

## Shelby County 109 Taxing District Minutes Regular Meeting March 11, 2022

Attendance: Chairman Rusty Newton, Wayne Karem, Kerry Magan, and Derek Gould

Chairman Newton called the meeting to order at 8:30 a.m.

### **A: Administrative Items:**

A-1 Minutes of the February 11, 2022 regular meeting were presented. Motion to approve the minutes was made by Karem, seconded by Magan and approved.

A-2 Financial Report for February 2022 was presented. Motion to approve the financial report was made by Magan, seconded by Karem and approved.

A-3 The bill list for expenses incurred in February 2022 was presented. Magan made a motion to approve the bill list as presented in the amount of \$75,978.71 (\$74,978.71 Operating Account and \$1,000.00 in Grant Expenditures). Karem seconded the motion and the motion carried.

### **B: Active Items:**

B-1 Agenda Item B-1, closed session was delayed until after Item C..

B-2 Gould informed the Board that the credit card company assesses a transaction fee of \$ 0.10 per transaction, and that the system software is not set up and cannot be set up to include a specific lump sum fee. Gould will investigate further, and perhaps find a solution other than raising the percentage fee now being charged to customers.

B-3 Gould informed the Board that the Shelby County Finance Committee has recommended a 4% pay increase for County employees. No official action has been taken by Fiscal Court.

B-4 Gould requested authorization to apply for a compost grant (\$86,200.00) and recycling grants for a metal picker in the sorting line and for an upgrade to the paper shredder, and containers to store crushed glass. (amounts yet unknown). Magan made a motion to authorize applications for said grants. Karem seconded the motion and the motion carried.

### **C: Directors Reports:**

C-1 Gould presented the Recycling report. He is pursuing companies that will take e-scrap and pulverized glass.

C-2 Gould presented the Solid Waste Director's report. Chairman Newton and Gould noted that the budget for the upcoming fiscal year must be addressed in April.

C-3 Gould presented the Clean Community report. Roadside litter weight is increasing, Class D inmates are still not available.

B-1: Magan made a motion for the meeting to enter closed session per Kentucky Statutes. Karem seconded the motion and the meeting was closed.

B-2: Karem made a motion for the meeting to reopen. Magan seconded the motion and the meeting was reopened.

B-3: Magan made the following motion:

**MOTION REGARDING THE SILTATION OF THE POND OWNED BY BRADLEY AND LYNNE HAYMOND, VICTORY LANE, WADDY, KENTUCKY, March 10, 2022:**

During the summer, 2021 Brad Haymond, son of Bradley and Lynne Haymond, approached Chairman Rusty Newton about damages suffered by the Haymond's as a result of the Waddy landfill operations in the 1970's, 1980's and early 1990's.

Bradley and Lynne Haymond tendered an official request for satisfaction for alleged damages incurred in a letter dated September 12, 2021. Said letter asked that the District remove all silt from their pond and to restore the dam to its condition prior to the closing of the landfill.

It is the desire of the 109 Taxing District Board of Directors to take responsibility for any damages to neighboring properties caused by the operation of the Waddy Landfill, but also to administer tax dollars collected by the District in an appropriate matter.

In an effort to determine the cause of the siltation and the responsibility thereof, the District contracted with the Wood Group to investigate the cause and the remedy, for said siltation. The Wood report concluded that a portion of the siltation of the pond was due to the landfill operations and that a part of the siltation was due to the natural progress of siltation under normal circumstances. The report also noted that the water surface of the pond was lowered by the erosion or the creation of a spillway to an elevation of approximately 4.5' below the crest of the dam.

In an effort to determine the appropriate response to the Haymon's concerns, the Board has consulted with KACO and with Attorney John Robinson.

The 109 Taxing District Board of Directors will offer the property owner a sum of \$20,000. This offer acknowledges that the Taxing District bears some responsibility for the damages and that the property owner could have, or should have, taken measures to mitigate the damages reported. This offer may be accepted, rejected, or countered.

Karem seconded the motion, and the motion carried.

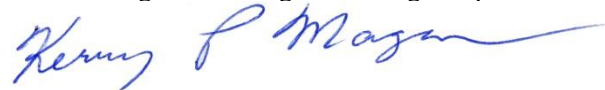
**D: Old Business:** Gould has gathered some statistics regarding the possibility of offering extended hours one day a week and beginning later during a different day. It was noted that few complaints have been received regarding hours. The issue will appear on the next user survey, which will be conducted in the next few months.

**E: New Business:** None

**F: Public Comments:** None

The meeting was adjourned at 9:15 a.m.

The next regular meeting scheduling is April 8, 2022, 8:30 a.m.



Respectfully Submitted, Kerry P. Magan, Secretary