

**FRANKLIN COUNTY FISCAL COURT
VIDEO TELECONFERENCE
DECEMBER 6, 2023 9:00 A.M.
REGULAR MEETING**

Work Session:

- Public Comments
- Locals Food Hub/Pizza Pub, Birch Bragg
- Road Department Update
- Judges Report

Franklin County Fiscal Court met on Wednesday, December 6, 2023. The meeting was streamed live by Frankfort Plant Board, cable channel 10, Franklin County Fiscal Court's Official Facebook page, www.facebook.com/fcfcky, and Franklin County Fiscal Court's Official YouTube channel, www.tinyurl.com/fcfcky. The meeting was made available for video teleconference (VTC) participation with the primary location and public observation area in the Fiscal Court Conference Room located at 321 West Main Street.

The meeting was called to order at 10:58 a.m. with Judge Michael Mueller presiding. The following members of the Fiscal Court were present: Squire Sherry Sebastian, Squire J.W. Blackburn, Squire Kelly Dycus, Squire Scotty Tracy, Squire Richard Tanner, and Squire Eric Whisman. County Attorney Max Comley was in attendance.

Following roll call, motion by Squire Sebastian, seconded by Squire Blackburn, for authorization for approval minutes from the special meeting of November 20, 2023. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Whisman, for authorization for approval of minutes from regular meeting of November 21, 2023. Voting in favor of the motion were Squires Sebastian, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Squire Blackburn abstained. Motion passed.

Motion by Squire Dycus, seconded by Squire Sebastian, for authorization to receive the Report of the Audit of the Franklin County Clerk for the Year Ended December 31, 2022. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tanner, seconded by Squire Dycus, for authorization to approve the amended County Clerk's Lump Sum Fee Officials Budget for Calendar Year 2024. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tracy, seconded by Squire Whisman, for authorization to approve County Clerk's Annual Order Setting Maximum Amount for Deputies and Assistants for Calendar Year 2024. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tracy, seconded by Squire Whisman, for authorization to receive Elkhorn Water District Independent Auditor's Report for Years Ended December 31, 2022, and 2021.

Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Whisman, for authorization to receive the Audited Financial Statements for the Year Ended June 30, 2023, and 2022 for Frankfort/Franklin County Tourist and Convention Commission. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Dycus, for authorization to add one street light to the county multiplier (Frankfort Plant Board) and the new utility pole at the intersection of Richliev Lane and Aderly Lane. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tanner, seconded by Squire Blackburn, for authorization to have Frankfort Plant Board (FPB) relocate telecommunication facilities from overhead to underground for the new Franklin County Road Department Maintenance Facility. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Tanner, for authorization to have Frankfort Plant Board (FPB) relocate electric facilities from overhead to underground for the new Franklin County Road Department Maintenance Facility. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tanner, seconded by Squire Blackburn, for authorization to have Frankfort Plant Board (FPB) relocate an existing fire hydrant, relocate, and upgrade both one-inch and two-inch domestic water meters, and add approximately two hundred linear feet of two-inch water line to serve the Franklin County Road Property at 100 Lewis Ferry Road. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Tracy, for authorization to accept the revised bid to CSI, the best bidder, for Special Inspections and Testing relating to redevelopment construction of the Franklin County Road Department, 100 Lewis Ferry Road. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Authorization to approve a Resolution denying the rezoning of a 25.45-acre property located at 827 Cardwell Lane in Franklin County, Kentucky from Rural Residential "B" District (RB) to Rural High Density Multifamily District (RH). The property is identified as PVA Map #036-00-00-012.00, and of record in deed book 611, page 261 in the Office of The Franklin County Clerk.

Per the County Attorney:

I would make a suggestion to the court that someone move to reconsider the previous action of the court relative to scheduling an evidentiary hearing on the application to rezone the 25.45 acre property located at 827 Cardwell Lane in Franklin County, Kentucky from Rural Residential "B" to Rural High Density Multifamily District (RH). The property is identified as PVA Map #036-00-00-012-00 and of record in deed book 611, page 261 in the Office of The Franklin County Clerk. Based upon the applicant's November 17, 2023 correspondence, we need to make a decision based upon the Planning and Zoning record.

Motion by Squire Whisman, seconded by Squire Tanner, to reconsider the previous action of the court relative to scheduling an evidentiary hearing on the application to rezone the 25.45 acre property located at 827 Cardwell Lane in Franklin County, Kentucky from Rural Residential "B" to Rural High Density Multifamily District (RH). The property is identified as PVA Map #036-00-00-.012-00 and of record in deed book 611, page 261 in the Office of The Franklin County Clerk. Based upon the applicant's November 17, 2023 correspondence, we need to make a decision based upon the Planning and Zoning record. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Per the County Attorney, there needs to be a discussion regarding the resolution in the proposed findings, I know we have the authorization to approve. I know we need some proposed findings in order to put in that resolution to have the basis for that resolution.

Motion by Squire Blackburn, seconded by Squire Whisman, to create findings of fact related to this based on the planning commission's recommendations. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Blackburn, seconded by Squire Whisman, to make a finding of fact that, the proposed zoning is not in agreement with the goals of the future land use designation on the comprehensive plan and therefore not in agreement with Comprehensive Plan. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tanner, seconded by Squire Whisman, to make a finding of fact that, the existing zoning classification given to the property is appropriate and the proposed zoning classification is inappropriate. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Whisman, seconded by Squire Sebastian, to make a finding of fact that, the subject property lacks sanitary sewer capacity for the proposed zoning classification. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Tracy, seconded by Squire Sebastian, to close the finding of fact. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Whisman, seconded by Squire Dycus, to approve the Resolution #43-2023 denying on the rezoning of a 25.45-acre property located at 827 Cardwell Lane in Franklin County, Kentucky from Rural Residential "B" District (RB) to Rural High Density Multifamily District (RH) based on the finding of facts. The property is identified as PVA Map #036-00-00-012.00, and of record in deed book 611, page 261 in the Office of The Franklin County Clerk. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Whisman, Second Reading and Approval of Ordinance #19-2023 amending The Table of Special Ordinances, Section 1 Zoning Map changes of The Franklin County Code of Ordinances for a 3.13-acre tract from Industrial Commercial District (IC) to Highway Commercial District (CH). The property is identified as PVA MAP

#050-00-00-092.03, located at 1003 and 1005 Twilight Trail. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Whisman, for authorization to approve the appointment of Katie Mauer to Frankin County Extension District Board, 4-H position, with a term ending December 31, 2027. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Whisman, for authorization to approve the reappointment of Philip Morgan to Franklin County Extension District Board, 4-H position, with a term ending December 31, 2027. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Authorization to receive the appointment of David Lodmell to Capital Community Economic/Industrial Development Authority dba Kentucky Capital Development Corporation (KCDC), with a term ending December 31, 2026.


Motion by Squire Sebastian, seconded by Squire Dycus, for authorization to receive Treasurer's Report. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

No motion was offered to deny a claim and bills were ordered to be paid.

Motion by Squire Blackburn, seconded by Squire Whisman, for authorization to amend the agenda under other business to add a set amount for professional services not to exceed 30,000 dollars for 6 months in order to hire a lobbyist to represent Franklin County. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Blackburn, seconded by Squire Sebastian, for authorization for the County Judge/Executive to sign a contract for professional services not to exceed 30,000 dollars for 6 months to hire a lobbyist. Voting in favor of the motion were Squires Sebastian, Blackburn, Dycus, Tracy, Tanner, Whisman, and Judge Mueller. Motion passed.

Motion by Squire Sebastian, seconded by Squire Tanner for authorization to adjourn. Voting in favor of the motion were Squires Sebastian, Blackburn, Tracy, Tanner, and Judge Mueller. Squire Dycus and Whisman was absent. Motion passed. (Meeting adjourned at 2:52 p.m.)



Michael Mueller
County Judge/Executive



Kim Cox
Fiscal Court Clerk