

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
OCTOBER 21, 2008**

The Henry County Fiscal Court met in a regular session on October 21, 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

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 Esquire Wayne Gunnell had resigned to take an appointment in Frankfort. The Court is waiting for the Governor to appoint a person to fill his vacancy.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Beasley and seconded by Esq. Brown, it is ordered by the Court to approve the minutes from the September 16, 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's Update

Henry County Road Supervisor Glenn Baxter noted they were through blacktopping but due to the increase in the price of oil they had exceeded their budget. The Court discussed the increase in the price of salt. Glenn noted he signed a contract for salt in June and hopes to receive it soon.

2. Marshalls Bottom Road-Appointment of Road Viewers

Judge Brent reminded the Court that last month they voted to proceed with closing a portion of Marshalls Bottom Road. The Court advertised and Glenn posted the intent to close a portion of the road. Judge Brent asked for the Court to appoint two viewers who together with the Henry County Road Supervisor shall view the road and report in writing at the November 17, 2008 Court Meeting what inconvenience would result from the discontinuance of a portion of Marshalls Bottom Road.

Upon motion by Esq. Fisher and seconded by Esq. Brown, it is ordered by the Court to appoint Vernon Sharp and AB Cox to serve as road viewers who together with Henry County Road Supervisor Glenn Baxter, shall review the road and report in writing to the Court what inconvenience would result from the discontinuance of a portion of Marshalls Bottom Road.

Motion carried unanimously

3. Boyer Lane/Railroad Bypass

Judge Brent reminded the Court that due to the danger of residents being blocked at the CSX railroad crossing they had approved the go ahead with an alternate route out of Boyer Lane. He and Esq. Brown have put a great deal of time and effort in moving this project forward. Jay Gibson a contractor from Carroll County has agreed to take the trees out and cut the road in at no cost to the County but CSX is requiring Mr. Gibson to pay them \$3000.00 for insurance to cover him for the days he works on the railroad right of way. Judge Brent suggested the County advance the \$3000.00 to the railroad with Mr. Gibson reimbursing the County. Judge Brent felt the chance of losing the project after all the work that has gone into it justifies going on and purchasing the insurance. He also noted he and Esq. Brown assured the people affected by this problem that they would have an alternate route this year.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to advance the \$3000.00 to CSX Transportation for the insurance policy and Jay Gibson will sign a contract drawn up by the County Attorney that states he will reimburse the County in full for the insurance policy.

Motion carried unanimously

RE: EMS

1. Supervisor's Update

Henry County EMS Supervisor Scott McClamroch informed the Court that the AED ordered for Ace's grocery is due to come in. He stated he will train the employees from Ace's and also Liter's. Scott noted the first quarter the EMS service is running in the black with forty percent of their income coming from non-emergency transports.

2. Approval of Part-time Paramedics and EMT

Scott asked for approval for several part-time paramedics and one part-time EMT pending background checks. He stressed he didn't want to wait another month to bring the requests back to the Court but once he receives the background checks he will meet with the EMS committee to review.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to hire Jeffrey Scott Ivers, Benjamin Jay Neal, Josh P. Jamiel, Ronald A. Buchanan as part-time paramedics and Colin M. Gordon as a part-time EMT pending background checks.

Motion carried unanimously

RE: 911 REQUESTS

1. Request by Pleasureville EMS

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to approve the purchase of two radios for the Pleasureville EMS in the amount of \$1047.00.

Motion carried unanimously

2. Request by New Castle Police Department

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to approve the purchase of an in-car repeater and the necessary equipment for the New Castle Police Department in the amount of \$1502.00.

Motion carried unanimously

RE: OPENING OF GARBAGE FRANCHISE BIDS

Judge Brent informed the Court that one bid had been submitted to the Judge Executive’s Office before the 4:00 p.m. **published deadline**. The bid received was from Rumpke. He noted a representative from ID brought his bid to the Court meeting not realizing the deadline was at 4:00 p.m. Judge Brent asked the Court their opinion on accepting a bid after the deadline. The Court was in consensus that they preferred at least two bids. The representative from ID noted they do not subscribe to the Henry County Local and they went by the bid specs which did not specify the time. Greg Rumpke stated his company subscribes to all the local newspapers and has an employee review them. He did not feel it would be fair to penalize his company for following the published guidelines. Henry County Attorney Virginia Harrod stated the County needed to follow the published advertisement. Judge Brent asked for a decision on opening the one bid received before the deadline which was from Rumpke.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to open the one bid received from Rumpke.

Yes-Beasley, Brown, Coombs, Fisher
No- Hawkins
Motion passed

The following bid received from Rumpke:

The monthly rate to be charged to each **Commercial Customer** for one collection per week for the disposal of three (3)-30 gallon garbage containers or one (1) -95 gallon roll cart at curbside in front of the property:

January 1, 2009 – December 31, 2009 price per unit per month	<u>\$19.00</u>
January 1, 2010 – December 31, 2010 price per unit per month	<u>\$19.00</u>
January 1, 2011 – December 31, 2011 price per unit per month	<u>\$19.38</u>
January 1, 2012 – December 31, 2012 price per unit per month	<u>\$19.77</u>
January 1, 2013 – December 31, 2013 price per unit per month	<u>\$20.17</u>

The monthly rate to be charged to each **Commercial Customer** along with one collection per week for the disposal of three (3) – 30 gallon garbage containers or one (1) – 95 gallon roll cart at curbside in front of the property with a 65 or 95 gallon roll cart provided by franchisee:

January 1, 2009 – December 31, 2009 price per unit per month	<u>\$19.00</u>
January 1, 2010 – December 31, 2010 price per unit per month	<u>\$19.00</u>
January 1, 2011 – December 31, 2011 price per unit per month	<u>\$19.38</u>
January 1, 2012 – December 31, 2012 price per unit per month	<u>\$19.77</u>
January 1, 2013 – December 31, 2013 price per unit per month	<u>\$20.17</u>

The monthly rate to be charged to each **Residential Customer** for one collection per week with unlimited garbage pick-up, (up to 1.5 yards or 12-30 gallon bags) including the additional bi-annual countywide clean-up and large item curbside pick-up.

January 1, 2009 – December 31, 2009 price per unit per month	<u>\$19.00</u>
January 1, 2010 – December 31, 2010 price per unit per month	<u>\$19.00</u>
January 1, 2011 – December 31, 2011 price per unit per month	<u>\$19.38</u>
January 1, 2012 – December 31, 2012 price per unit per month	<u>\$19.77</u>
January 1, 2013 – December 31, 2013 price per unit per month	<u>\$20.17</u>

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to accept Rumpke's franchise bid for the collection and disposal of garbage, trash and debris.

Yes – Brown, Coombs, Hawkins

No – Beasley, Fisher

Motion carried

RE: PARKS

1. Parks Update

Judge Brent noted the fields at the new park are finished and the grass is growing. The walking trail has been laid out and rocked and is usable. The trail will be paved in the Spring. The next step is to build the bathrooms and concession stand building. The parks committee will meet with architect Chris Cottingim who will draw up a set of specs for the paper.

2. Make a Difference Day Oct. 25th – Michael Brent Playground Kickoff

Judge Brent reminded the Court that Make a Difference Day is Saturday, October 25th. This will be the kickoff of the all accessible Michael Brent Playground. He encouraged everyone to attend.

3. New Park Fence Policy Clarification

Judge Brent asked the Court for clarification on paying for the building of the new park fence. The policy passed at last month's meeting stated the landowner will pay 50% of the cost of a woven wire fence and the County will pay the difference for the no climb horse fence. When the County received the bill for the new installed fence it included two braces and six bags of concrete. He noted it wasn't a lot of money but felt there should be clarification as to the responsibility for paying the added expenses. Following discussion the Court was in consensus to require the land owner to share in one half the cost of any additional expenses.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to pay in full the bill for the braces and concrete and to submit adjoining landowner Ray Powell a bill for one half the cost of the braces and concrete.

Motion carried unanimously

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to add to the new park fence policy that the adjoining landowners will also pay one half of the cost of braces, concrete, labor or any additional costs involved in installing a new fence.

Motion carried unanimously

**RE: WINTER ASSISTANCE DISCUSSION & COMMITTEE
APPOINTED**

Judge Brent anticipates an increase need for winter assistance in the upcoming months. He noted the prices in gas, heating costs, and food are on the rise. He suggested the County meet with the agencies and groups involved in providing assistance to determine what is available. Judge Brent appointed Esq. Brown and Esq. Fisher to serve on the Committee.

**RE: VOTING MACHINE REQUEST-COUNTY CLERK JUANITA
LASHLEY**

Henry County Clerk Juanita Lashley asked the Court for approval to use more than one voting machine in each precinct for the upcoming November 4, 2008 General Election.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to approve using more than one voting machine in each precinct for the upcoming November 4, 2008 General Election.

Motion carried unanimously

**RE: HISTORICAL SOCIETY REQUEST- COUNTY CLERK JUANITA
LASHLEY**

Henry County Clerk Juanita Lashley reminded the Court that last year they had approved a donation of \$750.00 to the Henry County History Center. This money is used to help preserve the County's records. She requested a donation of \$750.00. The donation will take effect July 1, 2009.

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to approve a donation in the amount of \$750.00 to the Henry County History Center to offset the cost of housing records.

Motion carried unanimously

**RE: EMPLOYEE PAY RAISE & BENEFIT REVIEW COMMITTEE
APPOINTED**

Judge Brent formed a committee to review the raises and benefits and to compare our benefits and raises with the neighboring counties. Judge Brent has asked Sheriff Danny Cravens, County Clerk Juanita Lashley, and Deputy Judge Peggy Bryant to serve on the committee. He appointed Court members Esq. Brown, Esq. Beasley and Esq. Hawkins to be a part of the Committee. Esq. Hawkins will serve as chairman for the committee.

RE: CLAIMS & TRANSFERS

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

General Fund	\$300,914.39
Road & Bridge	84,216.00
Jail Fund	14,208.89
LGEA Fund	33,693.79
Litter Grant Fund	530.17
911-EMS Fund	3,046.10
Fair Fund	<u>784.85</u>
Total Expenditures	\$437,394.19

Transfers:

From: 0192009990 (Reserve for Transfers)	
To: 0154014670 (Recreation, Supplies & Equipment)	\$6,000.00
To: 0191005990 (Miscellaneous)	\$7,036.35
From: 0150151030 (Sheriff, Deputies Salaries)	
To: 0150151670 (Clerical Co-op Program)	\$4,500.00
From: 0292009990 (Reserve for Transfers)	
To: 0261054470 (Materials)	\$25,000.00
From: 7692009990 (Reserve for Transfers)	
To: 7651451070 (911 Addressing Salary)	\$1,100.00
To: 7694002020 (Retirement)	553.00

Motion carried unanimously

RE: COURT COMMENTS

Esq. Hawkins noted Esq. Gunnell had asked if he would be willing to fill his position on the EMS Committee. The Court was in consensus for Esq. Hawkins to serve in place of Esq. Gunnell on the EMS Committee.

RE: ADJOURN

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, 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