

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JUNE 17, 2008**

The Henry County Fiscal Court met in a regular session on June 17, 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. Fisher, it is ordered by the Court to approve the minutes from the May 20, 2008 regular meeting.

Motion carried unanimously

RE: OLD BUSINESS

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

RE: NEW BUSINESS

RE: ROADS

1. Supervisor Update

Henry County Road Supervisor Glenn Baxter gave an update on the Union Church Road Project. He noted a lot of work had been done and the road seems fine and looks like it is going to hold. Esq. Beasley complimented the road department on an excellent job. Glenn noted the road department has completed their mowing and have started blacktopping.

2. Opening of Bids for Asphalt and Rock

The following bids were received for asphalt and rock:

OHIO VALLEY ASPHALT

Picked-Up Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Brownsboro Asphalt Plant Unit Bid Price</u>	<u>Carrollton Asphalt Plant Unit Bid Price</u>
Base	\$48.00 Per Ton	\$48.00 Per Ton
Binder	\$49.00 Per Ton	\$49.00 Per Ton
Surface	\$50.00 Per Ton	\$50.00 Per Ton

In Place Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Price Per Ton, Placed and Compacted</u>
Base	\$59.00
Binder	\$60.00
Surface	\$61.00

MAGO CONSTRUCTION COMPANY

Bituminous Concrete Surface F.O.B. Plant at Lockport, KY	\$53.00 per ton
Bituminous Concrete Binder F.O.B. Plant at Lockport, KY	\$51.00 per ton
Bituminous Concrete Base F.O.B. Plant at Lockport, KY	\$49.50 per ton
Bituminous Cold-Mix thru Plant F.O.B. Lockport, KY	\$80.00 per ton

Asphalt laid per ton in Henry County:

Labor and equipment per ton to apply bituminous surface (including all incidental preparation, rolling and sweeping.) \$7.90 per ton

**Haul bituminous surface to roads as specified.
Haul rate 0 to 10 miles. \$2.85 per ton**

Haul rate 10.1 miles or greater. \$0.27 per ton mile

SS-1H Tack Coat \$2.00 per gallon

SHELBYVILLE ASPHALT COMPANY (MAGO OWNED)

**Bituminous Concrete Surface
F.O.B. Plant at Shelbyville, KY \$53.00 per ton**

**Bituminous Concrete Binder
F.O.B. Plant at Shelbyville, KY \$51.00 per ton**

**Bituminous Concrete Base
F.O.B. Plant at Shelbyville, KY \$49.50 per ton**

**Bituminous Cold-Mix thru
Plant F.O.B. Shelbyville, KY \$80.00 per ton**

ROCK BIDS:

LITER'S INC. LOCKPORT PLANT

**2'S, 3'S & 4'S \$8.00 per ton
DGA & 610'S \$8.00 per ton
57'S \$9.00 per ton
8'S \$9.25 per ton
Class II \$10.00 per ton
Shot Rock \$6.00 per ton**

OLDHAM COUNTY STONE/OLDHAM COUNTY PLANT

#3 Stone	\$8.60 per ton
#57 Dry Stone	\$10.05 per ton
Crusher Run	\$8.60 per ton
Dense Grade	\$8.60 per ton
#8 Stone	\$10.35 per ton
MFG Sand	\$7.55 per ton
RR2 (Class II)	\$10.60 per ton
RR3 (Class III)	\$15.50 per ton

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to accept all of the above bids for asphalt and rock for 2008-2009.

Motion carried unanimously

3. Marshall's Bottom Road-35 MPH Speed Limit

Upon motion by Esq. Fisher and seconded by Esq. Brown, it is ordered by the Court to set the speed limit at 35 MPH on Marshall's Bottom Road.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor Update

Henry County EMS Director Scott McClamroch discussed the need for a new ambulance. He noted the process of taking bids and receiving the new ambulance takes around three months. Esq. Gunnell noted the EMS committee felt it was justified to get a new ambulance and the Court had allowed for it in the new budget.

2. Authorization to Bid New Ambulance

Upon motion by Esq. Gunnell and seconded by Esq. Brown, it is ordered by the Court to allow EMS Director Scott McClamroch to work up specs and advertise for a new F450 heavy duty ambulance.

Motion carried unanimously

RE: 911-REQUEST PLEASUREVILLE FIRE DEPARTMENT

The Court briefly discussed the request from Pleasureville Fire Department. Esq. Beasley had some questions and suggested the issue be tabled until next month's meeting.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to table the 911- request from the Pleasureville Fire Department until next month's meeting.

Motion carried unanimously

RE: KIPDA REQUESTED RESOLUTIONS

Judge Brent informed the Court that KIPDA had requested the following resolutions be approved by the Court as a requirement of the Walking Trails Grant. Judge Brent read each resolution and then called for a vote of approval.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to adopt the Handicapped Discrimination Resolution.

Motion carried unanimously

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to adopt the Drug Free Workplace Resolution.

Motion carried unanimously

Upon motion by Esq. Gunnell and seconded by Esq. Hawkins, it is ordered by the Court to adopt the Fair Housing Resolution.

Motion carried unanimously

RE: PARKS/FAIRGROUNDS

1. Park Update

Judge Brent informed the Court that the park committee met with Barry Bowen to discuss the new soccer and football fields. The fields should be completed and ready for seeding in August. He noted the landscaping at the Seniors Center had been done by Tyler Ault as his Eagle Scout project. Blacktopping of the seniors parking lot should be done in the next couple of weeks. Judge Brent noted several compliments had been received on the new batting cage.

2. 54" Mower Repair Discussion

Judge Brent reminded the Court that the 54" mower is 8 years old. The hydraulic pump went out and the cost to repair it is \$800.00. John Deere offered \$1000.00 as is but fixed it is worth approximately \$2500.00. Judge Brent asked for direction from the Court.

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to repair the 54" mower at a cost of eight hundred dollars.

Motion carried unanimously

3. Extension Board Earmark for Fairgrounds

Judge Brent informed the Court that he received a check in the amount of \$5000.00 from the Henry County Extension Board. The Board put the money in their budget and it was earmarked for the Ag Arena and Fairgrounds.

4. Chair/Table Use Policy-Committee Recommendation

Judge Brent reported the Committee met and decided not to loan out any tables and chairs until we had an adequate supply. The committee suggested the Court spend \$2500.00 of the \$5,000.00 received from the Extension Board to purchase new tables and chairs.

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to allow Willie Peyton to spend \$2500.00 of the \$5,000.00 received from the Extension Board for the purchase of new tables and chairs for the fairgrounds.

Motion carried unanimously

The Court held discussion on the policy for allowing the old tables and old chairs to be loaned out. Following discussion and Esq. Hawkins withdrawal of a motion Judge Brent asked for a decision.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to establish a \$50.00 deposit for the rental of any set number of the old tables and old chairs from the fairgrounds and for that deposit to be returned on receipt of all materials returned in their original condition.

Motion carried unanimously

5. Henry County Fair request for Gate Workers-Magistrate Hawkins

Esq. Hawkins asked to meet with the Court members following the meeting to ask for volunteers to work the gate at the Henry County Fair.

6. Harvest Showcase In-kind Sponsorship/Patrick Henry Hughes

Judge Brent brought good news to the Court that Patrick Henry Hughes will be performing at this year's Harvest Showcase. Judge Brent asked for a motion from the Court as an in-kind sponsor for the Harvest Showcase.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to be an in-kind sponsor of the Harvest Showcase via donation of the fairgrounds for the day.

Motion carried unanimously

7. Parks/Fairgrounds Events-Insurance Committee Update

Deputy Judge Bryant gave an insurance committee update. She noted the committee met with Mark Miller from KACO. Mark answered all the committee's questions. He stressed the County should continue to require the special event sponsors to purchase a special events policy naming Henry County Fiscal Court as an additional insurer.

**RE: HENRY COUNTY FARMERS MARKET PRESENTATION
ED NELSON & BARBARA GREGORY**

Farmers Market President Barbara Gregory and long time member Ed Nelson came before the Court to talk about the market and the programs it offers. Ed gave an informative history of the farmers market. He noted when the Market first began former Judge Executive Tommy Bryant gave them permission to be exempt from buying a license and permission to sell on the courthouse lawn. The fee to join the Farmers Market is \$25.00. This program is meant to help the Henry County Farmers and that is why it is for Henry County members only. Barbara noted the County has been fortunate to obtain grants for the Wic and Seniors Programs. She stressed the coupons given through these grants have to be handled properly as the members of the Henry County Farmers Market are responsible for them. She also noted the members receive training on food safety. She and Ed asked the Court to allow the members of the Henry County Farmers Market exclusive rights to use the Courthouse lawn at their designated times which are Saturday mornings and Wednesdays. After questions and discussion Judge Brent asked for a vote.

A motion was made by Esq. Hawkins and seconded by Esq. Coombs to give the Farmers Market exclusive rights to sell on the Courthouse Lawn at the advertised designated times. Following farther discussion Esq. Hawkins asked to amend his original motion.

Amendment to Original Motion

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to allow exclusive rights be given to the Henry County Farmers Market as long as they charge \$25.00 per family annual dues and if dues change or advertised times change they would have to come back before Fiscal Court for approval.

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

Motion as Amended

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to grant exclusive rights of Courthouse Square during advertised hours to the Henry County Farmers Market and for this motion to be in effect as long as the Henry County Farmers Market charges \$25.00 per family annual dues and if dues change or advertised times change Farmers Market is required to come back to Fiscal Court for approval.

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

RE: COUNTY ROAD AID & LGEA HEARINGS-SPECIAL CALLED MEETING JUNE 25, 2008 AT 4:30 P.M.

Judge Brent announced to the Court that a Special Called Meeting will be held on Wednesday, June 25, 2008 at 4:30 p.m. at his office located at the Courthouse Annex. The purpose of the meeting is to hold the annual County Road Aid and LGEA public hearings.

RE: JULY REGULAR MEETING-DATE CHANGE

Judge Brent noted due to a scheduling conflict with another conference the July meeting of Fiscal Court will be held on Wednesday, July 16, 2008 at 6:00 p.m. at the Henry County Courthouse.

RE: CELL TOWER DISCUSSION

Judge Brent reminded the Court that the County has been in discussion with Verizon about locating a cell tower in the New Castle area. Verizon is interested in the back section of the new park site. Bobby Kiser with Verizon came before the Court to discuss the terms of the agreement and to answer questions from the Court. Mr. Kiser noted the tower would be a self-supporting tower surrounded by a fence. Verizon would pay the County \$1000.00 a month lease fee. The tower is designed for 5 businesses to share. Verizon will provide the County with a Certificate of Insurance and it is grounded for safety concerns. Esq. Gunnell expressed his safety concerns with the location of the tower so close to the soccer fields. Mr. Kiser will bring his engineers to meet with the park committee to determine if the tower could be placed in a different area of the park.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to move forward with the project and to place the cell tower on the property and to allow the park committee to make the final decision on the exact placement of the tower.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$351,979.80
Road & Bridge	66,154.87
Jail Fund	50,150.48
LGEA Fund	1,278.42
Federal Grant Fund	22.00
Litter Grant Fund	23.10
911-EMS Fund	13,727.40
Fair Fund	<u>1,039.32</u>
Total Expenditures	\$484,375.39

Transfers

From: 01-9200-999 (Reserve for Transfers)
To: 01-5001-578 (Utilities, Judge/Ex) \$ 500.00
To: 01-5010-368 (Co. Clerk, Tax Bill Preparation) \$ 537.00
To: 01-5040-445 (Co. Treasurer, Office Supply) \$ 100.00
To: 01-5070-445 (Office Supply, P&Z) \$ 500.00
To: 01-5080-411 (Custodial Supplies) \$1,000.00
To: 01-5140-320 (Debt. Collection/Billing Service) \$5,861.00
To: 01-5140-411 (EMS Custodial) \$ 100.00
To: 01-5140-429 (EMS/Paramedic Gas& Maint.) \$1,000.00
To: 01-5140-445 (EMS Office Supply) \$ 500.00
To: 01-5140-549 (Paramedic Medical Supply) \$1,010.00
To: 01-5205-398 (Contract/Humane Society) \$ 621.00
To: 01-5232-315 (Dead Animal Removal) \$ 190.00
To: 01-5401-571 (Parks/ Repairs & Maint.) \$ 250.00

From: 02-9200-999 (Reserve for Transfers)
To: 02-6105-447 (Materials) \$24,500.00
From: 02-6105-364 (Rental/ Track Loader)
To: 02-6105-447 (Materials) \$ 2,800.00

From: 03-9200-999 (Reserve for Transfers)
To: 03-5101-429 (Gas/Maint./Radios) \$ 1,000.00
To: 03-9100-599 (Miscellaneous) \$ 1,000.00

From: 80-9200-999 (Reserve for Transfers)
To: 80-5401-578 (Utilities, Fairgrounds) \$ 1,000.00

Motion carried unanimously

RE: COURT COMMENTS

Esq. Gunnell noted he had spoken with a representative from the KY Advanced Revenue Program (KARP). They had received the County's budget but the good news is the County did not qualify to participate in their program. This program is for Counties or Taxing Districts that are financially stressed. They complimented the Fiscal Court on having a surplus of money.

Esq. Brown informed the Court that he along with other folks from Henry County are going on a mission trip to Mayfield, KY. They will be building a Center for battered woman and children. He encouraged and invited anyone interested to go with them.

RE: ADJOURN

Upon motion by Esq. Hawkins and seconded by Esq. Gunnell, 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:

PEGGY V. BRYANT
FISCAL COURT CLERK

JOHN L. BRENT
JUDGE EXECUTIVE