

Quarterly Joint Term, Thursday Day, 7th Day of June 20 12

Present: Honorable Jim Henderson, Judge/Executive
 " Marty Chandler, Magistrate
 " Larry Randolph, Magistrate
 " Blake Tarpley, Magistrate
 " Sam Phillips, County Attorney
 Pam Rohrs, Fiscal Court Clerk

Honorable Ronnie Clark, Mayor
 " Mason Barnes, Commissioner
 " Larry Dixon, Commissioner
 " Jamie Powell, Commissioner
 " Henry Stone, Commissioner
 " Kenton Powell, City Manager
 " Scott Crabtree, City Attorney
 Mandy Cassady, City Clerk
 Kathy Stradtner, Deputy City Clerk

Absent: Honorable Kelly Banton, Magistrate

Comty Judge Executive Jim Henderson called the fiscal court into session for the regularly-scheduled quarterly joint city commission-fiscal court meeting at 6:00 PM. Mayor Ronnie Clark called the city commission to order as well. Commissioner Larry Dixon opened the meeting with prayer with Judge Henderson leading the pledge to the American flag.

Judge Henderson recognized David Carver, spokesperson for the Neighbors Against the Quarry, to address the joint session as this group continues to rally to try to stop the locating of a rock quarry at the proposed location which is adjacent to Drakes Creek on Ditmore Ford Road and just across the creek from the community park. Members of the group attended a recent City Commission meeting at which time the City Commission established a weight limit on Kenneth Utley Drive, which is the city's portion of Ditmore Ford Road, just as the Fiscal Court established the same weight limit of 36,000 pounds for the Ditmore Ford Road at its April 17th meeting. Carver expressed appreciation to both the commission and court members for their accessibility and willingness to listen as the group has continued to stay in contact with officials as this controversy has continued since the Franklin Simpson Board of Adjustments, in a 3-2 vote, granted conditional use local permitting for the quarry at a meeting held February 28, 2012. After that conditional use permit was granted, Drakes Creek Holding Company, LLC (Charles Dewese Construction) proceeded to apply for a mining permit at the state level to operate a rock quarry at the proposed site. Public notice of the intent to file for a mining permit from the state was given which then presented opportunity for a state-held public hearing on April 19, 2012. One of the many concerns of the "Neighbors" group is the commercial truck traffic that would create safety hazards as this road offers an entrance to and from the park as well as to the Ditmore Ford low water crossing which is a hang-out for fishermen and others. A engineering study by American Engineers was conducted. The engineering report recommends numerous changes to the road to bring it to the standard necessary to safely accommodate the current normal traffic load with the added traffic of a commercial rock quarry. The Neighbors Against the Quarry issued the following statement through Carver. "We, the Neighbors Against the Quarry, are asking that the city and county to confirm that both governments are against the location of the proposed rock quarry due to the safety issues with the roads and the bridge on Kenneth Utley Road and Ditmore Ford." Under advisement of counsel, both city and county attorneys, no formal action was taken by either the county or the city regarding this request from the "Neighbors". Mayor Ronnie Clark held the position of leaving the decision to the professionals at the state level. County Judge Executive Jim Henderson said that the 36,000 pound weight limit that has been set is purely a default number and believes that it is the responsibility of Fiscal Court to have core samplings of the road to provide composition of the road surface so that an informed determination may be made of what would be a safe weight limit for this road in its current condition.

Kevin Allen was introduced by City Manager Kenton Powell as the new code enforcement officer contracting with the City of Franklin and Simpson County. He has been providing codes enforcement for about five weeks. Allen spoke to the joint session reporting that the first week was spent equipping and getting acclimated to the job as well as spending some time during the first couple of weeks riding with the Bowling Green Code Enforcement officer to see how they handle different aspects of the job. He said that he has been well received in the community as he has dealt with tall grass issues, abandoned property and other violations of property maintenance codes. While in the field, so to speak, he has been able to help folks with issues unrelated to codes by referring them to the right agency or person who could help with their particular situation. Both city and county acknowledged the appreciation of the position and the person contracted to hold the position.

Vicki Sharer asked to make public comment regarding the animal control issue. She affirmed that she had concerns regarding the proposed rock quarry location because of its close proximity to the animal shelter and the adverse effects it could have on the animals. She then proceeded to ask if a review had been done regarding the animal control ordinance passed about eight months ago. Judge Henderson reported that it had not. Bart Blythe, the designated animal control officer, has been at the academy for training for eighteen weeks and the judge did not feel that complete implementation has been possible. Mayor Clark said that to avoid amendment after amendment he felt the ordinance should stand as is for as much as two years before review. Sharer also asked if any fiscal court members or city commissioners have visited the shelter. She encouraged it as she feels it is important for them to actually see the conditions and understand the operation of the shelter. Judge Henderson took this opportunity to report a \$25,000 Department of Agriculture grant to be used for renovation or expansion of the existing shelter. \$22,500 is available now with the 10% balance of \$2,500 available on completion of the project. Fiscal Court recently approved an extension through June 30, 2013, for the completion of the project. Henderson commended Ruth Garriott for her efforts in securing this grant and others in the past. Ms. Sharer continued by asking if there was any intent of the city becoming more involved with the animal control issue as it had been mentioned in previous discussions. There was no commitment from the city. She said that she would continue to come before these bodies so that the animal issue would not be forgotten. Magistrate Chandler assured her that it would not. He shared that he often received animal control complaints himself as well as other court members. Sharer inquired about the role of the codes enforcement officer in the animal control ordinance enforcement. City Manager Powell explained to Ms. Sharer that Kevin Allen would not be directly involved with handling of any animals as he is not trained nor required to do that, but that he could be the "eyes" as he performs his job and observes violations to report to the animal control officer.

Motion by Chandler Second by Tarpley Ayes-All
 Adopt the Amended Code Enforcement Officer Agreement between the City of Franklin, County of Simpson and Contractor and authorize County Judge Executive Jim Henderson to sign the agreement with the city and Code Enforcement Officer Kevin Allen. (City Manager Powell noted the amendment to original contract is in Section Two, E regarding the county's annual payment of \$20,000 plus one-half of all increases in compensation paid to or on behalf of the contractor with first annual payment due July 15, 2012.)

Motion by Powell Second by Dixon Ayes-All
 Adopt Amended Code Enforcement Agreement between the City of Franklin, County of Simpson and Contractor and authorize Mayor Ronnie Clark to sign the agreement with the county and Code Enforcement Officer Kevin Allen.

Motion by Randolph Second by Chandler Ayes-All
 Adopt Agreement to Terminate 911 Emergency Dispatch and Dispatch Agreement which terminates an agreement established several years ago between the city, the county and the sheriff and authorize County Judge Executive Jim Henderson to sign the terminating agreement.

Motion by Barnes Second by Powell Ayes-All
 Adopt Agreement to Terminate 911 Emergency Dispatch and Dispatch Agreement which terminates an agreement established several years ago between the city, the county and the sheriff and authorize Mayor Ronnie Clark to sign the terminating agreement.

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Savings realized through 911 dispatch consolidation with KSP will be channeled back into public safety making it possible to add a 5th full-time firefighter position to Franklin Simpson Fire Rescue. There are currently three full-time firefighters with a fourth position vacancy. This 5th full-time position would, when fully implemented, have a full-time firefighter at Turner Station 24/7 providing an enhanced level of service with that one full-time firefighter responding immediately from the station to get to the scene and assess the situation.

Motion by Tarpley Second by Randolph Ayes-Chandler, Randolph, Tarpley & Henderson Absent-Banton
 Approve first reading of Ordinance No. 310.16 approving an interlocal agreement for fire protection in Franklin and Simpson County and authorize County Judge Executive Jim Henderson to sign this agreement.

City of Franklin passed Ordinance No. 310.10-6-2012 approving an interlocal agreement for fire protection in Franklin and Simpson County and authorizing Mayor Ronnie Clark to sign said agreement.

Motion by Chandler Second by Randolph Ayes-Chandler, Randolph, Tarpley & Henderson Absent-Banton
 Approve first reading of Ordinance No. 220.155 approving an interlocal agreement among the City of Franklin, Kentucky, the County of Simpson, Kentucky and the Franklin-Simpson Industrial Authority with respect to the financing and refinancing of public projects for use by the Franklin-Simpson Industrial Authority, and authorizing the execution of such interlocal cooperation agreement.

Mayor Ronnie Clark inquired about the possibility of something being done about the approximately three acres of old tires in various forms behind the Walker building on HWY 1008. Judge Henderson explained that Chris Fitzpatrick of the Kentucky Solid Waste Branch contacted him regarding this matter. Fitzpatrick and several others from this division came to look at the site. They have grant money available for cleanup which they estimate about \$500,000 through the Kentucky Pride program. The county will need to officially apply for the grant.

Motion by Powell Second by Barnes Ayes-All
 City Commission adjourned. (7:30 PM)

Motion Chandler Second by Tarpley Ayes-All
 Approve transfers as submitted.

- \$137.00 01-5001-302 (advertising) from 01-5001-565 (printing, stationary)
- \$200.00 01-5001-563 (postage) from 01-5001-565 (printing, stationary)
- \$1000.00 01-5015-340 (vehicle maint/rep) from 01-5015-725 (office equipment)
- \$600.00 01-5015-445 (office supplies) from 01-5015-725 (office equipment)
- \$18.00 01-5030-367 (PVA) from 01-9200-999(transfer reserve)
- \$315.00 01-5080-599 (courthouse misc) from 01-9200-999 (transfer reserve)
- \$13.00 01-5115-429 (BI fuel) from 01-5115-569 (BI training)
- \$166.00 01-9100-551 (association dues) from 01-9100-578 (utilities)
- \$1372.00 02-6105-455 (petroleum products) from 02-6105-409 (crushed stone/gravel)
- \$2500.00 03-5101-411 (custodial supplies) from 03-5101-334 (building maint/supplies)

Motion by Tarpley Second by Randolph Ayes-All
 Approve claims/bills as submitted.

31E Marine	01-5120-336	232.59
AAA Systems	03-5101-334	1975.47
African American Heritage	01-5425-507	4000.00
Amsterdam Printing	01-5001-565	99.39
Aqua Treat Inc.	01-5081-177	200.00
Association of TN Valley Governments	01-9100-551	400.00
Atmos Energy	03-5101-578	758.61
Barren County Business	01-5001-445	275.95
Barren River District Health	01-5231-348	53999.75
Bob Barker Company	03-5101-465	638.31
Bobby Groves	02-6105-592A	409.98
Bowen Tire	02-6105-479	218.13
BP	01-5015-429	251.92
BP	03-5101-429	725.78
Bushels & Blooms	01-5085-334	1050.00
Cintas	01-5080-411	125.92
City of Franklin	01-5217-364	2800.00
CLM Port-A-Potty	01-5085-334	67.00
Comcast	01-9100-578	72.95
Comcast	03-5101-578	127.10
Countrylane Embroidery	03-5101-481	265.04
Crabtree Furniture	01-5080-334	112.36
Crop Production Services	02-6105-447	3095.00
Digitech Services	01-5001-590	90.00
Donald's Service Center	03-5101-340	145.00
Econo Signs	02-6105-469	590.94
Elbia Link	01-5120-334A	75.00
Elbia Link	75-5145-336	50.00
Electric Plant Board	01-9100-578	256.16
Electric Plant Board	02-6005-578	157.41
Fastenal	02-6105-447	23.79
Franklin Favorite	01-5001-302	330.00
Franklin Favorite	01-5065-565	520.00
Franklin Favorite	01-5070-348	36.00
Galls	01-5120-739A	254.46
Gerald Brashear	03-5101-445	6.11
Global Specialty Cleaners	01-5081-411	11.00

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High Tech Rescue	01-5120-336	80.25
High Tech Rescue	01-5120-588A	2792.00
High Tech Rescue	01-5120-588B	1632.00
Hillcrest Credit Agency	03-5101-599	50.80
Holiday Inn Louisville Airport & Expo	03-9100-569	211.48
Hunt Ford	01-5120-336	120.75
Hunt Ford	03-5101-340	101.55
InterAct Public Safety	01-5080-599	534.60
InterAct Public Safety	01-5120-703	89.10
J Kelly Patterson	01-5015-569	13.00
Jimmy's Auto	01-5015-340	701.57
Jody & Sons Mechanical	03-5101-334	1316.40
Kiesler's Police Supply	01-5015-562	178.93
Leslie Goodrum	01-5120-573	25.00
Main Street Printing	01-5010-445	129.00
Mark's Plumbing	03-5101-334	851.79
Mefford & Phillips	01-9100-573	50.19
Mike's Auto Parts	01-5120-334A	79.13
Mike's Auto Parts	01-5120-336	33.91
Mike's Auto Parts	02-6105-447	202.05
Mike's Auto Parts	02-6105-588	331.05
Mike's Auto Parts	02-6105-592A	362.63
Mike's Auto Parts	03-5101-334	348.30
Mike's Auto Parts	75-5145-336	14.89
Overhead Door	01-5120-334A	336.00
Overhead Door	01-5120-586	224.00
P & P Telecommunications	01-5080-334	344.01
Peel & Holland	01-9400-205	486.96
Pitney Bowes	01-5001-563	1019.99
Postmaster	01-5001-445	96.00
Postmaster	01-5015-445	96.00
Postmaster	03-5101-563	225.00
Rapid Fueling	01-5015-429	4017.14
Rapid Fueling	01-5020-576	203.44
Rapid Fueling	01-5115-429	193.79
Rapid Fueling	01-5116-429	226.32
Rapid Fueling	01-5120-455	1064.65
Rapid Fueling	02-6105-429	266.23
Rapid Fueling	02-6105-455	4100.90
Rapid Fueling	03-5101-429	511.42
Robert Palmer	01-5135-576	64.80
Robert Y Link, Attn	01-5070-332	750.00
Shell Fleet Plus	01-5015-429	188.60
Shell Fleet Plus	03-5101-429	354.50
Sherwin Williams	01-8099-548	136.50
Simpson Co Clerk Fee Acct	01-5010-201	1743.27
Simpson Co Clerk Fee Acct	01-5010-205	1139.00
Simpson Co Payroll Acct	01-5010-202	4753.84
Simpson Co PVA	01-5030-367	20.75
Simpson Co Water District	01-5120-578C	32.31
Southern Foods	03-5101-425	1490.37
Tiger Correctional	03-5101-425	29785.14
Tractor Supply	02-6105-447	114.98
Tractor Supply	02-6105-481	37.88
Traugher Mechanical	01-5120-336	20.00
TruGreen	01-6080-408	263.60
Vital Signs	02-6105-479	75.00
Walmart	01-5001-445	10.97
West Payment Center	01-5015-445	202.23
WRECC	01-5120-578C	38.29
Wright Implement	02-6105-588	136.64
Zee Medical	02-6105-447	47.10

Motion by Chandler
Adjourn. (7:35 PM)

Second by Tarpley

Ayes-All


JIM HENDERSON
COUNTY JUDGE EXECUTIVE

See Attachments File June 7, 2012.

JK