

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
DECEMBER 21, 2010**

The Henry County Fiscal Court met in a Regular Session on December 21, 2010 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 & PREPARATION

Silent prayer was observed in preparation for the meeting.

RE: CALL TO ORDER

Judge Executive John L. Brent called the meeting to order. He noted Esq. Fisher was absent due to illness.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to approve the minutes from the November 16, 2010 Regular Meeting.

Motion carried unanimously

Upon motion by Esq. Beasley and seconded by Esq. West, it is ordered by the Court to approve the minutes from the November 23, 2010 Special Meeting, pertaining to hiring of part-time transport officers.

Motion carried unanimously

Upon motion by Esq. Coombs and seconded by Esq. Beasley, it is ordered by the Court to approve the minutes from the December 7, 2010 Special Meeting, pertaining to hiring of the Planning & Zoning Administrator, Judy Rucker.

Motion carried unanimously

RE: RECOGNITION OF SERVICE

Judge Brent presented plaques in recognition of years of service. He thanked Dennis Yeary and Bill Frank Pollard for their service to the Planning and Zoning Board of Adjustments. Henry County Jailer, J.C. Suter, was absent due to illness, but Judge Brent complimented him for his service and for doing an excellent job in working with a balanced budget. Judge Brent also thanked and recognized Magistrate Guy Coombs and Magistrate Adam West for their years of service to the County.

RE: OLD BUSINESS

RE: SECOND READING OF AN ORDINANCE PERTAINING TO SUNDAY WINE SALES

Judge Brent reminded the Court that this ordinance will only apply to one business. Esq. Brown stated that his voting against the ordinance was not vindictive, but for religious reasons.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court to approve the second reading of an Ordinance pertaining to Sunday Wine Sales.

Yes-Beasley, Coombs, Hawkins, West
No- Brown
Motion carried

RE: ORDINANCE PERTAINING TO FIRE DEPARTMENT AUDITS-TABLED FROM NOVEMBER

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to take off the table the proposed ordinance pertaining to the fire departments audits.

Motion carried unanimously

Esq. Hawkins reported the committee met with the Fire Chief's Association to get their input for the Ordinance . The committee amended the ordinance to allow for each department to select, at their discretion, the certified public accountant or licensed tax agent to perform their annual audit. The County will reimburse each fire department or each incorporated city in which the fire department operates up to \$1000.00 (one thousand dollars) for the cost of the audit.

The amended ordinance eliminates the requirement to use a standardized computer based accounting software program. Each department can use their own software. Esq. Hawkins noted he had a maximum bid of \$800.00 (eight hundred dollars) for each audit, per fire department, from Castle Court Enterprises. Esq. Hawkins read the amended ordinance to the Court. Judge Brent thanked the committee of Esq. Hawkins, Esq. Beasley and Esq. Coombs for their time spent on the Ordinance.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the first reading of the Ordinance Pertaining to the Henry County Fire Department Deed Fees.

Motion carried unanimously

RE: SECOND READING OF THE HENRY COUNTY SHERIFF'S 2011 BUDGET

Esq. West reported that the Committee had met and reviewed the Sheriff's 2011 Budget. The Committee did not recommend any changes.

Upon motion by Esq. Beasley and seconded by Esq. West, it is ordered by the Court to approve the second reading of the Henry County Sheriff's 2011 Budget.

Motion carried unanimously

RE: SECOND READING OF THE HENRY COUNTY CLERK'S 2011 BUDGET

Upon motion by Esq. Beasley and seconded by Esq. West, it is ordered by the Court to approve the second reading of the Henry County Clerk's 2011 Budget.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Glenn Baxter, reported the road department has worked two straight Sundays clearing snow. He noted more salt came in today. The new dump truck is in and ready to go on the road. Esq. Hawkins thanked Glenn for working on Marcee Lane.

2. Resolution Amending the 2009/2010 Flex Fund Agreement

Judge Brent noted the Resolution is to amend the 2009/2010 Contract. This will allow us to use the balance of \$13,808.00 (thirteen thousand eight hundred eight dollars) to complete a 2009/2010 project. Judge Brent read the Resolution to the Court and asked for approval.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to approve the Resolution amending the 2009/2010 Flex Fund Agreement.

Motion carried unanimously

RE: EMS/PARAMEDICS REPORT

Henry County EMS Supervisor, Scott McClamroch, thanked his part-time employees for stepping forward to work during the holidays. He requested the Court hire Timothy J. Stigers as a part-time EMT. Scott noted the Committee of Esq. Hawkins and Esq. West have reviewed and approved his background and record.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court to hire Timothy J. Stigers as a part-time EMT.

Motion carried unanimously

RE: 911 REQUESTS FROM THE FIRE CHIEF’S ASSOCIATION

Esq. Coombs submitted a one- time radio update request from the Fire Chief’s Association. The radio update is needed due to the narrow band frequency. Esq. Coombs noted all radios will have to be updated by 2013, due to this change in frequency.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the radio update request for the Henry County Fire Chief’s Association.

Motion carried unanimously

RE: PLANNING AND ZONING

1. Introduction of Jody Rucker – Planning and Zoning Administrator

Judge Brent welcomed and introduced Jody Rucker as the new Planning and Zoning Administrator.

2. Board of Adjustments Recommendations

Judge Brent noted Adam West and Glenn Smith are willing to serve on the Board of Adjustments for the remainder of the terms left vacant by the resignations of Dennis Yeary and William Frank Pollard. Judge Brent asked the Court to re-appoint Robert Reed Bush and Doug Kalbfleisch to the Board of Adjustments as their terms expire January 1, 2011. Esq. Brown suggested the Court wait until next month for the new Court to approve the recommendations.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to appoint Adam West and Glenn Smith to the Board of Adjustments.

Yes – Beasley, Coombs, Hawkins
No – Brown
Abstain – West
Motion carried

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to re-appoint Robert Reed Bush and Doug Kalbfleisch to the Board of Adjustments for a term of 4 years.
Motion carried unanimously

3. Planning and Zoning Commission Recommendations – Reuben Yount

Upon motion by Esq. Beasley and seconded by Esq. Brown, it is ordered by the Court to re-appoint Reuben Yount to the Planning and Zoning Commission for a term of 4 years.
Motion carried unanimously

4. Zoning Ordinance Text Amendment – 1st Reading

Judge Brent informed the Court that the State says the County needs to change the wording on their permits from building permits to zoning permits. Judge Brent asked the Court to approve the first reading of the Zoning Ordinance Text Amendment.

Upon motion by Esq. Beasley and seconded by Esq. West, it is ordered by the Court to approve the first reading of the Zoning Ordinance Text Amendment.
Motion carried unanimously

RE: PARKS

1. Supervisor's Report

Henry County Park's Supervisor, Travis Buchanan, reported things have been slow so they have been working in the shop on equipment. He noted they have been freshening things up by stripping the floors and painting in the 4-H Building.

2. Acknowledgement of Donation by North American Stainless

Judge Brent expressed appreciation to North American Stainless for their monetary contribution to the soccer field.

RE: HISTORY CENTER REQUEST – COUNTY CLERK JUANITA LASHLEY

Henry County Clerk, Juanita Lashley came before the Court to request the \$750.00 (seven hundred fifty dollar) annual donation to the Henry County History Center. Juanita noted the funding helps to offset the expense and upkeep of housing the old County records. She noted the volunteers do an excellent job in maintaining the old records. She also stated her office will match the donation from the County. Esq. Brown suggested the County raise the donation to \$1,000.00 (one thousand dollars).

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to approve an annual donation of \$1,000.00 (one thousand dollars) to the Henry County History Center for the maintenance of old records.
Motion carried unanimously

RE: AG DISTRICT RECOMMENDATION - HEIGHTCHEW FARM ON SULPHUR ROAD

Upon motion by Esq. Hawkins and seconded by Esq. Coombs, it is ordered by the Court to approve the Ag District recommendation, for the Ken and Nancy Heightchew Farm, 1936 Sulphur Road, New Castle, KY, a total of 90 acres.

Motion carried unanimously

RE: CLAIMS & 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	\$277,058.37
Road & Bridge	68,267.77
Jail Fund	33,748.69
LGEA Fund	934.56
Federal Grant	20.00
Litter Grant Fund	19,550.00
911-EMS Fund	6,644.60
Fair Fund	<u>1,725.10</u>
Total Expenditures	\$407,949.09

Transfers:

General Fund

From: 0192009990 (Reserve for Transfers)	\$8,812.00
To: 0180117180 (Park Improvements)	\$6,866.00
To: 0191005310 (Official's Bonds)	946.00
To: 0191005990 (Miscellaneous)	\$1,000.00

Jail Fund

From: 0392009990 (Reserve for Transfers)	\$598.00
To: 0351014810 (Jailers Uniforms)	\$598.00

Litter Fund

From: 1392009990 (Reserve for Transfers)	\$544.00
From: 1352123020 (Promotional Materials)	6.00
To: 1352123660 (Litter Clean Up)	550.00

Motion carried unanimously

RE: COURT COMMENTS

The members of the Court extended their best wishes to Esq. Coombs and Esq. West. Esq. Coombs noted he was pleased and honored to serve 4 years on the Court. Esq. West thanked everyone and noted he had enjoyed serving the County. Esq. Beasley stated he appreciated the road department scraping snow the past two Sundays. Judge Brent reminded the Court of the swearing in ceremony. It will be held Wednesday, December 29, 2010, at 11:00 a.m. at the Henry County Courthouse.

RE: ADJOURN

Upon motion by Esq. Brown 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: January 18, 2011

