

**FRANKLIN COUNTY FISCAL COURT  
SEPTEMBER 24, 2015, 5:00 P.M.  
REGULAR MEETING**

Franklin County Fiscal Court met on Thursday, September 24, 2015 in the Fiscal Court Room at 321 West Main Street, Frankfort, KY. The meeting was called to order at 6:21 p.m. with Judge Huston Wells presiding. The following members of Fiscal Court were present: Squire Michael Turner, Squire Fred Goins, Squire Don Sturgeon, Squire Scotty Tracy, Squire Marti Booth and Squire Lambert Moore. County Attorney Rick Sparks was in attendance.

Following roll call and pledge of allegiance, motion by Squire Booth, seconded by Squire Sturgeon, for authorization for approval of minutes from regular meeting of September 4, 2015. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Sturgeon, seconded by Squire Goins, for authorization for approval of minutes from special meeting of September 8, 2015. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Moore, seconded by Squire Booth, for authorization to accept Report of Audit of Former Franklin County Clerk for the year ended December 31, 2014, as conducted by the Kentucky Auditor of Public Accounts. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Moore, seconded by Squire Sturgeon, for second reading and approval of Ordinance #6-2015, authorizing and approving a General Obligation Lease Agreement in an Amount Not to Exceed \$2,200,000 ("Lease") Pursuant to the Authority Granted by Sections 65.940 through 65.956 of the Kentucky Revised Statutes ("Act"), the Proceeds From Which Will Be Used to Finance (1) the Acquisition, Development, and Construction of a Fire House Building and Facility; (2) Accrued Interest, If Any, and (3) the Payment of the Cost of Issuance; Authorizing the Levy of a Direct Annual Tax on All Taxable Property Within the County, in Addition to All Other Taxes, in an Amount Sufficient to Pay the Lease Rental Payments Due Under the Lease, When and As the Same Become Due, Provided However, that Said Tax Shall Be Levied Only in the Event and Only to the Extent that Revenues from the Project, Together With Any Other Revenues are Not Sufficient to Provide for the Full Payment of the Lease Rental Payments Due under This Lease; Authorizing and Approving the Establishment of Certain Funds to Provide for the Collection of the Proceeds of the Tax; Authorizing and Approving Certain Other Actions with regard to the Financing of the Project, Including but not limited to, Federal Tax Certificate or Tax Regulatory Agreement, if required, and Such Other Documents, Agreements and Certificates Necessary or Required for Entering Into the Lease; and Designating the Lease as a "Bank Qualified" Obligation for Federal Income Tax Purposes. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Sturgeon, seconded by Squire Goins, for second reading and approval of

Amendment #1 to Ordinance #5-2015 relating to Fiscal Year 2015-2016 Budget. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Turner, seconded by Squire Goins, for second reading and approval of Ordinance Amending Ordinance No. 14-2007 relating to the Imposition and Administration of an Occupational License Requirement, and Payment of an Occupational License Tax by Persons and Business Entities Conducting Businesses, Occupations and Professions within Franklin County, Kentucky, Section 2 – Occupational License Application Required and Section 3 – Occupational License Tax Payment Required. Voting in favor of motion were Squires Turner, Goins and Judge Wells. Voting in opposition of the motion were Squires Sturgeon, Tracy and Moore. Voting present was Squire Booth. Motion failed.

First reading was given to an Ordinance Amending Ordinance No. 4-2014, relating to the Franklin County Administrative Code, Chapter 1 General Administration, Chapter 2 Financial Management, Chapter 3 Personnel Administration, Chapter 4 Purchases and Contracts, and Chapter 6 Operation of Franklin County Fiscal Court.

Motion by Squire Turner, seconded by Squire Booth, for authorization to approve Resolution #35-2015, authorizing the filing of an application with the Kentucky Energy and Environment Cabinet, Division of Waste Management, for Litter Abatement Grant Funding and designating the County Judge/Executive to Execute All Documents Pertaining to this Grant. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Sturgeon, seconded by Squire Goins for authorization to approve Resolution #36-2015, for Release and Reversion of Rights-Of-Way Within the Elkhorn Terrace Subdivision back to the current property owners. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Tracy, seconded by Squire Moore, for authorization to hire William Cunningham in the position of Equipment Operator/Truck Driver, Road Department. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Moore, seconded by Squire Booth, for authorization to establish position for Assistant Director, Planning & Zoning. Voting in favor of the motion were Squires Booth, Moore and Judge Wells. Voting in opposition of the motion were Squires Turner, Goins, Sturgeon and Tracy. Motion failed.

Motion by Squire Turner, seconded by Squire Goins, for authorization to approve contract for inmate housing with Owen County Fiscal Court. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Booth, seconded by Squire Turner, for authorization to approve professional services agreement with Burgess & Niple, Inc. for Phase II Municipal Separate Storm Sewer System (MS4) Program, at a cost not to exceed \$15,000; the Phase II Program being a joint project with the City of Frankfort and the City having entered into an agreement with Burgess & Niple. Voting in favor of the

motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Moore, seconded by Squire Goins, for authorization to approve modification to contract with Taylor Architects for architectural design services relating to renovation of the multi-purpose building at 974 River Bend Road, for total design fee in the amount of \$56,250. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Turner, seconded by Squire Goins, for authorization to approve modification to contract with DLZ Kentucky, Inc. for architectural design services relating to new fire station at 104-108 Darby Shire Circle, for total design fee in the amount of \$211,361. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed.

Motion by Squire Sturgeon, seconded by Squire Tracy, for authorization to pay the bills, payroll expenses, and recurring expenses. Voting in favor of the motion were Squires Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Voting present was Squire Turner. Motion passed.

Motion by Squire Turner, seconded by Squire Booth, for authorization to adjourn. Voting in favor of the motion were Squires Turner, Goins, Sturgeon, Tracy, Booth, Moore and Judge Wells. Motion passed. (Prior to voting, Squire Moore and Judge Wells expressed disappointment in the Court's failure to approve the Assistant Director position, Planning & Zoning.) (Meeting adjourned at 6:36 p.m.)

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County Judge/Executive

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Fiscal Court Clerk