

Regular

Term,

Tuesday Day,

1st

Day of April

20 25

Donna Rose E2209617KV

At a regular meeting of the Simpson County Fiscal Court held in the Courtroom of the Simpson County Historic Courthouse, Tuesday, April 1, 2025, at 8:30 AM

Present: Honorable Mason Barnes, Judge/Executive
Honorable Jeffrey Burr, West Magistrate
Honorable Marty Chandler, East Magistrate
Honorable Scott Poston, North Magistrate
Honorable Myron Thurman, South Magistrate
Honorable Sam Phillips, County Attorney
Nicole Law, Treasurer
Sydney Downey, Fiscal Court Clerk

County Judge Executive Mason Barnes called the fiscal court meeting to order with prayer by North Magistrate Scott Poston, followed by the pledge to the American flag.

Motion by Burr Second by Poston Yes-All
Approve the minutes of the March 18th regular Fiscal Court Meeting.

Motion by Thurman Second by Poston Yes-All
Approve the minutes of the March 10th Special Called Joint Meeting, also letting it be noted that a sentence in the City's minutes was inaccurate, and it's reflected in the County's minutes.

Motion by Chandler Second by Burr Yes-Chandler, Poston, Burr, Thurman, & Barnes
Approve second reading and final passage of Ordinance No. 120.03 Joint Meeting Schedule.

Motion by Thurman Second by Poston Yes-All
Approve Resolution No. 2025-04-1MM.

Jailer Eric Vaughn asked how the County plans on handling the use of medical marijuana since the state legislature has legalized its use and the Simpson County Administrative Code has a clear policy set forth on how they handle alcohol and drug use by employees. Judge Barnes asked County Attorney Sam Phillips to put together a legal opinion based on the County's current administrative code and bring his suggestion back to Fiscal Court. Mr. Phillips has prepared a resolution that restricts its use in the workplace. Jailer Vaughn expressed concerns about if a county employee has a prescription to use medical marijuana and then get into an accident at work, protocol is for that individual to immediately get drug tested. He questions if the County could face a discrimination case if an employee's drug test came back positive and resulted in them being let go. Judge Barnes stated if an employee is prescribed medical marijuana, and they have their card we legally must allow them to take it but they wouldn't be able to work until it is out of their system and no longer using it.

Motion by Poston Second by Burr Yes-All
Approve Certificate of Deposit Renewals and authorize the County Treasurer and the Judge Executive to sign.

Motion by Thurman Second by Chandler Yes-All
Approve the Jail Medical Agreement (Comprehensive Correctional Care).

There is an approximate \$8,800 increase from last year's contract. The Jail can't control the cost, due to the increase of insurance and medical treatments. The Fiscal Court is obligated and bound by the state to provide medical services to the inmates.

Motion by Thurman Second by Burr Yes-All
Acknowledge receipt of the proposed and prepared Jail Budget FY25-26.

Judge Barnes stated that transfers in from the general fund revenue to offset the cost of the Jail is approximately \$100,000 difference from last year. Last year they budgeted 180 state inmates whereas this year they are budgeting for around 151. The Jailer is attempting to receive some other housing revenue from other local jails that are going through renovations and remodeling. If they can make that happen, everything will track in the right direction.

East Magistrate Marty Chandler asked the Jailer what the new line item was that had \$7,500 budgeted. Brent Deweese answered it wasn't a new line item; it's been there but they have noticed an increase in revenue from it. The Jailer commented there is a certain pool of money available every year on a first-come, first-serve basis. Once its depleted that's all. He said he knows County Treasurer Nicole Law is quick to get on it and he isn't worried about it. Just wanted to make the court aware of it. Magistrate Chandler also asked about full-time employees. Mr. Vaughn said they dropped two spots and replaced it with part-time employees to save the County money on insurance and benefits.

The County Treasurer was asked with one quarter of the fiscal year remaining, does she have some confidence that the Fiscal Court will not have to transfer in the entire amount that they budgeted. She responded, it's going to be close.

Motion by Thurman Second by Chandler Yes-Thurman, Chandler, Burr, Poston, & Barnes
Approve the recommendation of P&Z Commission relating to prohibiting Biodigesters, with the addition of removal to section 5.

The Fiscal Court received information the Planning & Zoning Commission reviewed and analyzed over Biodigesters. Two options were presented, one being the acceptance of activity in an AG (Agricultural) Zone and/or Industrial Zone under certain conditions, while the other option was to prohibit the activity or the operation of such facility in Simpson County altogether. The commission ultimately voted in favor of prohibiting it. Judge Barnes stated he completely and fully supports the P&Z Commission Boards recommendation, and he encourages the court to vote to accept the option two that was presented.

County Attorney Sam Phillips said he was probably going to upset some people with what he was about to say but his job is to look after this body and the people of Simpson County from a legal standpoint. He doesn't believe the recommendation is a good idea, possibly exposing the County to a lawsuit where KaCo doesn't cover it. He is more in favor of restricting biodigesters and not prohibiting it due to legal issues.

East Magistrate Chandler stated he doesn't like the prohibition with an exemption. If you are prohibiting something that should be the end of it, not saying prohibiting it except under this condition. If you allow a small-scale farm to do it, then a neighbor starts to want to do it as well, then you get a bigger problem on your hand.

Concerned citizen Eric Vaughn expressed at what point do we take control of our community and say no we aren't going to do this.

Tammy Carey presented to The Fiscal Court the reason why the exception to allow small scale on farms was if there was a dairy operation that wanted to put a standalone digester on their farm to process manure that they had, and it was also mentioned that it is becoming popular for people to put small ones on their septic systems. She then proceeded to ask the County Attorney had he discussed this with City Attorney Scott Crabtree about wording change as this will need to be presented to City Commission as well.

Judge Barnes reiterated he supports the Planning & Zoning Commissions recommendation. He said there is a point in time when we've got to decide about what we want and don't want in our community and if we are sued over it, so be it. We will face that when we get there. He doesn't think as a governing body we should run away from fear of a lawsuit; it's our community and we should be able to prohibit what we want. If you don't like it, you're free to move to a different community.



A citizen in the audience spoke about her daughter Madeline who has a traumatic brain injury from an ATV accident. Due to her accident she suffers from migraines and the site they are proposing the biodigester is close to her home. She is concerned that the increased odors, air pollution, and construction would trigger her daughters' symptoms. They have worked very hard to create a stable environment for her to help her recover and feel like this project would jeopardize that. She understands this project may have potential benefits for those directly involved but urges them to consider the impact on vulnerable individuals.

Judge Barnes told her the project that initiated this discussion has been completely taken off the table. Today is just to deal with this going forward in the future of what could or could not happen here.

Public Works Director Bobby Groves had questions regarding clarification of what all section 5 stated.

Motion by Poston Second by Thurman Yes-All
Approve cash transfer of \$176,418.00 from General Fund to Jail Fund.

Motion by Chandler Second by Burr Yes-All
Approve budget transfers.

\$62,500.00	01-5075-716 (Economic Development – Site Prep) (Premium Services)) from 01-5401-507 (Parks & Recreation)
\$5,000.00	01-5120-106 (Fire Department – Staff Hourly) from 01-5120-179 (Fire Department - Part-Time Personnel)
\$1,000.00	01-5120-578-B (Fire Department – Utilities Reserve Station) from 01-5120-578-A (Fire Department – Utilities Main Station)
\$1,000.00	01-5205-385 (Animal Shelter – Vet Services) from 01-5205-578 (Animal Shelter – Utilities)
\$500.00	01-5205-403 (Animal Shelter – Supplies/Equipment) from 01-5205-578 (Animal Shelter – Utilities)
\$12,500.00	03-5101-123-A (Jail – Personnel) from 03-5101-179-A (Part – Time Personnel)
\$1,000.00	01-9200-999 (Reserve For Transfers) from 01-5040-567 (Occupational Tax Refund)
\$3,000.00	03-9400-205 (Employee Health Insurance) from 03-5101-576 (Staff Travel Expense)
\$6,054.00	01-5010-725 (County Clerk Office Equipment) from 01-5065-341 (Election Voting Machines – Maintenance/Repairs)

Motion by Chandler Second by Thurman Yes-All
Approve bills and claims as presented.

AAA Systems	01-5010-334	40.00
Action Targets	01-5015-569	240.87
African American Heritage	01-5425-507	7000.00
All Season Rent All	02-6105-447	67.97
Amazon Capital	01-5001-445	14.27
Amazon Capital	01-5120-588A	121.40
Amazon Capital	01-5015-340	263.00
Ami Brooks Law PLLC	Payroll	269.01
April Pearson	01-5070-348	465.00
AT&T Mobility	01-5115-573	50.25
AT&T Mobility	01-9100-573	132.40
AT&T Mobility	01-5120-573	39.89
AT&T Mobility	01-5091-573	50.25
AT&T Mobility	01-5135-573	165.13
AT&T Mobility	02-6005-573	102.07
AT&T Mobility	01-5015-573	1643.50
Atmos Energy	01-5020-578	143.14
Atmos Energy	01-5120-578B	241.78
Atmos Energy	03-5101-578	1226.29
Axon	01-5015-435	2779.20
Bluegrass Excavation	01-5081-334A	235.00
Boyd Company	02-6105-588	207.57
Bowen Tire	03-5101-340	45.95
BRADD	01-5136-548	1125.00
California State Disbursement Unit	Payroll	292.61
Charles Wood	03-9100-569	87.04
Cincinnati Life Insurance	Payroll	332.47
City of Franklin	01-5070-348	480.69
City of Franklin	01-5205-578	90.68
City of Franklin	01-9100-578	28.50
City of Franklin	02-6005-578	36.26
City of Franklin	02-6105-447	137.34
City of Franklin	75-5145-336	4806.97
City of Franklin	01-5020-578	46.94
CLM Port A Potty	01-5085-334	110.00
Colonial Life Insurance	Payroll	5408.90
Comprehensive Correctional Care	03-5101-386	42269.79
Crocker & Crocker	01-5301-332	98.00
Crocker & Crocker	01-5070-567	13.35
Division of Child Support	Payroll	69.23
Eckart Supply	01-5015-334	443.23
Electric Plant Board	01-5010-578	735.56
Electric Plant Board	01-5081-578A	6540.79
Electric Plant Board	01-5081-578B	115.80
Electric Plant Board	01-9100-578	1240.26
Electric Plant Board	01-5120-578A	465.10
Electric Plant Board	01-5120-578B	100.85
Electric Plant Board	01-5205-573	1221.86
Electric Plant Board	02-6005-578	234.88
Electric Plant Board	75-5145-578	579.47
Electric Plant Board	03-5101-578	4913.93
Electric Plant Board	01-5160-578	185.27

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Embry's	01-5120-336	4913.99
F-S Parks & Recreation	01-5404-507	61152.25
Fire & Specialty Equip	01-5120-336	1867.13
Foundation Building Materials	01-9100-741B	5708.81
Franklin Electric Plant Board	01-5020-578	130.15
Franklin Electric Plant Board	01-5081-578A	123.45
Franklin Electric Plant Board	01-5205-573	41.14
Franklin Electric Plant Board	01-5015-578	199.00
Franklin Electric Plant Board	01-9100-578	199.00
Franklin Electric Plant Board	01-5120-578A	165.00
Franklin Electric Plant Board	01-5080-578	89.00
Franklin Electric Plant Board	01-5160-578	109.00
Franklin Electric Plant Board	75-5145-578	69.00
Franklin Electric Plant Board	03-5101-578	145.00
Franklin Electric Plant Board	02-6005-578	89.00
Franklin Sporting Goods	01-5015-435	93.70
Gerald Printing	01-5001-565	456.51
Gerald Printing	01-5010-445	252.81
Grace Pest Control	01-5205-334	50.00
Greene Military	01-5015-435	691.00
Hagen & Stone	02-6105-457	136.35
Hardtime Products	03-5101-411	3291.60
Heidelberg Materials	02-6105-409	4970.55
Hillcrest Credit Agency	Payroll	363.94
Hunt Ford	01-5015-340	2187.00
Hunt Ford	01-5080-340	656.32
Hunt Ford	03-5101-340	760.00
Joe Mark Johnson	03-9100-569	98.85
KACo Benefits Group	Payroll	70393.30
Kellwell Food Management	03-5101-425	22717.56
Kentuckiana Court Reporter	01-5070-348	284.80
Kentucky Deferred Compensation	Payroll	7920.00
Kentucky Jailers Association	03-9100-569	1025.00
Kentucky Sheriff's Association	01-5015-551	1013.00
Kenway	03-5101-411	1859.80
Keytrak	03-5101-319	2867.80
KIPP Nashville	01-5040-567	801.79
Leslie Goodrum	01-5120-574	79.14
Less Lethal	03-8099-741	312.50
Lowe's	03-5101-334	1044.83
Lowe's	01-5120-334A	37.26
Lowe's	01-5015-334	96.82
Lowe's	01-5015-562	22.68
Lowe's	01-5080-334	107.29
Lowe's	01-5081-334A	9.48
Lowe's	01-5080-431	6.82
Lowe's	01-5010-334	7.30
Marco Technologies	01-5120-588A	59.15
Marco Technologies	01-5001-564	72.40
Marco Technologies	03-5101-564	39.62
Marco Technologies	01-5015-564	246.55
Mark's Plumbing	03-5101-334	1767.72
Marriott Cincinnati RiverCenter	03-9100-569	1752.80
Michelle Henderson	01-9100-576	49.02
Michigan State Disbursement Unit	Payroll	262.76
Mo Cleaning Services	01-5010-411	300.00
Napa Auto Parts	01-5015-340	671.03
Nelson Slaughter	01-5120-574	302.25
Nelson Slaughter	01-5120-455	44.36
Pitney Bowes Purchase Power	01-5010-563	1009.75
Pye-Barker	01-5081-334A	745.00
R L Craig Company	01-9100-741B	69431.73
Romaine Companies	03-5101-411	549.00
Robert Y Link	01-5070-332	1845.00
Schiller	01-9100-741B	62310.63
Simpson Co Employee Benefits Acct	Payroll	2977.79
Simpson Co Gross Payroll - General	Payroll	241311.50
Simpson Co Gross Payroll - Road	Payroll	19729.81
Simpson Co Gross Payroll - Jail	Payroll	117002.43
Simpson County Law Library	01-5081-578A	85.00
Simpson County Water District	01-5120-578C	90.48
Software Management	01-5010-319	3738.00
Southern States	02-6105-447	169.50
Sunbelt Construction	01-9100-741B	499303.25
Symbol Arts	01-5015-481	145.00
Symbol Arts	03-8099-741	1131.00

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Tennessee Child Support	Payroll	447.23
Terminix	03-5101-334	1540.00
The Fix it Foundation	01-5205-403	1067.81
The Paint Shop	01-5120-334A	69.86
Tracking Solutions	03-5101-398	1862.84
Tri-State International	02-6105-592	391.23
Troy Oshefsky	03-9100-569	82.79
Underground Vault & Storage	01-5015-445	68.00
Underground Vault & Storage	03-5101-564	35.00
Verizon	01-5160-578	705.33
Wal-Mart	01-5135-445	65.88
Waterman Building Services	01-5080-334	388.00
Waterman Building Services	01-5085-334	500.00
Wells Fargo Financial	01-5015-564	150.00
West Payment Center	01-5015-445	307.06
Wex Bank	01-5015-429	6315.28
Wex Bank	01-5135-429	170.64
Wex Bank	01-5080-429	52.80
Wex Bank	01-5115-429	251.28
Wex Bank	01-5160-429	363.23
Wex Bank	02-6105-455	2640.64
Wex Bank	03-5101-429	1387.54
Wholesale Supply	01-5015-334	29.54
Wholesale Supply	02-6105-588	25.39
William W Lawrence, Trustee	Payroll	703.00
WRECC	01-5120-578C	137.30
WRECC	01-9100-578	174.22

Judge Barnes reported FEMA is in the building for the remainder of the week helping people out who were affected by the February 15th flood and tornado. They are here Monday through Sunday until 7 o'clock in the afternoon. Bob Palmer is at the BRADD Meetings to discuss what he does in his CERT Team. Last week Judge Barnes sat down with all department heads talking about capital expenditure on the budget. Out of those meetings came about \$600,000 in capital expenses, and that does not include the ladder truck that the Fire Chief needs to replace. Monthly meetings over at the Clerks Building have continued. They are making a lot of progress, the drywall on March 20th was about 75% completed, painters are over there now, as well as utilities. The brick is on the back of the building and will continue to brick the rest over the next few weeks. Still anticipating be completed mid to late June.

If you are looking for information regarding our Fiscal Court Agendas and minutes, you can now find it located on the Simpson County KY Gov Facebook page. We will try to share everything that goes on our portal on Facebook for the public to see.

There will be a protest on the square Saturday from 11 to 1 about the federal government.

East Magistrate Marty Chandler discussed that some communities require 3 years back taxes on property zoned from AG (Agriculture) to a different zone, at the amount it would have been taxed in the new zone. Judge Barnes believes when a parcel of land gets rezoned and it never pans out, he thinks the zone should revert to the original and if someone else wants to do something on it, it will need to go through the zone change process again.

County Attorney Sam Phillips, reminding everyone to pay your taxes, as of April 15th they will be considered delinquent, and you will no longer be able to pay them at the Sheriff's Office but at the Clerk's Office now.

Motion by Chandler Second by Burr Yes-All
Go into Executive Session pursuant to KRS 61.810 (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee. (10:06 AM)

Motion by Chandler Second by Burr Yes-All
Come out of closed session. (11:00 AM)

Motion by Chandler Second by Burr Yes-All
Adjourn. (11:00 AM)


COUNTY JUDGE EXECUTIVE

See Attachment File April 1, 2025