

GALLATIN COUNTY FISCAL COURT
Special Meeting
November 12, 2024
6:00 p.m.

The Special Meeting of the Gallatin County Fiscal Court called to order by Judge Ryan Morris on November 12, 2024 at 6:00 p.m. at the Gallatin County Senior Center, 400 Third St. Warsaw, Kentucky. Magistrates present were Ethan Moore, Donnie Sullivan, Joel Shinkle and M. J Haddix. County Attorney Grant Axon present. Everyone stood for the pledge of allegiance.

Minutes: Minutes from the October 15, 2024 special meeting was presented. Motion to approve made by Magistrate Shinkle and seconded by Magistrate Moore. All ayes.

Recognition of Audience: Kentucky Davis with the Gallatin Co Fairboard provided an update from the Rodeo, E-ticket contract, FFA Alumni selling tickets for beef raffle, grant for the horse arena and the upcoming Santa visit.

Approval of Agenda: Special meeting – no consent agenda to approve.

Vendor Claims: Claims were presented for approval, Magistrate Moore moved to pay the bills as presented including the Carroll Co Detention invoice when it comes in. We were made aware it will be late per CCDC. Magistrate Sullivan seconded the motion. Motion passed.

October 2024 Financial Reporting

1. Treasurer Report – Treasurer Lesa Bullard presented the Fund Cash Statement Summary for the month ending October 31, 2024. Magistrate Shinkle made a motion to approve the report and Magistrate Moore seconded. Motion passed.
2. Budget Transfers – Magistrate Sullivan made a motion to approve the budget transfers for the month of October. Magistrate Moore seconded. Motion passed.
3. Interfund Cash Transfers – Magistrate Moore made a motion to approve interfund cash transfers. Magistrate Shinkle seconded. Motion passed.
4. Ordinance #101524/Budget Amendment #3– Magistrate Sullivan made a motion to approve the second reading of Amendment #3 with unanticipated revenues from City of Warsaw Donation to Spay/Neuter, Airport Correction (Duplicate ACH) and General Fund Excess Revenues from Insurance and Miscellaneous accounts. Magistrate Moore seconded. Motion passed.
5. Ordinance #111224/Budget Amendment #4- Magistrate Moore made a motion to approve the first reading of Amendment #4 approving the CDBG-Triad Pharmacy Grant in the amount of \$684,000.00. Magistrate Shinkle seconded. Motion passed.
6. Ordinance #111224/Budget Amendment #5- Magistrate Moore made a motion to approve the first reading of Amendment #5 for the Interact for Health (Safe Routes to School) Grant applied for by Sherri Broderick in the amount of \$40,000.00 This grant will be awarded in \$40,000.00 increments totaling \$120,000.00. Magistrate Sullivan seconded. Motion passed.

OLD BUSINESS

Medical Cannabis- First Reading of Ordinance Allowing or Prohibiting

Judge provided the court with information prior to voting. If we prohibit prior to January 1st, you can opt in later if a business petitions the court. If we do nothing the County would automatically be in on January 1st. Question was asked if we can tax the dispensary if we do not approve a medical cannabis business? We are under the assumption taxes are based on consumption but we would need to amend our current business license ordinance to tax an item not listed in our current ordinance. We are uncertain if the county votes no on a medical cannabis business, could it be taxed? How does zoning fit with a dispensary, it would need to be in a business district. Magistrate Haddix stated taxing a dispensary could supplement the cost of our detention bill. Magistrate Sullivan stated this could be potential revenue to help the county. He also stated if someone had a medical need, this would allow people to obtain medical cannabis legally. After much discussion, Magistrate Haddix made a motion to Allow Cannabis Business operations in Gallatin County. Magistrate Sullivan seconded. Judge asked for a roll call vote. Magistrate Sullivan-yes, Magistrate Shinkle- no, Magistrate Moore-no, Magistrate Haddix-yes, Judge/Executive Morris-no. Motion to allow cannabis business did not pass with a 3-2 vote against.

Judge asked the court to state their opinion either for or against the medical cannabis business. Judge voted no as he would like to know more about the potential tax dollars, he spoke to farmers and they are hesitant with the non-refundable \$5,000.00 application fee. Judge stated not knowing enough about the medical cannabis. Magistrate Shinkle said several people in his district reached out to him and there are too many unanswered questions regarding medical cannabis. Magistrate Moore said the people in his district voted on the ballot for it but he did not. He stated there are still unknowns and when we have more information we can always opt in later. Magistrate Sullivan reiterated the revenue could help the county and medical cannabis would be available for anyone needing it for medical necessity.

A motion to Prohibit Cannabis Business in Gallatin County made by Magistrate Moore seconded by Magistrate Shinkle. Judge asked for a roll call vote. Magistrate Sullivan-no, Magistrate Shinkle-yes, Magistrate Moore-yes, Magistrate Haddix-no, Judge/Executive Morris-yes. Motion passes to Prohibit Medical Cannabis Business Ordinance. This is the first of two required readings.

NEW BUSINESS

GALLATIN CO WATER BOARD REAPPOINTMENT

A motion made by Magistrate Haddix to reappoint Ann Webster to the Gallatin County Water Board. Magistrate Shinkle seconded. Motion passed.

GALLATIN COMMUNITY PARK & RECREATION

Judge Morris updated the court that he and the park and recreation board met with the designer and planners for ideas on how to maximize our park areas. Frankfort has approved us to proceed with the concession building. We have bid out prior but did not receive any bids. Now that we have architect drawings, we can rebid and reach out to some contractors. We may also do some of the work ourselves. This is a County/City venture.

ARPA Discussion

Judge and Treasurer met with Bryan of RSA Advisors and Jason with Frost, Brown & Todd Attorneys regarding the ARPA requirements. RSA and Frost, Brown & Todd suggested allocating the remaining amount toward our payroll expenses from 2023.

The funds will be transferred by December 31, 2024 to cover payroll costs from 2023. This will meet the obligation requirement and then one final report in April 2025. Jason with Frost, Brown & Todd Attorney group will provide a resolution for our December meeting for this final ARPA obligation.

AIRPORT LAND LEASE

Paula Lillard and Wayne Rassman with the Airport board provided the Judge and Magistrates with the land lease (ground lease) the board is recommending. Paula gave credit to Jim Hansen who put together the options for the land lease.

For approval: The lease duration should be a minimum of 20 years with renewal possibilities for 2 terms of either 5 years or 10 years in duration. All improvements would revert to the airport at the expiration of the lease. The base lease rate of 24 cents a square foot with a minimum term of 20 years with two five- or 10-year extension options (length to be determined) with a review of the lease after the first five years and adjusted based on the CPI. After the initial review and any subsequent reviews that adjustments can be made to keep the contract beneficial to the parties and that the end of the lease all improvements become the property of the airport board. This recommendation is from the Airport board from their October 30, 2024 special meeting. Magistrate Shinkle made a motion to accept the Airport board recommendation on the land lease. Magistrate Sullivan seconded. Motion passed.

LIVESTOCK DISCUSSION

There have been issues with cows getting out on Highway 1039. This has been an ongoing issue and the Sheriff is asking what can be done. Judge Morris reached out to other Judge's in nearby counties and found a KRS that applies to livestock. The Sheriff department and Animal Control Officer do not have the equipment to handle livestock. The Sheriff could call on a local farmer to house, feed and charge storage for livestock running at large and then allow the owner of livestock running at large to retrieve their livestock but reimburse the local farmer for the expenses. Attorney Axon said this is not easily resolved. Question was asked if farmer can charge for trespass to retrieve their animal. We also deal with negligence with some who do not maintain their livestock. Judge suggested following the KRS and let that stand. Attorney Axon said to address livestock issues case by case.

ROAD CPPP PROGRAM

The Judge received an email for the projects submitted for the road program. Two of the projects were rejected, all other projects were approved and will be funded.

MAGISTRATE COMMENTS

Magistrate Sullivan stated we are still having speeding issues on US 42 West and there are no signs on 42 that was repaired. Judge stated we may have to request a speed study on highway 42 west. Judge Morris reminded everyone about the Christmas Parade and Santa visit on December 14, 2024. This will all take place on the Courthouse square. It will be free for vendors to setup and all donations will go to HOPE for Gallatin County (non-profit 501c3).

ADJOURN

Magistrate Shinkle made a motion to adjourn. Magistrate Moore seconded. All ayes.

NO CLOSED SESSION

NOVEMBER 2024

- Medical Cannabis Ordinance-First Reading
- Gallatin Co Water Board Reappointment-Ann Webster
- Gallatin Co Park & Recreation (Concession Stand)-Update
- ARPA-Final obligation
- Airport Land Lease
- Livestock-Running at large
- Road CPPP Program-Projects approved