

**Lewis County Fiscal Court  
Regular Meeting  
August 13, 2012**

AT A REGULAR MEETING OF THE LEWIS COUNTY FISCAL COURT, HELD AT THE COURTHOUSE IN VANCEBURG, KENTUCKY AT 6:00 P.M., WITH THE HONORABLE J. PATRICK COLLINS PRESIDING AND WITH THE FOLLOWING MAGISTRATES IN ATTENDANCE: ESQ. MILT STANFIELD, ESQ. PAUL B. SWEARINGEN AND ESQ. JOE BENTLEY

Johnny W. Bivens, Lewis County Sheriff, called the meeting to order.

Joe Bentley offered a prayer.

The Pledge of Allegiance was led by Judge Collins.

The roll was called with all being present.

On a motion made by Joe Bentley duly seconded by Paul B. Swearingen with all members voting yes to approve the **July 9, 2012**, Special Called Meeting Minutes.

On a motion made by Joe Bentley duly seconded by Paul B. Swearingen with all members voting yes to approve the **July 18, 2012**, Special Called Meeting Minutes.

**RESPONSE FROM THE PUBLIC**

Marty Strong of the Lewis County Fire Fighters Association opened a discussion into the purchase of an upgraded **Emergency Radio** system for Lewis County. He's been in contact with a Radio Communications Consultant and the estimated cost for the upgrade would be \$60,000. Judge Collins and the Magistrates inquired about where the money would come from and Mr. Strong said it's been suggested that the Road Department and E911 would split the cost. The court asked Mr. Strong to put all the specs together and the most they would approve of would be to bid it out and see if it's feasible.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to authorize an Invitation to Bid for upgraded **Emergency Radio** system for Lewis County.

## **OLD BUSINESS**

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to approve the survey of **Thurman Lane** and **Lumpy Lane** to be adopted into county maintenance.

## **NEW BUSINESS**

Judge Collins informed the court that his office received a written request for withdraw of resignation from Tony Palarie and Clarence Moore who recently served on the **Garrison Water Board**. Both parties felt that they had the option to make the withdraw since the previous month's Fiscal Court minutes had not been approved at that time. County Attorney Tom Bertram explained that the resignations only needed to be recorded in the minutes and they were. Milt Stanfield also stated that he acknowledged receipt of the resignations and they were put on file. Judge Collins determined that the matter was closed.

On a motion made by Milt Stanfield duly seconded by Joe Bentley with all members voting yes to approve the renewal of the **Lewis County Animal Shelter Dog Housing Agreement** with Fleming County at a rate of \$8 per day for adult dogs, \$5 per day for dogs less than 3 months of age. Euthanization fee will be \$20 for adult dogs and \$15 for dogs less than 3 months of age.

On a motion made by Judge Collins duly seconded by Joe Bentley with all members voting yes to approve the purchase of identifying **decals for county vehicles** excluding the Sheriff's Department.

**Resolution #12-07** for the Solid Waste Single County Area Designation Update was tabled until Carl Chaney, solid waste coordinator, could be present and provide the court with more information.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approving the hiring of **Angelia Yates** and **Kristen Harris** for E911 at a rate of \$8.79/hour.

On a motion made by Judge Collins duly seconded by Joe Bentley with all members voting yes to approve the designation of **Angela Jordan**, county Finance Officer, to sign Accounts Payable checks in the Judge/Executive's absence.

**Evans Lane CR# 1033** was discussed for possible widening. County Attorney, Tom Bertram and County Road Foreman, Tom Kennard will review the road.

On a motion made by Joe Bentley duly seconded Milt Stanfield with all members voting yes to approve the adoption of **Skidmore-Spur Rd** in the county road system.

Discussion on the **Wachovia Muni Bond Settlement** was tabled until County Attorney, Tom Bertram, could look into it further.

The **Lewis County Conservation District** submitted their formal request for financial support from Lewis Co. Fiscal Court in the amount of \$15,000 plus an additional \$1,650 for support on

their lease. County Treasurer, Kathy Dillow, explained that the Fiscal Court has a statutory obligation of support but does not know the exact amount. Paul Swearingen also made reference to the fact that the Court offered an office space free of charge but they declined.

On a motion made by Joe Bentley duly seconded by Milt Stanfield to approve Lewis County Fiscal Court contribution of \$15,000 with Bentley and Stanfield voting yes, and Paul Swearingen and Judge Collins voting no, resulting in a deadlock.

On a motion made by Judge Collins duly seconded by Joe Bentley with all members voting yes to ask for a **Lewis County Conservation District** representative to attend the next meeting and supply the court with adequate information on our statutory obligation.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to acknowledge receipt of the **CDBG Disaster Recovery Grant #11D-037** including **Cost Overrun Resolution #12-08; Procurement Code for Project; Contract with Buffalo Trace ADD for Certified Administration; Residential and Anti-Displacement Plan** and to authorize Judge Collins to sign all necessary documents.

On a motion made by Joe Bentley duly seconded by Judge Collins with all members voting yes to amend earlier motion to also allow County Attorney, Tom Bertram, to also sign all necessary documents for the **CDBG Disaster Recovery Grant #11D-037**.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with all members voting yes to approve the **Lewis County Sanitation District Project Resolution for Application**.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to acknowledge receipt of the **Kinniconnick VFD Annual Budget**.

**Johnny W. Bivens**, Lewis County Sheriff presented the monthly Sheriff's Report. Sheriff Bivens also voiced concerns with the County's **E911** service and feels that there are some areas that have an opportunity for improvement. Such as, employee certifications, administration obligations, and the overall workload on the current E911 Director, Carl Chaney. Sheriff Bivens proposed to the court his willingness to accept the position as E911 Director as a consolidation with the Sheriff's Department.

On a motion made by Milt Stanfield duly seconded by Joe Bentley with Stanfield, Bentley and Judge Collins voting yes and Paul Swearingen abstaining to consolidate **E911** with the Sheriff's Department making Sheriff Bivens acting E911 Director.

On a motion made by Joe Bentley duly seconded by Milt Stanfield with Stanfield, Bentley and Judge Collins voting yes and Paul Swearingen abstaining to make the **E911** consolidation effective September 1, 2012.

**Chris McCane**, Lewis County Jailer presented the monthly Detention Center Report.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to acknowledge receipt of the **Monthly Jail Commissary Financial Report**. See Finance Book #3.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **Monthly Treasurer's Report** as submitted by Kathy Dillow, Lewis County Treasurer. See Finance Book #3.

**Tom Kennard**, Lewis County Road Supervisor submitted the monthly Road Department Report.

**Homer Wilburn**, Lewis County Animal Control Officer submitted the monthly Animal Control Report.

**Carl Chaney**, Lewis County E911 Director submitted a written monthly EMS Report.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **claims**, for General, Road and Bridge, Jail, Animal Shelter, E911 and LGEA accounts as presented. See Finance Book #3.

On a motion made by Joe Bentley duly seconded by Paul Swearingen with all members voting yes to approve the **transfers** for the General, Road and Bridge, Jail, Animal Shelter, E911, and LGEA Accounts including a \$70,000 transfer from General to Jail and a \$5,000 transfer from General to Animal Shelter. See Finance Book #3.

On a motion made by Judge Stanfield duly seconded by Joe Bentley with all members voting yes to **adjourn** the meeting.

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J. Patrick Collins      Lewis County Judge Executive