

CALLOWAY COUNTY
FISCAL COURT MEETING
February 15, 2023, Regular Meeting

An adjourned meeting of the Calloway County Fiscal Court was held at 9:00 am on Wednesday the 15th day of February 2023, in the Calloway County Court House Annex. Judge Executive Kenneth C. Imes called the meeting to order and led the Pledge of Allegiance and a prayer. The following duly qualified members of the Court were present: Squire Don Cherry, Squire Paul Rister, Squire Larry Crutcher and Squire Ricky Stewart. Also present were County Treasurer Tonya Robinson, Deputy Judge Executive Gina Winchester, County Attorney Bryan Ernstberger and County Clerk Antonia Faulkner.

The minutes of the January 18 regular meeting were reviewed by the Court. Motion made by Squire Rister seconded by Squire Crutcher to waive the formal reading and approve the minutes as presented. All voted aye and it was so ordered.

County Treasurer, Tonya Robinson, asked the Court to approve the financial statements as presented. Motion made by Squire Cherry, seconded by Squire Stewart to approve. All voted aye and it was so ordered. Motion made by Squire Cherry, seconded by Squire Rister to approve the payment of the bills. All voted aye and it was so ordered. Motion made by Squire Crutcher seconded by Squire Rister to approve the transfers within the budget. All voted aye and it was so ordered.

Judge Imes recessed the regular session and called to order a public hearing pertaining to the repeal of ordinance 97-0213-A concealed weapons carry and ordinance 12-0221-A possession or sale of cannabinoids. There was no comment, the hearing was ended, and the regular session called back to order. After a discussion, motion made by Judge Imes seconded by Squire Rister to repeal County Ordinance 97-0213-A and County Ordinance 12-0221-A. All voted aye and it was so ordered.

County Clerk Antonia Faulkner asked the Court to approve a resolution authorizing a grant reimbursement application approval for election equipment (electronic poll books) up to \$59,500.00. The State Board of Elections (SBE) provided electronic poll books to the counties beginning in 2018. The SBE will no longer provide e-poll books to the counties so that counties may choose their own vendors based on their needs. The SBE can provide the county a reimbursement of money spent for the new electronic devices through HB 1. A requirement of the reimbursement is having the Fiscal Court approve a resolution "HOUSE BILL 1 County Clerk Election Equipment Grant". After a discussion, motion made by Squire Crutcher seconded by Squire Rister to approve the resolution #23-0215-A as presented. All voted aye and it was so ordered. Mrs. Robinson asked the Court to approve the writing of the check to KNOWINK the approved vendor for the election equipment. Motion made by Squire Rister seconded by Judge Imes to approve the Res 23-0215-A as presented. All voted aye and it was so ordered.

Nathan Baird came before the Court asking for the approval of a resolution to approve two 911 grants through KY Department of Homeland Security 911 Board for the purchasing of new recording system and equipment. Mr. Baird asked the Court to approve a resolution authorizing the Judge Executive to make application and execute required documentation for the purpose of KOHS funded projects. After further discussion, motion made by Judge Imes seconded by Squire Rister to approve Res #23-0215-B as presented. All voted aye and it was so ordered. In addition, Mr. Baird recommended the Courts approval of a bid from Nelson System. Nelson System is the lowest bid and the current vendor. Motion made by Squire Rister seconded by Squire Cherry to approve bid request. All voted aye and it was so ordered.

No executive session.

Squire Rister presented to the Court the first reading of an amended floodplain ordinance (10-0709-A). The ordinance committee recommended the amendment based on an updated template from the KY Division of Water. Motion made by Squire Rister seconded by Squire Cherry to approve the first reading of the amended floodplain ordinance. All voted aye and it was so ordered.

Judge Imes presented to the court the first reading of an ordinance taxing gaming machines in Calloway County. Such is not currently regulated by the State, and Calloway County would like to start such a process. Motion made by Judge Imes seconded by Squire Stewart to approve the first reading of the ordinance as presented. All voted aye and it was so ordered.

Judge Imes presented to the court the first reading of an ordinance to impose a tax on insurance companies for the privilege of engaging in the business of insurance within the County of Calloway. The proposed tax would be set at 7% of the premiums collected on automobile insurance policies. Squire Rister commented that an insurance premium tax on all classes of insurances had been discussed in 2019. Insurance premium taxes (KRS 91A.080) is one of three mechanisms allowed by the State for counties to create local revenue; the other two being property tax and occupational tax. The Court at that time, not wanting to put a burden on citizens especially farmers and businesses with multiple insurance policies chose not to add the tax. The court still does not want to implement an across the board premium tax on (Fire and Allied Perils, Casualty Liability, Vehicle, Inland Marine, Health, Life and other Risk) insurance policies. However, additional revenue has to come into the county to maintain the roads and bridges as the Fiscal Court is tasked to do. Therefore, since roads and bridges are required for automobiles, taxing just automobile policies is logical. Judge Imes made a motion to approve the first reading of an automobile insurance tax ordinance seconded by Squire Rister. Judge Imes asked for a roll call vote: Judge Imes aye, Squire Rister aye, Squire Cherry aye, Squire Crutcher aye, and Squire Stewart aye. With an all ayes on the roll call vote the motion was so ordered.

Sheriff Nicky Knight asked the Court to approve his final settlement. After a discussion, motion made by Squire Stewart seconded by Squire Crutcher to approve the settlement as presented turning over excess fees of \$289,459.23. All voted aye and it was so ordered. Sheriff Knight asked the Court to return the sheriff's excess fees of \$289,459.23 to his office so that he may have funds to run his office until tax collection began for 2023. After an explanation and discussion, motion made by Squire Rister seconded by Squire Cherry to approve the return of excess fees to the Sheriff in 4 payments from March – June, minus the fees to reimburse a trip to Washington DC to attend the National Law Enforcement Officers Memorial in memory of Chief Deputy Jody Cash. All voted aye and it was so ordered.

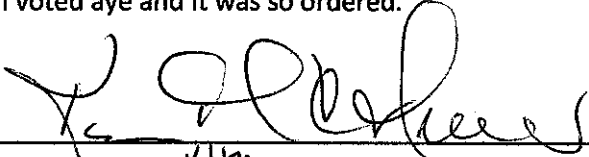
Motion made by Squire Crutcher seconded by Squire Stewart to approve the personnel actions as presented. All voted aye and it was so ordered. Motion made by Judge Imes seconded by Squire Crutcher to approve the board of ethics members starting with Mr. Jeff Gentry, Ms. Holly Bloodworth, Ms. Carol Workman, & Ms. Lauren Hines each to a 4 yr. term to expire 1-1-2027. The Court would revisit the replacement of Mr. Bobby Martin who respectfully declined the reappointment. All voted aye and it was so ordered.

Judge Imes stated the next regular meeting of the Court would be moved to March 14 due to training necessary for the court members.

Gina Winchester gave an update on the Admin/Ordinance committee. Constable Lamb gave his monthly constable report. There were no other staff/official reports.

Judge Imes recognized Mr. Doug Sikes of Acclaim Press for a special presentation. Mr. Sikes, representing the publisher, presented to Calloway County an award for the bicentennial book, THE HISTORY OF CALLOWAY COUNTY KY. Co-authors/editor Mr. Randy Patterson, Mrs. Pat Seiber, and Mrs. Bobbie Smith Bryant were in attendance to be a part of the presentation. Judge Imes and Squire Stewart commented on the accomplishment of the committee.

There being no further business before the Court, motion made by Squire Rister seconded by Squire Stewart to adjourn. All voted aye and it was so ordered.


Approved this 14th day of March, 2023 by Judge Executive, Kenneth C. Imes