

Ohio County Fiscal Court
March 08, 2022 5:00 PM
Ohio County Community Center
Hartford, KY

Attendance Taken at 5:00 PM:

Present Board Members:
Larry Keown
Larry Morphew
Jason Bullock
Joe Barnes
David Johnston

Absent Board Members:
Sam Small

I. Call to Order Judge Executive David Johnston
I.A. Prayer and Pledge to American Flag

II. Approve February 22, 2022 Minutes

Motion Passed: Approved February 22, 2022 Minutes passed with a motion by Larry Keown and a second by Joe Barnes.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

III. Bills, Claims, Payments and Transfers

Motion Passed: Bills, Claims, Payments and Transfers stand approved as presented including late list(s) passed with a motion by Larry Keown and a second by Jason Bullock.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

IV. February 2022 Treasurer's Financial Report

Motion Passed: Acknowledge receipt of Treasurer's February 2022 Financial Report passed with a motion by Jason Bullock and a second by Joe Barnes.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

V. Bill Monroe Museum Walkway

Motion Withdrawn: Approved to transfer \$16,000.00 from reserves to complete the Bill Monroe Museum Walkway (brick trail to monument) was withdrawn by Larry Morphew.

VI. Bill Monroe Museum Brick Walkway

Motion Passed: Approved to transfer \$16,000.00 from reserves to complete the Bill Monroe Museum Walkway (brick trail to monument). Tourism Director to present court with quote and proposed photo of walkway passed with a motion by Larry Morpew and a second by Jason Bullock.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morpew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

VII. Resolution 2022-25 Tornado Relief Funds Application

Motion Passed: Approved Resolution 2022-25 Tornado Relief Application passed with a motion by Larry Keown and a second by Joe Barnes.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morpew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

VIII. Surplus - (3) Computers

Motion Passed: Approved to surplus 3 computers to be destroyed not to be sold. Computers are in excess of 10 years old and unable to accommodate needed upgrades to use passed with a motion by Jason Bullock and a second by Larry Keown.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morpew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

IX. Senior Center Personnel

Motion Passed: Approved Senior Center new hire of Carly Amacher as part time meal driver at \$10.23 per hour effective March 6, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morpew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

X. Senior Center Personnel

XI. Road Department Personnel

Motion Passed: Approved Road Department status change of Jason Burden from full time Road Department Employee at \$16.90 per hour to full time Assistant Supervisor at \$17.90 per hour effective March 6, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XIII. Arch Program

Motion Passed: Approved Arch Program new hire Lakin Smith as full time Clerk Level 1 at \$12.90 per hour effective March 6, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XIII. County Attorney Personnel

Motion Passed: Approved County Attorney status change of Krystal Stewart from Clerk Level 2 at \$13.49 per hour to Clerk Level 3 at \$14.00 per hour (has been employed with us in this position 6 years) effective March 6, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XIV. Animal Control Personnel

Motion Passed: Approved Animal Control Personnel status change of Jennifer Daugherty from full time Temporary Animal Control Officer at \$16.00 per hour to full time Animal Control Officer Level 1 at \$700.00 per week effective March 6, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XV. Animal Shelter Personnel

Motion Passed: Approved Animal Shelter new hire Roy Daugherty as part time Attendant Level 1 at \$10.23 per hour effective February 20, 2022 passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XVI. OCEDA Personnel

Motion Passed: Approved OCEDA personnel status change of Christina Carpenter from full time Level 3 Administrative Assistant at \$15.10 per hour to Level 3 Administrative Assistants at \$16.16 per hour to Match wages of the other two Level 3 Administrative Assistants passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XVII. Resolution 2022-24 Kenergy Fiber

Motion Passed: Approved Resolution 2022-24 supporting Kenergy's Fiber plan passed with a motion by Larry Keown and a second by Jason Bullock.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XVIII. Cave Ridge Lane

Motion Passed: Approved to resume maintenance of Cave Ridge Lane (maintenance was discontinued many years ago without closure of the road or statement/approval from Fiscal Court) This road is a county road and has never been removed from the County Road List passed with a motion by Larry Morphew and a second by Larry Keown.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XIX. Regional Jail Board Appointment

Motion Passed: Approved to appoint the following members to the Regional Jail Board, Larry Keown, Charlie Shields, Wayne Crowe passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XX. Economic Development Incentive Committee

Motion Passed: Approved to appoint the following members to the Economic Development Incentive Committee, Larry Keown, Joe Barnes, Jodi Ashby passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XXI. Closed Session KRS 61.810 Chapter 1 Section (A-M)

Motion Passed: Approved to enter into closed session under KRS 61.810 Chapter 1 section (A-M) passed with a motion by Larry Keown and a second by Joe Barnes.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XXII. Extension Board Appointment

Motion Passed: Approved to appoint Larry Clayton to the Ohio County Extension Board passed with a motion by David Johnston.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XXIII. Committee Reports

XXIII.A. Wage Scale Amendment

Motion Passed: Approved Wage Scale recommendations changing Administrative Assistant Level 3 pay scale to \$16.16 per hour passed with a motion by Joe Barnes and a second by Jason Bullock.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XXIII.B. Letter to Connect GRADD

Motion Passed: Approved to send letter of Concern to Connect GRADD as citizens of the county are not being provided the services promised by Connect GRADD passed with a motion by Joe Barnes and a second by Jason Bullock.

5 Yeas - 0 Nays.

Larry Keown	Yes
Larry Morphew	Yes
Sam Small	Absent
Jason Bullock	Yes
Joe Barnes	Yes
David Johnston	Yes

XXIV. Magistrate's Comments and Requests

XXIV.A. District 1 - Magistrate Sam Small

XXIV.B. District 2 - Magistrate Jason Bullock


XXIV.C. District 3 - Magistrate Joe Barnes
XXIV.D. District 4 - Magistrate Larry Keown
XXIV.E. District 5 - Magistrate Larry Morpew

XXV. Citizen's Comments

XXVI. Adjournment

Judge Executive

Ohio County Fiscal Court Clerk

	<div>Ohio County</div> <div>Fiscal Court Meeting</div> <div>Regular</div>				
<div>Sam Small</div> <div>Magistrate</div> <div>District 1</div>	<div>Jason Bullock</div> <div>Magistrate</div> <div>District 2</div>	<div>Joe Barnes</div> <div>Magistrate</div> <div>District 3</div>	<div>Larry Keown</div> <div>Magistrate</div> <div>District 4</div>	<div>Larry Morpew</div> <div>Magistrate</div> <div>District 5</div>	<div>Justin Keown</div> <div>County</div> <div>Attorney</div>
<div>Ohio County Fiscal Court Meeting</div> <div>March 8, 2022 5:00pm</div> <div><div>1. Call to Order – Judge Executive David Johnston Prayer and Pledge to the Flag</div><div>2. February 22, 2022 Minutes</div><div>3. Bills, Claims, Payments and Transfers</div><div>4. Treasurer’s February 2022 Financial Report</div><div>5. Resolution 2022-25 Tornado Relief Funds Application</div><div>6. Surplus</div><div>7. Personnel</div><div>8. Resolution 2022-24 Kenergy Fiber</div><div>9. Resume Maintenance of Cave Ridge Road</div><div>10. Closed Session KRS 61.810 Chapter 1 Section (A-M)</div><div>11. Regional Jail Board Appointment</div><div>12. Economic Development Incentive Committee</div><div>13. Committee Reports</div><div>14. Magistrates Comments</div><div>15. Coronavirus Update</div><div>16. Adjournment</div></div>					

OHIO COUNTY FISCAL COURT

RESOLUTION 2022-24

WHEREAS, the onset of the Covid-19 Pandemic has magnified the need for high speed internet availability to the citizens of Ohio County, Kentucky for both educational and economic opportunities. The Ohio Fiscal Court, being aware of Kenergy Corp.'s and Kenect, Inc.'s application pending before the Kentucky Public Service Commission (Case No. 2021-00365), desires to express its support for broadband development in Ohio County, Kentucky.

WHEREAS, Ohio County, Kentucky is unserved or underserved in broadband access outside the City limits of Ohio, Kentucky; and

WHEREAS, Kenergy Corp.'s certified electric territory encompasses nearly all of Ohio County outside the City limits of Ohio, Kentucky; and

WHEREAS, Kenergy Corp. has applied to the Kentucky Public Service Commission to provide broadband service in Kenergy Corp.'s service territory through its affiliate, Kenect, Inc.; and

WHEREAS, providing broadband availability to the citizens of Ohio County will have a positive educational and economic impact; and

WHEREAS, development of broadband is one of the top priorities of the Ohio County Fiscal Court;

NOW, THEREFORE be it RESOLVED that the Ohio County Fiscal Court fully supports Kenergy Corp.'s and Kenect, Inc.'s Application now pending before the Kentucky Public Service Commission as this broadband project is vital to the needs of the residents of Ohio County, Kentucky. The Fiscal Court

Clerk is directed to submit this Resolution as public comment in Case No. 2021-00365 at the Kentucky
Public Service Commission.

Passed unanimously by Motion of Magistrate Larry Keown, seconded by Magistrate

Jason Bullock, and subscribed below by all of members of the Ohio County Fiscal Court.

David Johnsten
David Johnsten, Ohio County Judge Executive

Absent
Sam Small, Magistrate, District No. 1

Jason Bullock
Jason Bullock, Magistrate, District No. 2

Joe Barnes
Joe Barnes, Magistrate District No. 3

LARRY KEOWN
Larry Keown, Magistrate District No. 4

Larry Morphew
Larry Morphew Magistrate District No. 5

Attest:

Miranda Funk FCC
Miranda Funk, Ohio County Fiscal Court Clerk

TAB V-3-2
DESIGNATION OF APPLICANT'S AGENT

RESOLUTION -25

BE IT RESOLVED BY Fiscal Court OF Ohio County
(Governing Body) *(Public Entity)*
THAT David Johnston, Judge Executive
(Name of Incumbent) *(Official Position)*

is hereby authorized to execute for and in behalf of Ohio County Fiscal Court
_____, a public entity established under the laws of the Commonwealth of

Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT Ohio County Fiscal Court, a public entity established under the laws of the Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.

Passed and approved this 8th day of March, 20 22.

(Name and Title)

(Name and Title)

(Name and Title)

CERTIFICATION

I, David Johnston, duly appointed and Judge Executive of
(Title)

Ohio County Fiscal Court, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Fiscal Court of Ohio County
(Governing Body) *(Public Entity)*

on the 8th day of March, 20 22.

Date: 03-08-22

Judge Executive
(Official Position)


(Signature)

KyEM Form 500
Rev. 05/00

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.

3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.

4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.

5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.

6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117, 1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.

10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.

15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.

18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.

19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.

20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.

21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.

23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.

24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.
- STATE ASSURANCES
- The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.
- V-3-2-2

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