

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
DECEMBER 16, 2008**

The Henry County Fiscal Court met in a regular session on December 16, 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 Nick Hawkins  
Esquire Adam West

**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. Beasley and seconded by Esq. Fisher, it is ordered by the Court to approve the minutes from the November 18, 2008 regular meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

**RE: 2009 SHERIFF'S BUDGET-2<sup>ND</sup> READING**

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to approve the 2<sup>nd</sup> reading of the 2009 Sheriff's Budget.

Motion carried unanimously

**RE: 2009 COUNTY CLERK'S BUDGET-2<sup>ND</sup> READING**

Upon motion by Esq. Coombs, and seconded by Esq. West, it is ordered by the Court to approve the 2<sup>nd</sup> reading of the 2009 County Clerk's Budget.

Motion carried unanimously

**RE: 2008-2009 BUDGET AMENDMENTS-2<sup>ND</sup> READING**

Judge Brent reminded the Court that the budget amendment was necessary due to the unanticipated increase in the price of asphalt. He noted the County has received a check in the amount of \$43,610.00 from the transportation department which will be amended into the budget along with the \$80,000.00 from savings. The jail fund will receive a cash transfer from the general fund for the purchase of two used vehicles.

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to approve the 2<sup>nd</sup> reading of the proposed ordinance amending the Henry County Budget for Fiscal Year 2008-2009, to include unanticipated receipts and expenditures from the following accounts:

Receipts from:

|         |                       |             |
|---------|-----------------------|-------------|
| 02-4513 | Emergency Road Aid    | \$43,610.00 |
| 02-4518 | County Road Aid       | \$80,000.00 |
| 01-4909 | Transfer to Jail Fund | \$20,000.00 |

Expenditures from:

|             |                    |              |
|-------------|--------------------|--------------|
| 02-6105-447 | Materials          | \$123,610.00 |
| 03-5101-723 | Vehicles Purchased | \$ 20,000.00 |

Motion carried unanimously

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor Update**

Henry County Road Supervisor Glenn Baxter noted the road department had been out all day working on the icy roads and the roads were in good shape. He was pleased to report he received salt and was expecting more. Glenn had pre-treated Bullitt Hill, Troutman Hill and Cane Run Hill before the ice arrived and it had worked well. Esq. Brown asked him to consider adding Rail Road Hill and Church Hill to his list of hills to pre-treat. Glenn reported the product used on Boyer Lane is holding up and settling in. The road is now open for public use. Esq. Brown questioned the need for guardrails but Glenn didn't think they were needed. Judge Brent suggested he and Esq. Brown would go look at the area of road in question.

## **2. Road Committee Report-Magistrate Beasley**

Esq. Beasley brought a report to the Court from the road committee. He noted the committee had made some minor changes. He reviewed and discussed the guidelines which included when to dispatch to treat roads, gravel road snow/ice removal, snow policy during the work week and snow policy on weekend call outs. Esq. Beasley and Esq. Hawkins were in consensus that many decisions will be left to the discretion of the road supervisor.

## **3. Clark Coombs Lane**

Judge Brent informed the Court that the new railroad bypass road has been built and is now open for traffic from the Old Boyer Lane out to Hillsboro Road. The family that donated some of the easement for that road has asked the County to name it Clark Coombs Lane. Judge Brent noted approximately 10 houses will have to have new addresses for 911 purposes.

Upon motion by Esq. Brown and seconded by Esq. West, it is ordered by the Court to name the new Boyer Lane bypass road Clark Coombs Lane.

Motion carried unanimously

## **4. Paver Trade-in Discussion**

Henry County Road Supervisor Glenn Baxter informed the Court that the road department currently has a 1983 Cedar-Rapids Paver. He stressed it keeps breaking down, the parts are hard to get and he hates to keep spending money on it. He located a 2004 Lee Boy Paver with less than 1600 hours on it at a price of \$19,000.00, plus our paver as a trade-in. Following discussion from the Court, Judge Brent suggested if the Court decided to purchase the 2004 paver we could borrow the money for six months and put the payoff in next year's budget.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to purchase the 2004 Lee Boy Paver at a price of \$19,000.00 plus trade-in of old paver and the Court will get a six month loan from KACO and pay for the paver in full out of next year's budget.

Motion carried unanimously

## **RE: EMS/PARAMEDICS**

Henry County EMS Supervisor Scott McClamroch reported the application for the Grant money has been sent in and it will go towards the new ambulance. He expects the ambulance to be delivered sometime in January. Scott recommended the Court hire Courtney Paige Lucas as a part-time EMT.

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to hire Courtney Paige Lucas as a part-time EMT.

Motion carried unanimously

**RE: PARKS UPDATE**

Judge Brent reported today he met with the representatives from Cedar Lake Lodge. They had some general concerns and they are trying to work out the details. Judge Brent feels they are close to finalizing the deal. The road department will assist with the soil probe at the new park.

**RE: LIABILITY INSURANCE 2009**

Judge Brent reminded the Court that the County is currently in the second year of a three year contract with KACO for our liability insurance. He stressed if the County wanted to take bids for the 2009 liability insurance we must give KACO 60 days notice, before the new fiscal year begins. Esq. Hawkins noted Brad Stewart with Insuramax is interested in bidding and he felt the insurance committee should meet and decide on the bid specs. Judge Brent asked Esq. West to serve on the insurance committee.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court for the insurance committee to meet and put together the specs to bring back at next month's meeting.

Motion carried unanimously

**RE: COURTHOUSE BOILER THERMOSTATS**

Judge Brent reported problems with regulating the heat in the Courthouse. The offices upstairs stay very hot while the offices downstairs are cool. The service tech recommended individual thermostats so the heat could be cut off in the upstairs areas. Judge Brent noted that Ivey Mechanical Company has the maintenance contract for the boiler and they will come out to review the problem and give a recommendation and estimate.

**RE: AOC AGREEMENT-1<sup>ST</sup> READING**

Henry County Attorney Virginia Harrod reported the auditors noticed the ordinance authorizing and directing additional court costs for the purpose of costs related to the court facilities was outdated. She said Circuit Court Clerk Mary Lou Roberts had asked her to request the Court amend the ordinance to make it current. Judge Brent read the ordinance and asked for a motion.

Upon motion by Esq. West and seconded by Esq. Fisher, it is ordered by the Court to approve the 1<sup>st</sup> reading of the amended ordinance authorizing and directing additional court costs for the purpose of costs related to court the facilities.

Motion carried unanimously

**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 Fund       | \$219,216.08    |
| Road and Bridge    | 56,033.18       |
| Jail               | 40,936.12       |
| LGEA Fund          | 3,840.00        |
| Litter Grant Fund  | 20,449.38       |
| 911-EMS Fund       | 6,799.51        |
| Fair Fund          | <u>1,419.11</u> |
| Total Expenditures | \$348,693.38    |

Transfers

From: 1392009990 (Reserve for Transfers)

To: 1352123660 (Litter Clean-up) \$1,300.00

From: 8092009990 (Reserve for Transfers)

To: 8054014310 (Park, Renovation, Repairs) \$2,000.00

Motion carried unanimously

**RE: COURT COMMENTS**

Henry County Attorney Virginia Harrod stated House Bill 1 requires that if the County wishes to cover its employees who began participating on or after September 1, 2008 in hazardous duty retirement that the County must petition the Board of Trustees for hazardous retirement coverage. The employee affected by House Bill 1 is Danny Stivers who was hired as a deputy sheriff in October. Ms. Harrod recommended the Court petition the retirement system for hazardous duty coverage for Mr. Stivers.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to petition the Kentucky Retirement Board of Trustees to declare hazardous duty coverage for deputy sheriff Danny Stivers.

Motion carried unanimously

Esq. Brown expressed his concerns of receiving the annual cost of living raise. He felt that due to the economy being in difficult times he wanted to donate his raise back to the county's general fund. It was noted that the Magistrates could forgo their raises but the salaries of the Judge Executive, Henry County Clerk and Henry County Sheriff were set by the State. Following discussion and clarification of Esq. Brown's request he asked to make a motion.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court that the Fiscal Court Magistrates donate their projected cost of living raise back to the county 's general fund for the year 2009.

Yes-Brown, Fisher, Hawkins

No- Beasley, Coombs, West

Motion tied-failed to pass

**RE: ADJOURN**

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, 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**