



# ORIGINAL

## CITY COUNCIL MEETING Minutes Caucus Meeting March 7, 2023

Mayor Ernst dispensed with pledge and invocation, calling the Caucus Meeting to order.

The following Council Members answering roll call:

Amy Hurst	Present	Joyce Carson	Present
Sabrina Hazen	Present	TW Morrison	Absent
Darryl Ammerman	Present	Luke Price	Present

Also Present: Attorney Brandon Voelker

Mayor Sebastian Ernst called the caucus meeting to order explaining he did not ask the supervisors to be present. He felt there was no need for them to sit through a meeting especially if they had nothing to report. He told council they are having weekly staff meetings and he would report any major items they had but otherwise, reports would be submitted. If they had questions or issues, they could contact supervisors directly, himself, or Clerk Ramona Williams.

The fire agreement was discussed and Mayor asked for anyone that wished to be on a committee to work with he and fiscal court on an amendment. Luke Price and Joyce Carson both agreed to serve as committee members. Anyone else was welcome if they wished and time permitted them to do so.

Mayor Ernst then opened discussion regarding the US 27 Bridge lighting. He had a proposed contract with GRW Engineering as required by the State for spec information regarding the bridge and lighting itself. He reported the lights we have may not be suitable for the State. Said contract was for \$16,300 and they could decide at the regular meeting of their desire. Luke Price stated he felt we should take the lights down, illuminate the end of the bridge at the City side, and forget adding the rest. Consensus of Council was to remove the existing lights as a safety issue before they fall.

Mayor Ernst then brought before Council the issue of water rates for the water districts. He reported to them of an informal meeting between Wayne Lonaker, Austin Monroe, Clerk Ramona Williams, and himself to see if there was an amount they could or would be agreeable to. It was explained there is no chance of a rate increase to them without a study being done. He has been given a quote of approximately \$2000 to do a wholesale only rate study but we would be lower in line and not sure when it could be done.

Discussion of the delinquent taxes was brought up and Mayor Ernst said he was waiting for approval letter of what can or would be waived.

He then opened the floor for council concerns and discussion. Amy Hurst inquired about the chopper pump, requesting to see invoices for all payables, and asked that an agenda be done for caucus meetings so they know tentatively what will be discussed. Clerk Williams said it would be too time consuming to copy/scan every single invoice. There was a report generated during the process of paying bills of the check register. This report would list the vendor, the purpose/description of what invoice was for, and the amount. She would scan these weekly and email. As for the pumps, Mayor Ernst reported they have some resolution to the issues, and basically pumps were installed in the wrong locations and the issues are being resolved with and between Supervisor and Vendor.

Sabrina Hazen then began discussion regarding the Pendleton County Recreation commission. She wished to express her concerns brought about by a meeting on February 28 that was to allow for parents and coaches an opportunity to be heard of their concerns and issues. She stated the City has no governance on their employees hiring or firing, but other things were brought up that included how money is being spent and accounted for. She felt with the documents received there are even more questions. She had review the Articles of Incorporation and would like an explanation as to how we are all in this to putting people on a board and what gives us the authority to do so. Mayor Ernst said he thought it originated in 1997 or 1998. Amy Hurst stated she thought it had been amended a couple of times since it started.

As Hazen questioned the articles versus an agreement being signed, Attorney Voelker said the cleanest form was to do an inter-local agreement. He went on to explain they are a 501C3 and are governed by government because they are appointed by cities, school, and county. They are a 501C3 because if someone wanted to donate to one of those entities for a tax write off. He further explained a misunderstanding that a 501C3 makes them non-government came about from a call he received from a person who is on the board and ended with a lengthy discussion. She did not appreciate an email asking for certain records, and he explained to her you are government and as such required to provide them.

Questions too of the legality of who owns property, school or city/county...Amy was able to provide information the School owns the property and entered into a 20-year lease of the property for \$1 per year. The process began in 1997. The board appointees was then brought up and why the County has a fourth person. Clerk Williams stated she had asked Judge Fields who exactly the board members were and received that list showing Butler had 2 representatives (Patrick Clore and Adam Bruener), Falmouth had 2 (Janice Polley and Emily Wilson), School board had 2 (Bridget Browning and Stephanie Prince), and Fiscal Court had 3 (Allison Nichols, Dixie Wells, and James Anderson). Hazen then reported the Fiscal Court minutes reflect the Butler appointments were made by motion and approval of Fiscal Court, not the City of Butler, so that means fiscal court would have 5 members, and why Fiscal Court would appoint for Butler seats. She would like that explained and expressed her frustration that every time a question was asked, there was no direct answer, which lead to more questions.

Discussion then moved to financial questions with an example of dollars being paid for concessions. She assumed for stocking reasons. But there was not record of income from

concessions. She was not implying money was missing, just not being accounted for properly. It was also mentioned and confirmed a lawn mower and gator were at the directors house and bought from the Bingo account initially, and the fiscal court has a receipt. It was asked if these items should not have been surplused to which he said absolutely. They were no different than when a City wished to dispose of property they no longer use and would follow same process we do: "surplus it and have to sell it at a reasonably impartial manner. Take a sealed bid or list it to be sold. Same rules apply."

In the end Hazen felt they needed guidance or an accountant, an audit to explain the discrepancy in checks being written by and to whom. Luke Price asked if they operate under Redbook since they accept money from the school board. Voelker said they did need some standard of governmental accounting.

Amy Hurst conveyed her concerns over "he said, she said" mentality and felt the intent of the cooperative agreement according to articles at the time, "they've always provided financial reports and explained stuff." Luke Price then asked her when she had received financial statements because he had asked and never received in the six years he's been on Council. She then asked attorney what could Council do if they are not listed as part of the body that governs them, what is their role? As discussion continued back and forth, it was finally stated by Mayor Ernst, he was not disagreeing with their thoughts the accountability needed to be spelled out in more detail. However, depending on their performance is where the City decides if it reappoints or look to others.

Other concerns were added to the growing list, with Darcie McKay and Jesse Combs both adding comments as audience members to their respective experiences with the current structure of the board. Neither had positive results and now we are having second organizations of football and soccer being formed outside of the PC Recreation program because people are tired of the current operation. He felt there would be even more decrease in numbers before it gets better.

In summary Voelker suggested to Council request a meeting with all parties by suggesting the superintendent, the attorneys, the judge and both mayors to discuss the program and what might be done. Clerk Williams stated she would send all parties an email next day.

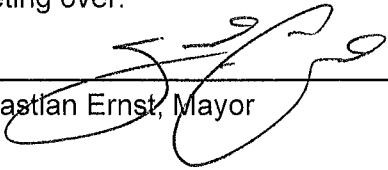
After discussion of recreation commission, Travis Reis was present to request Council to check into any available EAP programs for volunteer firemen who go through traumatic events such as the recent event. They were able to find a facility in Northern Kentucky with the assistance of other personnel. He is doing better as of the meeting but felt there is a need for them to have access to a program if it could be found.

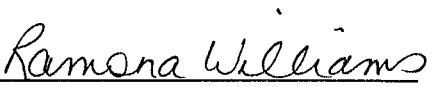
Amy Hurst asked a question if anyone else had been contacted about a rumor the Gathering Wing was being shut down. Several other people had "heard" the rumor as well, but there was no validity to said rumor known to the City.

Meeting ended.

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Meeting over.

  
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Sebastian Ernst, Mayor

  
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Attest: City Clerk