

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JUNE 16, 2009**

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

Esquire Mike Fisher-Absent

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 Esq. Fisher is absent due to illness.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to approve the minutes from the May 19, 2009 regular meeting.

Motion carried unanimously

RE: OLD BUSINESS

RE: 2ND READING OF THE 2009/2010 BUDGET

Judge Brent reminded the Court that after passing the 1st reading of the budget it was sent to Frankfort for review. Frankfort approved the budget and returned it for a 2nd reading. Judge Brent called for a motion to approve the 2nd reading. Esq. Beasley stated he would like to amend the budget before the 2nd reading to freeze all raises for this year. This included the 2 individuals

that were approved in the 1st reading for salary adjustments. Judge Brent noted that the Court had structured the raises to wait and see what the State did with the cost of living raises. If the cost of living raise is below 2 percent we would give 2 percent or a twenty five cent hourly raise. Judge Brent asked for comments from the Court. Esq. Beasley stated that with the current economy and people losing their jobs freezing raises is the right thing to do. Judge Brent asked Esq. Beasley how to compensate those employees who excel and go above and beyond their duties. Esq. Beasley replied that they should be thankful they have a job at all. Esq. Hawkins and Esq. West were concerned about eliminating the salary adjustments of the EMS Supervisor and Planning & Zoning Administrator. Judge Brent complimented EMS Supervisor Scott McClamroch for his hard work in running the EMS which is in the black \$75,000.00. He noted this is unheard of in the state. He also complimented Planning and Zoning Administrator Greg Derossett for going beyond the scope of his duties as he writes grants, plows snow, and is overseeing the subcontracting of the new park's bathroom/concession building. Following a period of discussion Judge Brent called for a vote on the amendment to the budget.

Upon motion by Esq. Beasley and seconded by Esq. Brown, it is ordered by the Court to amend the budget for Fiscal Year 2009/2010 to freeze all raises.

Yes-Beasley, Brown, Coombs

No- Hawkins, West

Motion carried

Upon motion by Esq. Beasley and seconded by Esq. Brown, it is ordered by the Court to approve the 2nd reading of the amended 2009/2010 Budget Ordinance.

Yes-Beasley, Brown, Coombs

No- Hawkins, West

Motion carried

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Update

Henry County Road Supervisor Glenn Baxter informed the Court that starting Monday, June 22nd Wolfpen Road and Deerfield Subdivision will be closed from 9:00 a.m. to 3:00 p.m. to replace a 5 foot culvert. Emergency vehicles can come in if needed. Signs have been posted and a notice published in the paper to let the residents in the area know. Bowen Construction will help with this project.

2. Opening of Rock & Asphalt Bids for the 2009/2010 Fiscal Year

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	\$43.00 Per Ton	\$43.00 Per Ton
Binder	\$44.00 Per Ton	\$44.00 Per Ton
Surface	\$45.00 Per Ton	\$45.00 Per Ton

In Place Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Price Per Ton, Placed and Compacted</u>
Base	\$52.00
Binder	\$53.00
Surface	\$54.00

MAGO CONSTRUCTION COMPANY

Bituminous Concrete Surface
F.O.B. Plant at Lockport, KY \$41.50 per ton

Bituminous Concrete Binder
F.O.B. Plant at Lockport, KY \$41.00 per ton

Bituminous Concrete Base
F.O.B. Plant at Lockport, KY \$40.00 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.) \$5.40 per ton

Haul bituminous surface to roads as specified.
Haul rate 0 to 10 miles. \$2.25 per ton

Haul rate 10.1 miles or greater \$0.22 per ton mile

SS-1H Tack coat \$1.50 per gallon

SHELBYVILLE ASPHALT COMPANY (MAGO OWNED)

Bituminous Concrete Surface F.O.B. Plant at Shelbyville, KY	\$41.50 per ton
Bituminous Concrete Binder F.O.B. Plant at Shelbyville, KY	\$41.00 per ton
Bituminous Concrete Base F.O.B. Plant at Shelbyville, KY	\$40.00 per ton
Bituminous Cold-Mix thru Plant F.O.B. Shelbyville, KY	\$80.00 per ton

MAC CONSTRUCTION & EXCAVATING, INC.

Asphalt Base, Binder or Surface (picked up by the ton plus tax)	\$42.00 per ton
Base, Binder or Surface (laid per ton including broom cleaning, tack coat, haul and material)	\$66.00 per ton

ROCK BIDS:

LITER'S INC. LOCKPORT PLANT

2'S, 3'S, & 4'S	\$8.10 per ton
DGA & 610'S	\$8.10 per ton
57'S	\$9.10 per ton
8'S	\$9.35 per ton
Class II	\$10.20 per ton
Shot Rock	\$6.00 per ton

OLDHAM COUNTY STONE/OLDHAM COUNTY PLANT

#3 Stone	\$8.75 per ton
#57 Dry Stone	\$10.20 per ton
Crusher Run	\$8.75 per ton
Dense Grade	\$8.75 per ton
#8 Stone	\$10.50 per ton
MFG Sand	\$7.70 per ton
RR 2 (Class II)	\$10.75 per ton
RR 3 (Class III)	\$15.65 per ton

Henry County Road Supervisor Glenn Baxter recommended the Court accept all rock bids and accept all asphalt bids with the exception of the bid for laying asphalt from Mac Construction.

Upon motion by Esq. West and seconded by Esq. Coombs, it is ordered by the Court to accept the road supervisor's recommendation to accept all bids for asphalt with the exception of the bid for laying asphalt from Mac Construction and accept all rock bids for the Fiscal Year 2009-2010.

Motion carried unanimously

3. County Road Aid Hearing

The County Road Aid Hearing was held and there were no comments from the public.

4. County Road Aid Resolution

Judge Brent read the County Road Aid Resolution and called for a vote to adopt the resolution.

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to adopt the County Road Aid Resolution.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor's Update

Henry County EMS Supervisor Scott McClamroch asked the Court to approve hiring a part-time paramedic and a part-time EMT.

2. Part-time Hiring Requests-Nicole Mathis/Paramedic & Earl Lyons/EMT

Upon motion by Esq. Brown and seconded by Esq. West, it is ordered by the Court to hire Nicole Susan Mathis as a part-time paramedic and Earl Lyons as a part-time EMT.

Motion carried unanimously

RE: LOCAL GOVERNMENT ECONOMIC ASSISTANCE (LGEA) PUBLIC HEARING

The LGEA Public Hearing was held and there was no comment from the public. Judge Brent noted the funding for LGEA comes from the mineral severance tax the County receives from Liter's Quarry in Lockport. These funds help provide revenue to programs such as Tri-County Community Action Agency for winter assistance, the Care Team, the Center for Women and Families and to help subsidize the jail fund.

RE: CLAIMS & TRANSFERS

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

General Fund	\$218,503.53
Road & Bridge	34,978.18
Jail Fund	46,119.44
LGEA Fund	116.91
Litter Grant Fund	693.57
911-EMS Fund	7,366.25
Fair Fund	<u>227.28</u>
Total Expenditures	\$308,005.16

Transfers

From: 0192009990 (Reserve for Transfers)	
To: 0150103680 (Co. Clerk, Tax Bill Prep)	\$153.00
To: 0150573190 (Data Processing, Misc.)	170.00
To: 0150704450 (Office Supplies, P&Z)	100.00
To: 0150804110 (Custodial Supplies)	250.00
To: 0151403200 (Debt/Collection Billing)	12,037.00
To: 0151404290 (EMS, Paramedic Gas & Maint.)	581.00
To: 0151405660 (EMS, Reimburse/Volunteer Squads)	2,329.00
To: 0191003070 (Auditing)	4,001.00
From: 0261055880 (Equipment Repairs)	
To: 0261055780 (Utilities)	\$200.00

Motion carried unanimously

RE: COURT COMMENTS

County Attorney Virginia Harrod reminded the Court that contractor Jay Gibson helped the County by removing trees and cutting in a road for an alternate route out of Boyer Lane. Mr. Gibson was required by CSX to pay them \$3000.00 for insurance to cover him for the days he worked on the railroad right of way. The County advanced the \$3000.00 to CSX with Mr. Gibson signing a contract to reimburse the County in full. Mr. Gibson has not paid the County and Ms. Harrod asked the Court to grant Judge Brent permission to sign the lawsuit to pursue litigation against Mr. Gibson.

Upon motion by Esq. Brown and seconded by Esq. West, it is ordered by the Court to grant Judge Executive John L. Brent permission to sign the lawsuit to pursue litigation against Mr. Jay Gibson.

Motion carried unanimously

Judge Brent noted some Magistrates have missed their committee meetings and regular court meetings. He suggested the Court set a fee that they will return to the County if they miss committee meetings or scheduled meetings. He noted it would help cut costs and ensure accountability if the Court had a policy. Judge Brent noted that Esq. Hawkins had missed several meetings due to his work schedule and he had voluntarily chosen to return his salary back to the County. Esq. Hawkins noted his job will require him to be out of town for several more weeks and during that time he will refund 100% of his salary. Esq. Hawkins stated he understood the reason behind this but would hate to do this if someone is very sick or has a death in the family. He noted they should attend the committee meetings they are serving on. Esq. Brown noted it is not a requirement to attend a committee meeting. He further stated the law says you have to be on a committee but it does not say anything about coming to the committee meetings. Esq. Hawkins stated the law says you shall attend the committee meeting but there is no penalty if you do not attend. Following discussion Esq. Coombs noted they are elected officials and are being paid out of tax dollars and are only required to attend 1 regular meeting and 1 committee meeting each month. Esq. Coombs and Esq. Hawkins felt the point had gotten across that the Magistrates should attend their committee meetings. Esq. Hawkins then made a motion to address the regular session meetings.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court if any member of Fiscal Court consisting of the Magistrates and the Judge Executive were to miss a Full Session Fiscal Court Meeting they shall refund a bi-weekly pay check for the 2 weeks consisting of the meeting back to the Court, effective July 1, 2009.

Yes-Coombs, Hawkins, West

No- Beasley, Brown

Motion carried

RE: ADJOURN

Upon motion by Esq. Beasley and seconded by Esq. West, 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:

S/Peggy V. Bryant

PEGGY V. BRYANT

FISCAL COURT CLERK

S/John L. Brent

JOHN L. BRENT

JUDGE EXECUTIVE

Date Approved: July 21, 2009