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Taxpayers revolt Court forced to rescind 3.5 cent ambulance tax



Mrs. Roland Boyd, a taxpayer from the East Union area of the county, was interviewed by WTVQ's Anita Ballard prior to Monday's angry Fiscal Court meeting. "I'm tired of people sticking their hands in my pocket," she said.

Fiscal court's action sparks tax uprising

With the 179-48 defeat of a referendum that would have created an ambulance taxing district with the authority to impose a 10 cent per \$100 property valuation less than 14 hours old, the Nicholas County Fiscal Court met last Wednesday and imposed a 3.5 cent tax and approved the creation of the taxing district in spite of the ballot.

The afternoon meeting was attended by all members of the Court except Bob Livingston, Mayor-elect. Frank H. Hughes, Magistrate-elect Earl Plank and Councilman Bob Barnett were also in attendance, along with John Woodall of Paris, who is an EMT who worked with the transfer of ambulance service from private to public management in Montgomery County recently.

It was Magistrate Harold Mitchell who opened the meeting by stating that he felt the Court should take the blame for the referendum's failure, and that it was their job to see now that something be worked out to provide an ambulance service for the county.

The Court then heard some proposals from John Woodall of ways to increase the service's revenues by personal contracts with area hospitals. Woodall told the Court that such hospitals as the VA, Eastern State and the UK Medical Center would contract to pay for the transportation of patients to and from their facilities.

For example, Woodall said that the VA would pay \$45 plus \$1.45 per mile for the transportation of veterans to and from the Lexington hospital. Woodall also discussed some possible formats the service could take.

After considering the new revenue sources, Magistrate Mitchell, who earlier had said that there was "no way to go conforming" (run a service conforming to state regulations) since the vote failed, said that if those sources are found to be as accessible as

"I'm just tired of people sticking their hands in my pocket," said Mrs. Roland Boyd Monday just minutes before a throng of angry taxpayers stormed the local courthouse and forced the Fiscal Court to rescind a 3.5-cent ambulance tax it had passed last Wednesday.

Mrs. Boyd was typical of the majority of taxpayers present when she said that she could probably handle the 3.5 cent tax, "but not the way they put it on us." Mrs. Boyd said that she would be willing to her share for a local ambulance service, but that the money wasn't the issue at hand.

The issue in her mind, as well as many other taxpayers, was that the Fiscal Court had over-ruled their vote. "The people spoke," said Mrs. Boyd, "and this is America, not Russia."

A packed courtroom was the scene of the heated confrontation that ended with Court members fighting among themselves and with citizens.

The issue was a 3.5 cent ambulance tax that the Court had passed last Wednesday after declaring an emergency situation. Only one day before, the voters had turned down a question on the ballot — by over 45 percent — that would have created a taxing district with the power to impose a 10-cent tax. The vote against that referendum was 79-47.

Even the reading of the minutes turned into a fierce battle among members of the Court as County Judge/Executive Hosea Sneed wanted the minutes changed to read that he had not cast a vote for the tax. The Court record showed that Sneed had joined Magistrates Harold Mitchell, Bob Allison, and Melvin Fryman in the vote. Magistrate Andrew Bretz abstained from voting and Magistrate Bob Livingston was not present.

Had it been ruled that the Judge/Executive had not voted, a sufficient number of votes would not have been gathered to pass the tax.

Sneed argued that he didn't cast a vote yes or nay on the issue. County Attorney Joseph H. Conley

informed the Court and taxpayers that the law established the County Judge/Executive as a regular voting member of the Fiscal Court.

After heated debate and one deadlocked vote, the Magistrates decided that Sneed had voted for the tax levy and the minutes were accepted as read.

In the final vote on Sneed's action, only one taxpayer did not vote for the tax. All other Magistrates said he did, with the exception of Andrew Bretz who once again abstained.

Following that vote, the Court declared the second emergency situation within a week in the county, and passed an ordinance rescinding the 3.5 cent tax.

Throughout the meeting taxpayers were facing throughout the courthouse. Mrs. Alpha Briery demanded of the Court members, "What's the use of putting it on the ballot if the next day you men were going to go ahead and put it on or not? I thought when you voted on a referendum, that was it."

—See Taxpayers, page 14

Council discusses incident with patrolman

City Council members went into closed session within minutes after the regular monthly meeting began at 7:30 p.m. Monday. The purpose of the session was to discuss an incident brought to Council's attention by Mrs. Judy Ritchie and Mrs. David Jackson, owners of the local Dairy Queen. The incident, which occurred about two weeks ago, involves City Policeman Terry Truesell and a broken glass window at the Dairy Queen. Within 10 minutes Council was back in regular session.

Mayor Power stated that a hearing would be held Thursday (today) at 7:30 p.m. in City Hall to investigate this matter and that all parties would be notified.

Mike Phillips appeared before Council requesting that an adjustment should be made on the sewer part of water bills for anyone having a leak in their water lines causing a great amount of water loss, and thus a large water bill. Mr. Phillips had such a leak in the line in his yard at 102 First Street. As in City policy, customers are responsible for any leak in a line running past the city line. He stated that he wasn't complaining about the excessive water bill, only the part for sewerage, when "it never ran through the treatment plant."

Councilman Frank Hughes requested that the City books be audited until the December meeting.

Council heard the second reading of a zoning ordinance changing a section of Bereaville including Spring Street from Agricultural District A to General Commercial District C2. This change was made in order to allow Donald B. Holler to operate a garage next to his home on Spring Street. Council passed the ordinance on a roll call vote.

Councilman Bob Fausl moved to hire Miller, Mayer, Sullivan and Frank, an auditing firm in Lexington, to audit the City books. The motion passed on a roll call vote.

Bobby Barnett reported that CPW

classes would be offered for volunteer city firemen. County firemen would also be asked to attend these classes.

Councilman Barnett also reported on the possible purchase of a new solid waste disposal 18 cubic yard packer truck on a lease purchase plan of three or four years. Cost of the truck is \$110,000. Barnett stated that solid waste disposal was costing the City \$29,040 at the present time. Even with hiring two men to operate and pick up trash, Barnett feels the City can save money in the long run by owning and operating its own truck.

Hughes told Council about a Cincinnati firm which picked up trash in one truck, then placed it in a large compact-truck parked at a designated spot in town. This compact-truck then carried the trash to a landfill other than the one in Nicholas County. These two plans will be studied and then reviewed at the next meeting.

Council went into closed session for the second time to discuss a lawsuit. City Clerk Mary Tapp read the proposed 1982 budget for the City. It follows along the same lines as the 1981 budget. Council voted to accept the budget on the first reading by a roll call vote.

County drug bust yields thirty-eight pounds of pot

Local KSP Trooper John Hall and fellow Trooper Jim Curry made what Hall called the biggest drug bust since he's been in the county Tuesday morning when the law enforcement officers recovered 38 pounds of marijuana and arrested the alleged owner of the substance.

The marijuana was located after the search of a suspect's car. All 38 pounds were broken down into one-pound bags. The troopers estimated that the street value of the confiscated substance was over \$5,000.

The confiscation and subsequent arrest took place at 11:45 a.m. Tuesday morning on U.S. 69 near Blue Licks. Arrested in the incident was Earl Mcintosh Jr., 22, of Route 1, Moorefield. He is lodged in the Nicholas County jail on a charge of trafficking in marijuana, and is under \$5,000 bond.

The drug-related arrest was the second in as many weeks for Hall. Last week he arrested Michael McCarty, Georgetown Road, Paris, and confiscated a stolen car.

Statesman will be missed Kenton buried in Maysville

Funeral services for House Speaker William G. Kenton were conducted Sunday at the Immanuel Baptist Church in Lexington. Burial was in the Maysville Cemetery in his native Mason County.

Kenton, 48, died at 9:40 a.m. Thursday, Nov. 5 after lying unconscious and in critical condition for nearly three days at the University of Kentucky Medical Center. He entered the hospital shortly after noon on Monday and underwent 7½ hours of surgery to remove two large blood clots lodged between his heart and lungs.

Leaders of the Kentucky General Assembly in which the Lexington Democrat served for 19 years, expressed shock and sadness at his death.

In a statement Thursday, members of the House leadership summed up the reaction among Kenton's colleagues: "Bill Kenton died as he lived, a fighter to the very end. On behalf of the House of Representatives, we extend our sympathy and open-meeting prayers to this wife, Carolyn, the children and other members of his family. Bill's great intelligence and ability to immediately grasp any situation



William G. Kenton
General Assembly session. Through his efforts, the Citizens Speak Out program was conducted across the state, permitting citizens to meet with their legislators in their home communities.
Kenton was instrumental in the establishment of Kentucky Educational Television's day-to-day coverage of

County jailer is arrested

Nicholas County Jailer Lynn Bowles was arrested last Friday night and charged with public intoxication after car he was driving was involved in an accident on Elm Street.

According to the arresting officers, Sgt. Sam Finch of the Carlisle Police Department and Constable Ronald McDonald, Bowles lost control of his 1974 Ford pickup truck in a parked car owned by Mrs. Doris Fisher. The impact knocked Fisher's car into her visiting sister's automobile.

The postarrest control filed on Bowles said that he was picked up after Finch and McDonald noted that he was "unstable on his feet" and that he had "shouted speech."

McDonald said that Bowles was charged with public intoxication rather than driving under the influence because he was already out of the car when local law enforcement officials arrived on the scene. McDonald said that the case would have been thrown out of court since he had not actually seen Bowles behind the wheel, "even though we knew he had been driving the car."

Allen died in his arrest. Bowles was taken to the county jail and turned over to the custody of the Deputy Jailer — his wife. Sgt. Finch said Fisher's car was totaled in the accident and that damage to the Bowles vehicle was estimated at around \$100.

The third car involved in the accident was a 1974 Ford pickup.

Jackets head for playoff

Nicholas County district champion football team will be heading for Bellevue tomorrow night to take on the Northern Kentucky powerhouse in regional playoff action.

Game time will be 8 p.m., and admission to the game will be \$5 for everyone. NCHS tickets may purchase discounted student tickets at the high school prior to the game for \$1.50.

NCHS Principal David McMillan said that the local school system will run two fan buses to the game. Students may make arrangements for the trip at the high school. The buses will depart for the school campus at 2:15 p.m.

A victory over Bellevue would send the Jackets into the quarterfinal state playoff competition.

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