

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
JANUARY 20, 2009**

The Henry County Fiscal Court met in a regular session on January 20, 2009 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-Absent

**RE: PLEDGE OF ALLEGIANCE**

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

**RE: CALL TO ORDER**

Judge Brent called the meeting to order with a roll call.

**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 December 16, 2008 regular meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

**RE: AOC ORDINANCE-2<sup>ND</sup> READING**

Judge Brent read the ordinance and asked for a motion to approve the second reading.

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to approve the second reading of the amended ordinance authorizing and directing additional court costs for the purpose of costs related to the court facilities.

Motion carried unanimously

**RE: COURTHOUSE HEATING RECOMMENDATIONS**

Judge Brent reminded the Court of the problems with regulating the heat in the Courthouse. Last month he asked courthouse superintendent Randel Rodgers to talk with Ivey Mechanical the company that maintains the boiler to get their recommendations. Judge Brent asked Randel to report what he found out. Randel presented a proposal from Ivey Mechanical. They recommend installing thermostatic radiator valves on each of the 29 radiators in the building. The price of \$4105.00 also included one programmable thermostat. Randel felt the individual thermostats will solve the problem and he recommended the Court accept the proposal from Ivey Mechanical. He noted he got a much higher price from another company. Judge Brent reminded the Court that AOC will pay approximately seventy percent of the cost.

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to accept the proposal from Ivey Mechanical Company in the amount of \$4105.00 (four thousand one hundred and five dollars) for the installation of 29 thermostatic radiator valves and the installation of one programmable thermostat.

Motion carried unanimously

**RE: NEW BUSINESS**

**RE: ROAD UPDATE**

Henry County Road Supervisor Glenn Baxter reported his department has been grading some roads but due to the freezing temperatures it has been a slow process. Esq. Brown thanked the Court and Judge Brent for their efforts on the Boyer Lane project. Esq. Brown noted the sign looks nice but he was told the bus cannot make the turn. Glenn noted he will get with Bruce Gentry who is in charge of the buses and they will address the issue.

**RE: EMS/PARAMEDICS UPDATE**

Henry County EMS Supervisor Scott McClamroch reported the new ambulance was going through the final inspection. He noted the EMS service is \$40,000.00 (forty thousand dollars) in the black with six months through the year. Scott's goal is to break even after helping to pay for the new ambulance. Esq. Brown stressed only 2 or 3 EMS in the state run in the black. Judge Brent commended Scott and the service noting Scott runs a tight ship. Esq. Hawkins noted he was proud of the EMS and the way they handle their finances.

**RE: PLANNING AND ZONING**

**1. Recommendation of Keith Morris to Board of Adjustments**

Esq. Hawkins sent a letter requesting the Court appoint Keith Morris to serve as the representative for the 4<sup>th</sup> Magisterial District on the Henry County Board of Adjustments. Keith would replace Robbie Jaehnigen whose term expired at the end of 2008.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the recommendation of Keith Morris to serve as the representative for the 4<sup>th</sup> Magisterial District on the Henry County Board of Adjustments.

Motion carried unanimously

**2. Recognition of Howard Roberts to Planning & Zoning appointed by Mayor Pettit**

Judge Brent informed the Court that Eminence Mayor Jim Pettit had sent a letter which states the Eminence City Council approved the appointment of Howard Roberts as the city's appointee to the Planning Commission. He is replacing resigning member Garland Frazier. Judge Brent noted this appointment is made by the Mayor and not the Fiscal Court.

**RE: PARKS UPDATE**

Judge Brent noted we are currently advertising for bids for the restroom/concession building. There have been several people interested and Judge Brent hopes to get several bids. The bids are due February 3, 2009 at 2:00 p.m. Judge Brent continues to have ongoing communications with Cedar Lake Lodge and he hopes to close in the not so distant future. He noted the park employees have been doing a lot of branch trimming at the new park so they can mow closer to the fence this year.

**RE: LAND AND WATER GRANT RESOLUTION**

Judge Brent reminded the Court that last year we were successful in getting the Recreation Trails Grant which cost shares the walking trail at the new park. Greg Derossett helped with that grant so Judge Brent asked him to work on the Land and Water Grant for this year. The

mandatory public comment hearing was held earlier this evening. If the County can get the grant it would pay up to \$50,000.00 (fifty thousand dollars) towards lighting. The County would have to match this with a combination of in-kind and cash. Judge Brent then read the resolution and asked for a vote to approve the resolution.

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to approve the Land and Water Grant Resolution.

Motion carried unanimously

## **RE: COMMERCE PARK UPDATE**

Judge Brent reminded the Court that a year ago Congressman Geoff Davis informed us that he was successful in getting a \$300,000.00 (three hundred thousand dollar) appropriation to put the infrastructure in the industrial park. There is a process the County must complete before getting any money. KIPDA has been working with HUD to get the money. There are two studies that must be completed. The archeological study was completed last week but the wetlands study is yet to be done. Judge Brent and the Committee will meet with KIPDA tomorrow to discuss the timelines and the details. Judge Brent wanted the Court to be aware that we had to spend money for the studies so we can get the \$300,000.00.

## **RE: RUSSELL LOARING TO SPEAK-REGARDING P&Z CONCERNS ON MILL CREEK ROAD**

Mr. Russell Loaring came before the Court to discuss issues regarding his neighbors constructing a residence without the proper building permits or approval for any septic system. He presented several documents to the Court. He complained that Planning and Zoning are issuing permits without the applicant meeting the requirements. He also complained that the Henry County Road Supervisor is not following the county's ordinance which requires issuing a permit when he approves a driveway coming out onto a county road. Henry County Road Supervisor Glenn Baxter noted he does a sight distance before signing off on the plat and he was not aware of the need for a permit. Mr. Loaring suggested the County hire an outside agency to audit planning and zoning and the road department as to their following the ordinances and regulations. Judge Brent noted the following:

1. There is only one resident who is not in compliance and he has been taken to court.
2. Mr. Derossett with Planning and Zoning was not present to give his account of these issues.
3. The houses in question are far off the road so it is not immediately seen if they are in the process of building.
4. The Health Department is not used to dealing with the Amish Community and the outdoor privy.
5. We can improve, but these were different sets of circumstances since they were not going to install electricity or plumbing in this home.

Esq. Beasley noted the unusual circumstance of the Amish building because they do not have electric or water utility sign offs as Planning and Zoning is accustomed to seeing. Esq. Hawkins suggested Mr. Derossett, the road committee, road supervisor, and county attorney meet to address the road permits. Glenn Baxter will go to take measurements of the drive in question and will go through the court if the entrance is not correct.

## **RE: INSURANCE COMMITTEE REPORT MAGISTRATE HAWKINS TO PRESENT**

Esq. Hawkins reminded the Court that the County is currently in the second year of a three year contract with Kaco for our liability insurance. Since Kaco was the only company that submitted their bid on time the Court felt they might save money by putting it out for bid. The Court voted last month for the insurance committee to meet and put together the bid specs. Esq. Hawkins read the letter approved by the insurance committee to let bids for the liability and worker's comp insurance.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the letter to let bids for the liability and worker's comp insurance and the bids will be received until 6:00 p.m. on March 17, 2009 at the regular Henry County Fiscal Court Meeting.

Motion carried unanimously

**RE: CLAIMS AND TRANSFERS**

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

General Fund	\$273,319.15
Road & Bridge	66,967.15
Jail Fund	56,652.39
LGEA Fund	3,009.16
Federal Grant Fund	12,221.35
Litter Grant Fund	1,628.22
911-EMS Fund	17,342.75
CDBG Grant	500.00
Fair Fund	<u>4,222.94</u>
Total Expenditures	\$435,863.11

Transfers

From: 0192009990 (Reserve for Transfers)

To: 0191003070 (Auditing) \$6,800.00

From: 1392009990 (Reserve for Transfers)

To: 1352123660 (Litter Clean Up) \$6.00

Motion carried unanimously

**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**