

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
AUGUST 19, 2008**

The Henry County Fiscal Court met in a regular session on August 19, 2008 at the Henry County Courthouse in New Castle, Kentucky with the following in attendance:

Honorable John L. Brent, Judge Executive  
Honorable Peggy V. Bryant, Deputy Judge Executive  
Honorable Virginia Harrod, County Attorney  
Esquire Jerry Beasley  
Esquire David Brown  
Esquire Guy Coombs  
Esquire Mike Fisher  
Esquire Wayne Gunnell  
Esquire Nick Hawkins

**RE: PLEDGE OF ALLEGIANCE**

Judge Executive John L. Brent led the Court in the Pledge of Allegiance to the Flag.

**RE: PRAYER AND PREPARATION**

Silent prayer was observed in preparation for the meeting.

**RE: CALL TO ORDER**

Judge Brent called the meeting to order and noted everyone was present.

**RE: APPROVAL OF MINUTES**

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to approve the minutes from the July 16, 2008 regular meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

There being no old business the meeting proceeded to new business.

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor Update**

Henry County Road Supervisor Glenn Baxter gave an update on the blacktopping to the Court. He noted three roads were left to be resurfaced and they should be completed in the next week. The prices have varied due to a price disclaimer and this may cause the resurfacing to be slightly over budget. Judge Brent noted the road department had also been working on the right of way at the new park.

**2. Roads Scholar and Road Master Program Proposal**

Judge Brent informed the Court that he had been given information about the Road Scholar and Road Master Programs. Several counties participate in this program and he would like to see the County Road Department have the option to take these classes. He stated the programs are a series of one day classes that range on issues from road drainage, snow removal, communications and management. The classes are hands on training with no test and participation would be totally up to each employee. This was brought before the road committee which was in support of the program. Judge Brent proposed a .75 cents an hour raise for the road employees who successfully complete the Road Scholar Program and a raise of \$1.25 an hour for the road supervisor after he successfully completes the Road Master Program. Esq. Beasley noted the employees must complete all 9 courses for the Road Scholar Program and the road supervisor must complete 13 classes for the Road Master Program. Esq. Gunnell expressed budget concerns as the raise was not included in this year's budget. Esq. Hawkins noted the classes would not start before the first of the year and the time frame would not affect this year's budget.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to allow the road department employees to participate in the Road Scholar Program and the road supervisor be allowed to participate in the Road Master Program and for the road employees to receive a .75 an hour raise upon completion of the Road Scholar Program and the road supervisor to receive a \$1.25 raise upon completion of the Road Master Program. This will be a one-time pay raise.

Yes- Beasley, Coombs, Fisher, Gunnell, Hawkins  
No- Brown  
Motion carried

**3. Marshalls Bottom Road**

Judge Brent informed the Court that Don Eversole had approached him, the County Attorney and Esq. Fisher requesting the County close the portion of Marshalls Bottom Road that goes through his property. He and adjoining landowner Steve Boone are in agreement to have it closed. Judge Brent noted the first step is to appoint road viewers to make a report to the Court.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to allow Esq. Fisher to proceed with finding two citizens to serve as road viewers.

Motion carried unanimously

## **RE: EMS/PARAMEDICS UPDATE**

### **1. Supervisor Update**

Henry County EMS Supervisor Scott McClamroch informed the Court that ALS Coordinator Rich Calvert has given his resignation. Scott noted he will remain working for the County on a part-time basis but needed more time with his family. Scott has advertised internally and has four candidates interested. Rich is willing to stay on until a replacement is found but Scott is hoping to fill the position as soon as possible.

### **2. New Hire Requests**

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to hire Derrick Miskell and John C. Lyons as part-time EMT's.

Motion carried unanimously

### **3. Purchase of Mower Request**

Judge Brent informed the Court that the EMS was in need of a new lawn mower. They are currently paying to have the lawn mowed but they do have some down time and would do the mowing if they had a lawn mower. Scott found a riding mower at Cook's for \$1400.00. Judge Brent noted he recently bought a new weed eater and he wanted the grounds of the EMS and the road department looking as good as possible.

Upon motion by Esq. Brown and seconded by Esq. Gunnell, it is ordered by the Court to purchase a riding mower for the EMS from Cook's in the amount of \$1400.00.

Motion carried unanimously

### **4. Ambulance Bids**

The following bids were received for a 2008 Type III E-450 Ambulance:

Muster Emergency Equipment	\$103,985.00
Finley Fire-MedTec Ambulance	99,933.70
Taylor Made Ambulances	00.00 (Failed to include the dollar amount)

EMS Supervisor Scott McClamroch reviewed the bids and recommended the Court accept the bid from Finley Fire-MedTec Ambulance.

Upon motion by Esq. Gunnell and seconded by Esq. Brown, it is ordered by the Court to accept the low bid from Finley Fire- MedTec Ambulance in the amount of \$99,933.70 for the 2008 Type III E-450 Ambulance.

Yes- Brown, Coombs, Fisher, Gunnell, Hawkins

No- Beasley

Motion carried

## **5. AED Program Proposal**

Judge Brent informed the Court that he had been approached by an employee who works at Aces in Lockport asking about the possibility of cost sharing a Heart Defibrillator with them. She noted a number of people met the ambulance at their store and she had performed CPR several times. Scott McClamroch told the Court the County can purchase them at a cost of \$900.00 and he is certified to give the training on how to use them. Judge Brent proposed the County purchase one machine for each district and each Magistrate would be responsible for choosing the location. Half of the cost will be shared by the entity receiving them, and the recipient would have to take the training. Esq. Gunnell expressed concerns of liability if the County purchases the machine, as who will be responsible if something goes wrong. County Attorney Virginia Harrod replied there would be no liability to the County. Judge Brent called for a vote.

Upon motion by Esq. Fisher and seconded by Esq. Gunnell, it is ordered by the Court to purchase up to 6 AED 's for the year and each entity receiving them will have to have the training course and it will be a 50/50 cost share.

Motion carried unanimously

## **RE: RESOLUTION TO PARTICIPATE IN JAIL COST LAWSUIT**

Judge Brent informed the Court that the Kentucky Judge Executive's Association is taking legal action to seek monetary credit for time served in county jails. This would mean hundreds of thousands of dollars to the County. Judge Brent read the Resolution and asked if there was a motion to adopt.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to adopt the Resolution to participate in the jail cost lawsuit.

Yes-Beasley, Brown, Coombs, Fisher, Hawkins

Abstain-Gunnell

Motion carried

## **RE: RECOMMENDATION OF MERLE BREWER REAPPOINTMENT TO THE HENRY COUNTY WATER DISTRICT BOARD**

Judge Brent noted Jerry Powell had recently resigned from the Henry County Water District Board and he asked the Court for a motion to approve Merle Brewer to fill his seat.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to re-appoint Merle Brewer to serve on the Henry County Water District Board.

Yes-Brown, Coombs, Fisher, Gunnell, Hawkins

No-Beasley

Motion carried

## **RE: SETTING OF THE 2008/2009 COUNTY TAX RATES-1<sup>ST</sup> READING**

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court that the County **tax levy remain the same** as last year at 11.7 cents per hundred dollars on all real property in Henry County, 15.9 cents per hundred dollars on all personal property in Henry County, and 11.9 cents per hundred dollars on all vehicles and watercraft for 2008. A public hearing for the tax levy will be held on September 16, 2008 at 6:00 P.M.

Motion carried unanimously

## **RE: SOLID WASTE**

### **1. Solid Waste Update-Donnie Tipton**

Donnie Tipton gave an informative Solid Waste report to the Court. He noted 2 years ago when he began working with Greg Derossett the County had 3 illegal dumps. At present time all dumps have been cleaned up. State inmates help Donnie clean the roads of litter one day each week. This year they have cleaned 113 miles of roads and removed over 12 tons of garbage. Donnie complimented the Sheriff's office for their help when garbage is dumped on the side of the road. He asked the Court to let him know of any areas they want cleaned.

### **2. Mandatory Garbage Program Discussion**

Judge Brent reminded the Court that the franchise with Rumpke will terminate December 31<sup>st</sup>. The timeline requires the Court to hold the 1<sup>st</sup> reading of the amended ordinance this month. He noted this is a several month process. He reviewed a few changes the committee made to the franchise resolution. They included raising the free service eligibility from \$600 to \$800 in monthly income, increasing the number of recycling bins, making available one free waste wheeler per residence, and capping the franchise fee at 25% or \$3.00 a month whichever is greater.

### **3. Amended Mandatory Garbage Ordinance-1<sup>st</sup> Reading**

Esq. Brown gave a committee report. He noted the only significant change to the ordinance is to require the landowner and not the tenant be responsible for the service. He encouraged the Court to support this change. Judge Brent asked Solid Waste Attorney Josh Clubb to hold the first reading of the Amended Mandatory Garbage Ordinance. Following the reading Judge Brent called for a motion.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the first reading of the Amended Mandatory Garbage Ordinance.

Yes-Brown, Coombs, Gunnell, Hawkins

No- Beasley, Fisher

Motion carried

## **RE: PARKS**

### **1. Park Update**

Judge Brent complimented Barry Bowen on moving the dirt at the park. He noted they will be ready to seed and straw the first of September. The road department will start work on the walking trails next month.

### **2. Sewer Project-Reimbursement Request for Interest on City Loan**

Judge Brent informed the Court that the City of New Castle has hired engineers and they are designing the sewer service to the new park. The City will have to make a short term loan until the Bond to fund the project is sold in 2009. Scott Treece asked if the County would pay the interest on the loan. Judge Brent expects the interest to be less than \$20,000.00 and he recommended the Court agree to this so the work can go forward. Esq. Hawkins noted the importance in going forward with this project. The Court discussed the options to obtain the lowest interest rates.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the County paying interest on the loan so the City can move forward with the project and the motion is contingent upon the interest rate being approved by the judge's office.

No Action Taken-Motion Amended

Amended Motion

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the County paying interest on the loan so the City can move forward with the project and the motion is contingent upon the interest rate being approved by the park's committee.

Motion carried unanimously

### **3. Pond Drainage Concern-Larry Singleton**

Larry Singleton came before the Court to discuss an issue regarding mud running in his pond from the County's newly developed park area. He presented pictures and asked the County to pay \$3780.00 to have the pond cleaned out. After much discussion the Court was in consensus to contact the County's insurance agent but they were unsure how to determine how much damage was caused by the County as the pond was 25 years old. Mr. Singleton noted he would wait until the day following the Court's next meeting to move forward with his decision.

**RE: COUNTY MILEAGE REIMBURSEMENT RATE-PROPOSAL TO MAKE THE SAME AS STATE RATE**

Judge Brent noted the State had increased their mileage reimbursement rate to .49 cents and he proposed the County make their rate the same as the State.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to increase the County's mileage rate to be equivalent to the State rate.

Motion carried unanimously

**RE: AIRPORT COMMITTEE REPORT**

Yvonne Moore and Karen Baughman came before the Court to give an update on the airport. They stressed the County should remain alert as the Oldham County Airport Board continues to meet and discuss the sites. They discussed the effects of pollution and noise that would affect Henry County if this airport becomes a reality. Judge Brent thanked them for their update and gave them an open invitation to come and update the Court at any meeting.

**RE: SHERIFF'S SETTLEMENT 2007**

Henry County Sheriff Danny Cravens presented the 2007 Sheriff's Settlement noting he was pleased with the Settlement. He also informed the Court that his office has a new convenient way for tax payers to pay their taxes. They can now pay with a credit or a debit card. This service is at no cost to the County or the Sheriff's office.

Upon motion by Esq. Brown and seconded by Esq. Gunnell, it is ordered by the Court to approve the 2007 Sheriff's Settlement pending audit.

Motion carried unanimously

**RE: TREASURER'S SETTLEMENT 2007/2008**

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the 2007-2008 Treasurer's Settlement pending audit.

Motion carried unanimously

**RE: LION'S CLUB/HENRY COUNTY FAIR SETTLEMENT  
MAGISTRATE HAWKINS TO PRESENT**

Esq. Hawkins presented the Court with a check in the amount of \$6000.00 from the New Castle Lions Club. He noted this was about 3 times what the Lions Club made at last year's fair. He also brought a request from the New Castle Lions Club. They would like the County to place a flag pole and an American Flag at the Main Gate which is gate #2 at the Henry County Fairgrounds. Esq. Hawkins noted he would abstain from voting as he was a member of the New Castle Lions Club. Judge Brent suggested the Lions Club Fair Committee be responsible to

install the pole and the County would pay for it. Esq. Hawkins was in consensus with Judge Brent.

Upon motion by Esq. Brown and seconded by Esq. Gunnell, it is ordered by the Court to spend up to \$1000.00 for a flag pole for the Henry County Fairgrounds.

Yes-Beasley, Brown, Coombs , Fisher, Gunnell  
Abstain-Hawkins  
Motion carried

## **RE: CLAIMS AND TRANSFERS**

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the following claims and transfers:

General	\$303,131.78
Road & Bridge	158,958.09
Jail	43,567.90
LGEA Fund	1,007.65
Federal Grant Fund	317.00
Litter Grant Fund	110.47
911 Fund	3,172.63
Fair Fund	<u>3,343.80</u>
Total Expenditures	\$513,609.32

Transfers (Nunc Pro Tunc) for 2007-2008 Budget/June 30, 2008

### General Fund

From: 01-9200-9990 (Reserve for Transfers)

To: 01-5001-1010 (Co Judge Ex/Salary)	\$1451.00
To: 01-5010-1010 (Co Clerk/Salary)	1451.00
To: 01-5015-1010 (Sheriff /Salary)	267.00
To: 01-5015-1030 (Sheriff, Deputies Salaries)	6667.00
To: 01-5020-1010 (Coroner/Salary)	93.00
To: 01-5025-1010 (Magistrates/Salaries)	2747.00
To: 01-5040-1020 (Co Treasurer/Salary)	1443.00
To: 01-5065-1930 (Election Commissioner)	17.00
To: 01-5070-5690 (P&Z Conf & Workshops)	215.00
To: 01-5140-1370 (Paramedics Salaries)	6853.00
To: 01-5140-1790 (EMS Tech Part-Time)	7173.00
To: 01-5140-5500 (EMS, Medical Supplies)	29.00
To: 01-9400-2010 (Social Security)	79.00
To: 01-9400-2020 (County Retirement)	7915.00

### Road Department

From: 02-6105-3110 (Contracted Highways)

To: 02-6105-1430 (Road Worker's Salaries)	\$3356.00
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Motion carried unanimously

**RE: COURT COMMENTS**

Esq. Gunnell requested the solid waste committee meet to plan for recycling. Judge Brent suggested the committee wait until bids are received as they may offer recycling. Esq. Gunnell was in consensus with Judge Brent.

**RE: ADJOURN**

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to adjourn and each Magistrate, the Judge Executive and the County Attorney shall receive a typed copy of these minutes prior to the next regularly scheduled meeting.

Motion carried unanimously

**RESPECTFULLY SUBMITTED:**

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**PEGGY V. BRYANT**  
**FISCAL COURT CLERK**

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**JOHN L. BRENT**  
**JUDGE EXECUTIVE**