

June 26, 2025

The Oldham County Fiscal Court convened at 2:05pm with Judge-Executive David Voegelé, County Attorney Berry Baxter, and the following magistrates in attendance: Brent Likins, Wayne Theiss, Kevin Woosley, Kevin Jeffries, Chris Haunz, Stephanie Hawkins, Bob Dye and Michael Logsdon.

APPROVAL OF AGENDA:

Motion made by Magistrate Haunz and seconded by Magistrate Logsdon to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES:

Motion made by Magistrate Jeffries and seconded by Magistrate Likins to approve the minutes from June 17, 2025, as submitted.

PUBLIC COMMENT:

County Clerk, Amy Alvey, addressed the court regarding upcoming delinquent tax sale coming up on 8/7/25 at 9am. Reminded the public that special purpose vehicle legislation begins tomorrow, June 27. Reminded the public that currently Oldham County, nor any city within the county, have made these special purpose vehicles, street legal yet.

The following residents expressed concerns involving the proposed data center and the proposed moratorium:

Lauren Kunce at 1608 Oakland Ct
 Amy Welborn of 3404 Shady Dell Blvd
 Robin Vessels of 1320 Bluegrass Pkwy
 Stewart Robinson of 2200 East Hwy 42
 Joanne Mansell of 2804 18 Mile Church Rd
 Tammy Houchens of 3900 S Hwy 393
 Dotty Sparrow of 2201 W Hwy 42
 Garrett Ackles of 4008 Oakridge Dr
 Patsy Tuell of 4013 Niagara Dr
 Dana Rich of 3731 Echo Valley Circle
 Carly Butler of 4708 Tall Grass Ct
 Jane Sharon of 5103 Cedar Ridge Dr
 Allen Hayes of 2923 N Hwy 53
 David Hein of 3611 Alexander Dr
 Clay Barkley (representing Nana Lampton) of 730 W Main St
 Laura Stungs of 7210 W Hwy 524
 Rebecca Ghiefardi of 3610 Red Oak Dr

Judge Voegelé requested a 5-minute break.

Returned from break, motion carried unanimously.

Magistrate Woosley made a motion to suspend public comment and resume after 2nd reading of moratorium during community business, Magistrate Likins seconded. Motion passed 7-2. Magistrate Logsdon and Hawkins voting no.

Magistrate Hawkins raised concern about the suspension of public comment.

COUNTY ADMINISTRATION:

Payables

Motion made by Magistrate Haunz and seconded by Magistrate Jeffries to pay the bills. **Exhibit #1 6/26/2025** Motion carried unanimously.

Budget Transfers

Motion made by Magistrate Haunz and seconded by Magistrate Jeffries to approve budget transfers. **Exhibit #2 6/26/2025** Motion carried unanimously.

Judge Voegelé addressed the court and the public with a statement regarding his position with the data center and proposed moratorium.

COMMUNITY BUSINESS:

2ND Reading/Public Hearing of Proposed Data Center moratorium Ordinance

Motion made by Magistrate Haunz and seconded by Magistrate Likins and Jeffries to accept ordinance KOC 25-910-508 imposing a 150 moratorium on the acceptance, processing and approval of applications for the development or expansion of data centers of any size, all private utility buildings and all data storage facilities within the jurisdiction of Oldham County Fiscal Court. **Exhibit #3 6/26/2025**

Magistrate Woosley requested to amend the motion, by changing the following items within the ordinance: 1) change "be it resolved as follows" to "be it ordained as follows," 2) remove the word "new" in the first sentence of section one 3) remove all exemptions from section 3.

Magistrate Haunz agreed to amending the motion to change the wording of “be it resolved as follows” to “be it ordained as follows”. Magistrate Haunz did not agree to changing the motion to remove the word “new” in the first sentence of section one.

Berry Baxter provided legal input regarding cited lawsuits as well as the outcome of reaching out to KACo Attorney Rich Ornstein as well as a Planning and Zoning lawyer in Florence Kentucky, he was referred to. Per the conversations with both individuals they indicated that the moratorium could not apply to the already submitted application.

Magistrate Woosley further clarified the request to remove all exemptions from section 3; however, Magistrate Haunz only agreed to removed the third exemption listed, related to AT&T. Magistrate Jeffries seconded.

Magistrate Woosley again requested the removal of the first exemption, related to applications already submitted. Magistrate Haunz did not accept the change.

Clarification regarding applications submitted and pending applications was provided by Senior Planner Anna Barge. She states there is not possible way for applications to be submitted and accepted before the moratorium were to take effect, due to the fact Director of Planning and Zoning, Ryan Fischer, is currently out of the office. Further discussion followed.

Clarification again of the motion on the table, made by Magistrate Haunz and seconded by Magistrate Jeffries, to change the wording just before section one to read “be it resolved as follows” as well as removing the third exemption with verbiage related to AT&T.

The following residents spoke in favor of the moratorium during public hearing portion of the 2nd reading:

Jason Kinser of 119 W Main St
Megan Patton of 2250 Rebel Ridge
Robin Willard of 2717 Thompson Rd
Jody Curry of 1900 E Mount Zion Rd
Terri Miller of 4704 Northridge Dr
Sarah Little of 231 Washington Circle
Rob Houchens of 1400 Yager Lane
Liz Englert of 5400 Old Sligo Rd
Jessica Sowder of 1203 Hillwood Ct
Jamie Hillegonds of 7925 Organ Creek Rd
Carter Rinehart of 1600 Fendley Mill Rd
Rob Mattheu of 6603 Keeling Place Rd

Motion made by Judge Voegelé and seconded by Magistrate Haunz to take a 5-minute break.
Motion made by Judge Haunz and seconded by Magistrate Likins to return to regular session.

Continuation of public hearing:
Fefe LeFan of 2401 Dawkins Rd
Jason Kinser of 119 W Main St
Tommy Williamson of 2100 Allen Ln
Nathan Oberg of 1414 Yager Ln
Susan Heller of 1301 Overstreet Ln
Bob Popick 7234 Michael Benjamin Circle
Dana Rich of 3731 Echo Valley Circle
Don Erler of 4005 Old Hwy 53
Kathy Herakovic of 1002 Cherry Ridge Run
Arthur Blake of 1813 Foxboro Rd
Allen Hayes of 2923 N Hwy 53
Anita Travis Richetor of 4809 Greenwood Ct
Patricia Baker of 1402 Overstreet Lane
Chris Sexton of 5505 Clover Ridge Dr
Barry Laws 3411 Fendley Mill Rd
Garrett Ackles of 4008 Oakridge Dr
Rob Houchens 1400 Yager Lane
Mary Ellen Kinser of 1800 Foxboro Rd
Laura Stungs of 7210 W Hwy 524

Following the public hearing portion, Magistrate Hawkins addressed the court and the public regarding multiple statements that were made, specifically related to tax incentives.

Magistrate Logsdon recommended tabling the moratorium until further legal clarification can be obtained.

Magistrate Haunz echoed some tax incentive comments made by Magistrate Hawkins.

Magistrate Logsdon made the motion to table the moratorium until Berry can get an answer from KACo regarding insurance coverage for damages, if Fiscal Court were to be sued by Western Hospitality Partners. Magistrate Dye seconded the motion.

Based on comments made by Sarah Little, Senior Planner Anna Barge was called on to provide clarification. Further discussion followed. Clarification from Berry Baxter was also provided regarding insurance coverage, or lack of, if the county were to be sued by Western Hospitality Partners. Berry could not confirm nor deny if the county would be covered without further clarification from KACo. Discussion continued regarding concerns from various magistrates of potential lawsuits being filed if the moratorium is passed and includes currently filed applications.

Roll call vote of motion to table the moratorium failed 5-4. Magistrates Likins, Woosley, Hawkins, Logsdon and Judge Voegelé noted no.

Motion made by Magistrate Woosley and seconded by Magistrate Logsdon to table the moratorium until Tuesday, July 1 @ 2pm, where a special called meeting will take place to resume the 2nd reading/public hearing of the moratorium. Motion passed on a roll call vote 8-1, with Magistrate Hawkins voting no.

Magistrate Haunz requested a 10-minute break, Judge Voegelé agreed.

Motion made by magistrate Dye and seconded by Magistrate Haunz to return to regular session.

PERSONNEL ACTIONS/BOARD APPOINTMENTS:

Ballardsville Fire Protection District Board

Motion made by Judge Voegelé and seconded by Magistrate Haunz to approve Doug Wingert to the Ballardsville Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #4 6/26/25**. Motion carried unanimously.

Motion made by Magistrate Jeffries and seconded by Magistrate Likins to approve Mark Osborne to the Ballardsville Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #5 6/26/25**. Motion carried unanimously.

South Oldham Fire Protection District

Motion made by Magistrate Haunz and seconded by Magistrate Woosley to approve Mark Gardner to the South Oldham Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #6 6/26/25**. Motion carried unanimously.

North Oldham Fire Protection District

Motion made by Magistrate Likins and seconded by Magistrate Haunz to approve Ralph Mathison to the North Oldham Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #7 6/26/25**. Motion carried unanimously.

LaGrange Fire Protection District

Motion made by Magistrate Woosley and seconded by Magistrate Hawkins to approve Gary Bricken to the LaGrange Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #8 6/26/25**. Motion carried unanimously.

Westport Fire Protection District

Motion made by Magistrate Woosley and seconded by Magistrate Haunz to approve Rachel Murphy to the Westport Fire Protection District Board for a term to expire 6/30/2028. **Exhibit #9 6/26/25**. Motion carried unanimously.

Code Enforcement Board

Motion made by Magistrate Jeffries and seconded by Magistrate Haunz to approve Dean Showalter to the Code Enforcement Board for a term to expire 6/18/2028. **Exhibit #10 6/26/25**. Motion carried unanimously.

Chamber and Economic Development Board

Motion made by Magistrate Haunz and seconded by Magistrate Logsdon to approve Peter DelValle to the Chamber and Economic Development to fulfill the unexpired term of Gary Hardy for a term to expire 6/30/2026. **Exhibit #11 6/26/25**. Motion carried unanimously.

Chamber and Economic Development Board

Motion made by Magistrate Haunz and seconded by Magistrate Likins to approve Tyler Sizemore to the Chamber and Economic Development for a term to expire 6/30/2028. **Exhibit #12 6/26/25**. Motion carried unanimously.

Board of Adjustments and Appeals

Motion made by Magistrate Woosley and seconded by Magistrate Hawkins to table the appointment of Tim Kaelin until July 1. Motion passed 9-1 on a roll call vote. **Exhibit #13 6/26/25**

CONTRACTS/RESOLUTIONS:

Proposed Resolution to Suspend County Maintenance of Private Roads within the Organ Creek Farms Subdivision

County Engineer, Jim Silliman, presented the proposed resolution 01-06-26-25, related to suspending county maintenance of private roads within the Organ Creek subdivision. **Exhibit #14 6/26/25**. Discussion followed.

Motion made by Magistrate Jeffries and seconded by Magistrate Haunz to adopt resolution 01-06-26-25 to suspend county maintenance on private roads within the Organ Creek Farms subdivision.

Andrew Way of 2320 Ridge Road spoke during the public hearing portion, to express his opposition of this resolution.

Motion made by Magistrate Woosley and seconded by Magistrate Logsdon to table resolution 01-06-26-25 pending an upcoming meeting with the community and proposed changes to the wording of the resolution. Motion passed 9-0 on a roll call vote.

PUBLIC COMMENT:

None.

ANNOUNCEMENTS/UPDATES:

Magistrate Likins spoke on his background as an engineer and bringing roads into the county maintenance system.

Magistrate Likins recommended to Magistrate Jeffries to reach out to former magistrate Kevin Eldridge regarding the Organ Creek Subdivision issues.

Magistrate Woosley asks that the county upholds the agreement from 2004 regarding road maintenance of Organ Creek.

Magistrate Jeffries and Haunz had nothing to share.

Magistrate Hawkins expressed her wish to have been able to vote on the moratorium today.

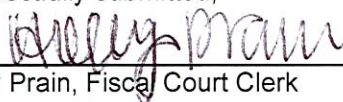
Magistrate Dye provided further input related to options for the Organ Creek Subdivision issues.

Magistrate Logsdon and Judge Voegelé did not have anything to share.

MEETING ADJOURNED:

Motion made by Magistrate Jeffries and seconded by Magistrate Haunz to adjourn the meeting. Motion carried unanimously and the meeting adjourned at 8:11pm.

Respectfully submitted,



Holly Prain, Fiscal Court Clerk
June 26, 2025