

Minutes
Hardin County Fiscal Court Regular Meeting
July 25, 2023 at 5:30 p.m.

County Judge/Executive Keith Taul called the meeting to order and requested a roll call vote.

Answering:

Squire Fred Clem, Jr.: here; Squire Larry Hicks: here; Squire Kenny Muse: here; Squire Aaron Pennington: here; Squire Kenny Saltsman: here; Squire EG Thompson: here; Squire Patsy Whitehead: here; Squire Chris Yates: here; County Judge/Executive Keith Taul: here.

The Invocation was given by Squire Kenny Saltsman.

The Pledge of Allegiance was led by Squire Kenny Muse.

County Judge/Executive Keith Taul made opening comments welcoming those in attendance and previewing the agenda.

Approve Hardin County Fiscal Court 7.11.2023 minutes

Motion to Approve by Squire Whitehead and seconded by Squire Pennington.

Voting:

Squire Fred Clem, Jr.: yes; Squire Larry Hicks: yes; Squire Kenny Muse: yes; Squire Aaron Pennington: yes; Squire Kenny Saltsman: yes; Squire EG Thompson: yes; Squire Patsy Whitehead: yes; Squire Chris Yates: yes; County Judge/Executive Keith Taul: yes.

Department/Office Reports

a. Presentations

- i. 911 - Mike Leo
- ii. Detention Center - Josh Lindblom

b. Written Reports

- i. Planning - Adam King
- ii. Clerk – Brian D. Smith

County Judge Executive Keith Taul opened the floor for citizen comments.

Speaking regarding Ordinance No. 334, Series 2023 were:

Larry Jagers, II of Glendale spoke against the ordinance. He stated that he is a farmer and land owner in the area and a former Planning and Zoning Commissioner. He supports land owner rights and responsibilities. He said that many big money promises have been made to farmers before that failed to pan out. He said the current comprehensive plan isn't suitable for the change.

Susan Buchanan Augenstein of Owensboro spoke in favor of the ordinance. She stated that she and her family own the Buchanan Farm and that her dad would have been in favor of this

ordinance. This would guarantee the farm can stay in the family. She asked Fiscal Court to support property rights.

Huston Howlett of Glendale spoke against the ordinance. He talked about the future of growth in Hardin County and land values. He stated that the 1,100 acres mentioned could be put to better use and that the decision is premature.

Jeff Rivera from Grayson County spoke in favor of the ordinance. He stated that he grew up in Hardin County and that ECTC would benefit from the zone change. It will allow for expansion of their agriculture programs.

Trina Martin of Cecilia spoke against the ordinance. She made two points. First, she said that the arrival of Blue Oval SK was not considered in the current comprehensive plan. Second, she stated that the tax revenue would decline and keeping the zoning as is would be fiscally responsible.

Debbie Buchanan Warf spoke in favor of the ordinance and is one of the owners of the Buchanan farm. She said the farm is owned by five families, but the next generation will be eleven. The change in zoning will allow them to keep the farm in the family.

Don Sexton spoke against the ordinance. He has been a pastor and stated that the scripture can guide decisions. He shared the parable of the sower.

Sam Avery spoke in favor of the ordinance. He is from Hart County, but is a former Hardin County resident. He said we are in the midst of a slow emergency and that all fossil fuels must stop by 2050.

David Broderick, Attorney at Law spoke against the ordinance. He complimented the planning and zoning staff. He said the zone change isn't consistent with the comprehensive plan. He submitted a July 13, 2023 letter raising what he called a conflict should be disqualified.

Kenny Rambo of Cecilia spoke in favor of the ordinance. He stated that he is a local business owner and father of six children. He said he lives minutes from the site. He stated that growth and change are coming and that the entire county has a responsibility to change.

Ordinances/Resolutions/Agreements

Second Reading of Ordinance No. 334, Series 2023, Amending Ordinance No. 269, Series 2009, Establishing the Zoning Map of Unincorporated Hardin County.

Motion to Approve by Squire Saltsman and seconded by Squire Yates.

Prior to the vote, the following comments were made by members of Fiscal Court: Squire Kenny Saltsman stated that the decision had been years in the making and has heard from both sides. He stated that economic changes have altered the character of the area. He said the

comprehensive plan isn't the Bible for decisions. He said despite many revisions, it's always outdated once it is printed. He doesn't want to set a precedent of always waiting on the updated plan.

Squire EG Thompson said he'd speak from the heart. He stated that Hardin is a welcoming county and he wanted to retain the best and brightest. He spoke about the work ethic that comes from growing up on a farm. He said agriculture has changed and that the law gives Fiscal Court the responsibility.

Squire Larry Hicks said he has lived in Hardin County his whole life and grew up on a farm. He said he is upset with the change and that it will destroy District Seven. He has met with families who will be impacted by this decision.

Squire Patsy Whitehead said she is not opposed to solar and her decision was not based on renewable energy. Rather, she wants to wait until the updated comprehensive plan is complete before making zone changes.

Squire Chris Yates said this was a difficult decision and that people would be upset regardless of the decision. He said he believes in property rights and opposed to telling people what to do with their land. He will vote yes.

Squire Aaron Pennington thanked everyone who spoke. He said every conversation he has had on this issue has been genuine and reasonable. He said the question before court was, "should this property be industrial?" He said because of the proximity to other industrial land it can be.

Squire Fred Clem, Jr. said he had previously stated his position. He said this court has seven months experience and has been asked to make a major decision with huge ramifications. He said success comes from a well thought out plan. He stated that currently doesn't exist and that planning comes before zoning.

Squire Kenny Muse said he doesn't take this decision lightly and that he does not have a conflict of interest and will be voting on the ordinance.

County Judge/Executive Keith Taul offered counterpoints to each point in the proposed ordinance. Point One, the application site falls within the county's Natural Resource area which is why Planning and Zoning denied the zone change from R2 to I2. Point Two, since the BOSK announcement all the zone changes have been either industrial or commercial. The comprehensive plan accommodates industrial growth in a way that will not jeopardize our communities. Point Three, the comprehensive plan is the public policy and the staff have the training and experience to make sound decisions. Point Four, Vulcan Materials was grandfathered into the plan with a conditional use permit and is not in operation. Point Five, the location within the natural resource area is protected by the comprehensive plan and R2 is most harmonious to the area. Point Six, if the Elizabethtown Industrial Foundation was interested, then they haven't pursued it. Point Seven, the property is lacking sewer which is necessary for industrial development and couldn't be added without major funding. Point Eight, it is doubtful that the school board would like to be adjoined to some of the 21 land uses permitted under

Heavy Industrial. Point Nine. no documentation or minutes exist from a joint work session between Hardin County Planning Commission and the Elizabethtown Planning Commission on July 19, 2022.

Voting:

Squire Fred Clem, Jr.: no; Squire Larry Hicks: no; Squire Kenny Muse: yes; Squire Aaron Pennington: yes; Squire Kenny Saltsman: yes; Squire EG Thompson: yes; Squire Patsy Whitehead: no; Squire Chris Yates: yes; County Judge/Executive Keith Taul: no.

Second Reading and Adoption of **Ordinance No. 335, Series 2023**, Establishing the Updated Geographic Boundaries for Magisterial Districts in Hardin County.

Motion to Approve by Squire Yates and seconded by Squire Saltsman.

Voting:

Squire Fred Clem, Jr.: yes; Squire Larry Hicks: yes; Squire Kenny Muse: yes; Squire Aaron Pennington: yes; Squire Kenny Saltsman: yes; Squire EG Thompson: yes; Squire Patsy Whitehead: yes; Squire Chris Yates: yes; County Judge/Executive Keith Taul: yes.

Consent Agenda

- a. Approve **Treasurer's Financial Report.**
- b. Approve **Treasurer's Year-End FY 2022/2023 Report.**
- c. Approve July Claims.
- d. Approve June Payroll with registers 06.09.2023, 06.13.2023, 06.23.2023.
- e. Approve **Resolution No. 2023-152** related to adopting procedures of issuance of tax-exempt general obligation bonds.
- f. Approve **Resolution No. 2023-153** related to adopting SEC Disclosure Rules.
- g. Approve **Resolution No. 2023-154** related to EMS personnel.
- h. Approve **Resolution No. 2023-155** related to changes to the Employee Personnel Policies and Procedures Handbook.
- i. Approve **Resolution No. 2023-156** related to financial transfers.
- j. Approve **Resolution No. 2023-157** related to rejecting all bids for Remount of One 14 FT. Frazer Ambulance Box.
- k. Approve **Resolution No. 2023-158** related to bid for Hart Verity Series Optical Scan Voting Systems.
- l. Approve **Resolution No. 2023-159** related to E-911 Job Description Revisions.
- m. Approve **Resolution No. 2023-160** related to contract with KY Dept of Transportation CB06 Flex Fund agreement \$468,652 Ford Highway & Shipley Road.
- n. Approve **Resolution No. 2023-161** related to E-911 Personnel.
- o. Approve **Resources & Community Support Committee Meeting Minutes 07.17.2023.**
- p. Approve **Finance Committee Meeting Minutes 07.18.2023.**
- q. Approve **Public Works Committee Meeting Minutes 07.19.2023.**

Motion to Approve by Squire Clem and seconded by Squire Saltsman.

Voting:

Squire Fred Clem, Jr.: yes; Squire Larry Hicks: yes; Squire Kenny Muse: yes; Squire Aaron Pennington: yes; Squire Kenny Saltsman: yes; Squire EG Thompson: yes; Squire Patsy Whitehead: yes; Squire Chris Yates: yes; County Judge/Executive Keith Taul: yes.

Concluding Comments were offered by:

County Clerk Brian D. Smith complimented Ashley McMurtry, David Logsdon, and Steven Theriot of his staff for their hard work in aiding in redrawing the magisterial districts.

Squire Patsy Whitehead invited the public to attend the next meeting of the Resources and Community Support Committee.

Squire Fred Clem, Jr. invited the public to attend the next Finance Committee Meeting and the first Town Hall meeting. He also reminded the public to not drink and drive and to not text and drive.

Squire Aaron Pennington invited the public to head to downtown Elizabethtown for Cruisin' the Heartland. He applauded every member of Fiscal Court in doing their due diligence.

Squire Larry Hicks said he was not against property rights and has fought planning and zoning in his business. He wants a line drawn so one property owner cannot infringe on another.

Squire Kenny Muse invited the public to attend the next First Friday in Vine Grove on August 4, 2023.

Adjourn

Motion to adjourn by Squire Muse and seconded by Squire Yates. Court was adjourned without objection, County Judge/Executive Keith Taul presiding.



KEITH L. TAUL
HARDIN COUNTY JUDGE/EXECUTIVE

ATTEST:


BRIAN D. SMITH
CLERK, HARDIN COUNTY FISCAL COURT