durr Foundation.

Mr. Bailey answered that a survey is currently being performed by Joe Mylor and once completed a contract will be executed for their attorney and the county attorney to review and complete the transfer.

KY Davis of the Gallatin County Fair Board came before the court to provide an update about the upcoming Fair activities. He announced that a concert performed by His Heart Quartet will take place on September 17 at 5:00 pm. He also reported that a new Fair Facebook page is up and running with information about the fair schedule, which will include nationally known country singer Collin Raye in concert.

**Approval of Consent Agenda:** Judge Morris informed the court that the item for Sports Complex Resolution will also include EMS all in one resolution. Motion to approve the agenda as amended was made by Ethan Moore and seconded by M. J Haddix. All Ayes.

**Vendor Claims:** Claims were presented for approval to pay which included the added blue sheet provided. Magistrate Haddix asked about pay checks for code enforcement. Treasurer Bullard informed him that they are on the added blue sheet. Joel Shinkle made a motion to pay the bills as presented. Donnie Sullivan seconded the motion. Motion passed unanimously.

## **August 2022 Financial Reporting**

1. Fund Cash Statement Summary – Treasurer Lesa Bullard presented the Fund Cash Statement Summary for the month ending August 31, 2022. Ethan Moore made a motion to approve the report and M. J Haddix seconded the motion. All ayes.
2. Budget Transfers – Donnie Sullivan made a motion to approve the budget transfers for the month of August. Ethan Moore seconded. All ayes.
3. Interfund Cash Transfers – Ethan Moore made a motion to approve the interfund cash transfers for the month of August. M. J Haddix seconded the motion. All ayes.
4. Budget Amendment #08112022 #1 – 2<sup>nd</sup> Reading. Airport Bond. Auditor requirement for Bond Debt being paid by FAA. Motion to approve the budget amendment made by Joel Shinkle. Donnie Sullivan seconded the motion. All ayes.
5. Budget Amendment #08112022 #2 – 2<sup>nd</sup> Reading. Unbudgeted receipts including Airport Escrow Retainage, City of Warsaw Park Director Funding, Auction Surplus, Master Claim – Catalytic Converter theft. Has been approved by Department for Local Government. Joel Shinkle made a motion to approve the budget amendment. Ethan Moore seconded the motion. All ayes.
6. Budget Amendment #08112022 #3 – 2<sup>nd</sup> Reading. County Clerk permanent document storage fees. Has also been approved by DLG. Donnie Shinkle moved to approve the budget amendment. Ethan Moore seconded. All ayes.

## **OLD BUSINESS**

### **EMS BILLING**

Judge Morris noted that the item had been tabled for legal review to investigate the refusal fee increase from \$100 to \$360 or to eliminate the fee. Mr. Webster provided an ordinance sample to review. The hard billing aspect would be addressed by an ordinance to be drafted.

County Attorney Wright has conferred with Owen County Attorney Josh Smith about how they are addressing this scenario, as to whether it is governed by Ordinance to determine how Mr. Wright will recommend for the county to proceed. Judge Morris mentioned that he thinks it is important to determine how this is being handled across Kentucky versus what Mr. Webster found from Ohio. He noted that he is in favor of billing out of county residents if it is legal to do that way. County Attorney Wright stated that he believes there is a strong argument that it can be done, but a rational basis that it is being fairly applied will be necessary. Mr. Wright asked Mr. Webster if there is a state EMS message board or something similar that he could pose that question. Mr. Webster answered that there is and would check into that.

Magistrate Shinkle stated that if he were in an accident, he would expect to have to compensate those that provide service, adding that he doesn't know why the county wouldn't be doing the same. Mr. Webster noted that \$140,000 was written off last year and \$160,000 in the previous year, which he believes to be at least 40% out of county. The court then discussed whether there should be an EMS Billing Policy that should be drafted. Mr. Wright asked Mr. Webster if he recommended a policy be in place. Mr. Webster answered that he believed that would be the best route.

Magistrate M. J Haddix made a motion to hard bill out of county residents and soft bill local residents. Joel Shinkle seconded the motion. In discussion County Attorney Wright stated that a policy should be drafted and provided to be reviewed at the October meeting for approval. Motion passed unanimously.

There was then further discussion about the refusal fee. Bud Webster stated that he is not sure if having the fee in place has cut down on the habitual offenders but was a snafu with the billing company and they were not being billed upon refusal. Magistrate Haddix asked what does it hurt to have the refusal fee in place. Judge Morris stated that he believes it does not hurt anything, as it is needed. Mr. Haddix asked if the refusal fee is discussed when the calls are made. Mr. Webster explained that they encourage employees not to discuss billing but rather take care of the emergency. Ethan Moore stated that he would not be in favor of raising the fee and was not in favor of the refusal fee originally.

Magistrate Shinkle moved to table the refusal billing until the next monthly meeting for more information to be provided. M. J Haddix seconded the motion. All ayes.

Mr. Webster informed the court that the EMS Inspection has been performed and everything passed.

## **NEW BUSINESS**

### **GALLATIN COUNTY EXTENSION DISTRICT TAX RATE**

Judge Morris reported that the Extension District approved the compensating rate which is the same as the previous year's rate. Joel Shinkle moved to accept the Gallatin Extension District Tax Rate. M. J Haddix seconded the motion. All ayes.

### **GCHD – ASHLEY SMITH COMMUNITY HEALTH STRATEGIST**

Ashley Smith, Community Health Strategist with Gallatin County Health Department came before the court to explain her role and what she does within the county. She announced an upcoming meeting of Gallatin County Collaboration for Better Health & Safety and noted that she would encourage the court's attendance and that the community is welcome. Lunch will be provided.

Joel Shinkle made a motion to take a two-minute recess. Ethan Moore seconded the motion. Motion passed unanimously.

Joel Shinkle moved to enter back into session. Ethan Moore seconded his motion. All ayes.

### **ARPA RESOLUTION FOR ROAD DEPARTMENT EQUIPMENT AND EMS EQUIPMENT**

County Attorney read aloud the resolution to purchase equipment for the road department and EMS through the American Rescue Plan Act of 2021 in the amount of \$353,001.66. Magistrate Ethan Moore asked how many ambulances the county currently has. EMS Director Webster answered that there are four. Mr. Moore noted that the costs appear to have gone up significantly from previous purchases. Mr. Webster acknowledged that was correct but added that the unit on order is four-wheel drive and that all units will now have the power load system. Judge Morris noted that the ambulance in question has been on order and was a need for the county. It was ordered prior to a further price increase that has gone into effect since the order. Mr. Moore asked if this ambulance makes three purchased by the current Fiscal Court. He was answered that is correct. Judge Morris discussed the benefits and need for each piece of

equipment being purchased via the resolution. M. J Haddix made a motion to approve the resolution. Ethan Moore seconded. Motion passed 4-0 with Magistrate Shinkle abstaining due to where the track loader is being purchased.

#### **KENTUCKY DEFERRED COMP RESOLUTION**

Judge Morris explained that the Deferred Comp Resolution is to bring the county into accordance with KY Statute, in reference to KY 401(k) Plan and KY 457 Plan. County Attorney Wright read the resolution aloud. M. J Haddix moved to approve the resolution. Joel Shinkle seconded. All ayes.

#### **COUNTY CLERK, ANNUAL ORDER SETTING MAXIMUM AMOUNT FOR DEPUTIES AND ASSISTANTS AMENDED**

Treasurer Bullard and County Clerk Miles informed the court that the originally approved amount of \$155,000 did not include the employer match for Social Security and as such, the amount needs to be raised to \$175,000. Joel Shinkle moved to approve the amended annual order. M. J Haddix seconded the motion. All ayes.

#### **EMERGENCY SERVICES UPDATE**

Judge Morris and EMS Director Bud Webster provided an Emergency Services update, stating that there are currently 4 full-time paramedics and 4 full-time EMT's which is now keeping Squad 2 covered about 90% of the time. They noted there is another Paramedic that works basically full-time and a fourth EMT will be hired. The staffing has not and should not affect the budget that was approved in July. Once the new hire is in place, the county will have two full-time squad services.

Judge Morris also provided an update in reference to the Sheriff's Department, reporting that all Road Deputy positions have been filled with 8 now on the road. He added that the School Resource Officer spots still need to be addressed by adding 1-2 in addition to the one currently in place.

Judge Morris also made note that Deputy Sheriffs now earn about \$10,000 more than when the current fiscal court took office.

Magistrate Haddix asked if the county is now back to 24 service. Judge Morris answered that he believed that is the case but will confirm.

#### **COMMENTS**

Magistrate Donnie Sullivan asked if there is any information about the chip seal project on Knox Lillard to be completed and Hwy 42 progress. Judge Morris answered that the project is still on schedule and added that there are negotiations in process to speed up access to 42. The shouldering and chip seal bid has gone out. Hinkle was the low bidder and the indication is that the state will use funds from the 42 Project to cover the work to be done. Mr. Morris further stated that once construction is scheduled for Knox Lillard, message boards will be moved and the information will be communicated.

Magistrate Joel Shinkle asked about the county wide paving that is to be done. Judge Morris answered that it is still scheduled for later September. Mr. Morris added that while they are in the county doing work, he has asked Hinkle Contracting to perform some repair work that is needed. It will be an additional expense but will come from road funds.

Magistrate Haddix thanked all those that helped during the recent flooding.

Judge Morris reported that September 10 will be trash collection day at the County Barn. He noted that there will be a change to the acceptance of freezers and refrigerators, which is currently being investigated for further details.

Judge Morris also announced that Triad Pharmacy will be open starting September 26. They are hoping to add a drive-thru and will be doing curbside pickups, as well as deliveries within Gallatin County.

Judge Morris reminded the court of previous discussions in regard to the ability to collect any taxes from Amazon and others use of KY Speedway. He explained that he has worked with Gallatin PVA, Sheryl Jones who contacted the Kentucky Department of Revenue and it has been determined that Amazon should have filed a tangible tax return in the amount of \$12,316,704 which results in \$146,000 in taxes and penalties. Netting approximately \$19,000 to the county. He further stated that for 2022, a return of \$3,811,752 was filed resulting in a tax bill of \$40,194.17, approximately \$6,200 of which will come to the county.

Magistrate Shinkle asked about the Ford Trucks. Judge Morris answered that vehicles fall under state tax only and it is unlikely the county will receive anything from them being located there.

Magistrate Moore asked about the Senior Bus. Judge Morris reported that it was put out for bid and none were received. Search for a new one is actively underway.

Magistrate Joel Shinkle made a motion to go into closed session to discuss personnel per KRS 61.810.1 (f). M. J Haddix seconded the motion. All ayes.

Magistrate M. J Haddix made a motion to come out of closed session. Joel Shinkle seconded his motion. All ayes.

With no further business before the court, Joel Shinkle made a motion to adjourn. Donnie Sullivan seconded his motion. Motion passed unanimously.

Doug Miles  
Gallatin County Fiscal Court Clerk