

City of Grayson
Special Monthly Meeting
City Municipal Building
March 27, 2008

Present: Mayor George Steele
Councilman Brandon Fraley
Councilman Terry Stamper
Councilperson Pearl Crum
Councilperson Pam Nash
Councilman Duane Suttles
Attorney Jeff Scott
Absent: Councilman Patrick Robinson

Mayor Steele called the meeting to order.

Jim Phillips gave the devotion.

E-911 Board Discussion

Mayor Steele provided Council with documentation establishing the E-911 board in 1999. Mayor Steele announced Councilman Duane Suttles would sit on the board as the representative of the city. Other board members would be 2 magistrates, 1 representative from the City of Olive Hill and a member at large that the Judge Executive and two mayors agree on.

Mayor Steele reported to Council he had received a letter from Carter County Judge Executive Charles Wallace. The letter stated if the City of Grayson did not pay the delinquent dispatching fees within two weeks from today, dispatching services would be discontinued. Mayor Steele's recommendation to council was to pay the dispatching fees and become actively involved with the E-911 board.

Councilperson Nash made the motion to pay the dispatching fees owed, with the understanding the E-911 Board of Directors will be established as described in the by-laws given to the Council. Motion seconded by Councilperson Crum. Motion open to discussion.

Councilman Suttles expressed his opinion it was a misappropriation of funds, that the citizens of the City of Grayson already pay a fee for the service. He felt it is improper to pay the dispatching fees with the citizens money. Therefore he could not support the motion.

Councilman Stamper stated a 4th Class city is not required to have a police department and that is why the City of Grayson is being charged for the dispatching.

Councilperson Nash expressed concern with the amount the city is being charged compared to the City of Olive Hill and the Ambulance District. The explanation given to her was the amount was based on the number of calls the police receive. She commented the Ambulance service receives more calls than the police but are charged less. She would like the new established E-911 Board clarify the dispatching charges.

Mayor Steele spoke with the Attorney General's office. The Attorney General said since the city did not have a contract with the county, the city did not have to pay dispatching fees. The A.G. included that the county can stop dispatching to the police department because the 911 services were set up for the ambulance and fire departments.

Mayor Steele confirmed that he had been told several times that the council and fiscal court would get together to discuss this issue, but the meeting was never allowed to happen.

Councilperson Crum stated she was told by the Judge-Executive and several of the magistrates that the City would not meet with them. Mayor Steele explained he had asked them 2 times to set the date and the City would be present. Councilperson Nash commented the board should set the meeting date and contact the City of the meeting time.

Mayor Steele confirmed he and Councilman Suttles attended a meeting with the E-911 board in February. Councilman Suttles reverberated the members did not want to discuss the dispatching services but wanted to talk about the payroll tax, school board and utility rates.

Councilperson Nash confirmed the possibility of going to the State Police for dispatching services.

Councilman Fraley asked Attorney Scott if he agreed with the Attorney General on this situation. Attorney Scott stated the city has no obligation to pay. He also confirmed the County has no obligation to provide the service.

Councilman Suttles stated he believed the County is serving the citizens and not the city. If a citizen dials 911 needing a police officer, they have to send somebody. If they refuse to send a officer, that is negligence.

Councilman Fraley asked Attorney Scott if the City would be liable by not participating. Attorney Scott stated firmly no. Attorney Scott added the city was under no statutory, contractual, regulatory duty to pay the dispatching fees. Councilman Fraley raised the question if a injury occurred due to delayed response time by the Sheriff's Department or a police officer, would the City be liable. Attorney Scott confirmed the City would not be liable because the City has no duty. No liability flows without there first being a duty.

A lady representing the Chamber of Commerce stated the people can not do without E-911 service.

Councilperson Nash expressed concern about being charged twice because citizens live in the city. E-911 tax is on cell phones & land lines. The citizens property tax monies are used to pay the dispatching fees.

Councilman Fraley asked Attorney Scott if he still disagreed with the County's position that they can not pay salaries from the E-911 tax. Attorney Scott confirmed his position.

Councilperson Nash asked the Mayor to make it public knowledge the different amounts each city and the ambulance are paying. The Mayor asked the Fiscal Court last June with help on the dispatching cost. City of Grayson pays \$39,604.00 annually, City of Olive Hill pays \$29,000.00 and the Ambulance District pays \$19,802.00 annually. Attorney Scott expressed concern with the various amounts. Mayor Steele stated the reason given was based on the number of calls.

Mayor Steele read the motion as the City of Grayson will pay the 911 fees to the County conditionally the 911 board being established.

Councilperson Nash called for a vote.

Ayes: Fraley, Stamper, Crum & Nash

Nays: Suttles

Motion carried 4/1 vote.

New Fire Department Construction

Kathy Lewis of FIVCO addressed the City Council in reference to various funding options available. FIVCO can assist with grant writing services for federal funds. She confirmed the Block Grant was available up to \$500,000. She stated the time frame for the block grant opening date will be April 1st. She would be submitting a pre-application to them. She has provided a list of items needed to begin the process with the Mayor. The turn around is approximately 90 days. She suggested delaying the opening bids, due to the Federal grants are 3 to 6 months turn around. Kathy explained the Block Grant was for voluntary Fire Departments only. The Rural Development programs are mainly loans. KACO offers 3.5% interest rate. Rural Development offers 4.5%. Block grant required a match, which the city has with the line item.

Councilman Fraley gave everyone a spreadsheet of the payments with the use of Revenue Bonds. Mayor Steele was concerned with putting the city in debt by using the bonds for the entire project. He favored the completion of phase 1. Councilman Suttles was inclined to go 20 years due to interest. Various bond options were discussed. Councilperson Crum left the meeting. Mayor Steele will contact the Architect requesting bids for the complete project and phase 1 & 2 together.

Councilperson Nash and Councilman Fraley will not be able to attend the April 14th regular meeting. The third Monday, Councilman Suttles would be out of town. The date of April 28th will be the regular special meeting.

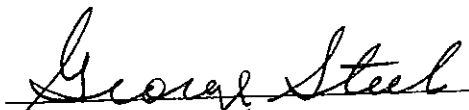
Motion made by Councilman Fraley to go into executive session. Seconded by Councilperson Nash.
Motion carried 4/0 vote.

Motion to go out of executive session, back into regular session made by Councilman Robinson, who entered the meeting during executive session. Seconded by Councilperson Nash. Motion carried.

No action taken in executive session.


Attorney Scott will be out of town on the 28th of April.

Meeting adjourned.



Mayor George Steele

ATTEST:



Cindy Stratton, City Clerk

Minutes were approved on 29 of April, 2008