

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JUNE 15, 2010**

The Henry County Fiscal Court met in a regular session on June 15, 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 Mike Fisher
Esquire Nick Hawkins
Esquire Adam West

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 noting everyone was present.

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 May 18, 2010 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

RE: 2ND READING OF THE 2010-2011 BUDGET ORDINANCE

Upon motion by Esq. Coombs and seconded by Esq. Hawkins, it is ordered by the Court to approve the 2nd reading and adoption of the 2010-2011 Budget with budget attachments.

Motion carried unanimously

RE: 2ND READING OF BUDGET AMENDMENT

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to approve the 2nd reading and adoption of the ordinance amending the Henry County Fiscal Court Budget for 2009-2010, to include unanticipated receipts and expenditures from the following accounts:

Receipts from:
02-4514 Transportation Cabinet/Rural Secondary \$48,387.06

Expenditures from:
02-6105-311 Contracted Hwys/ Webbtown & Wolfpen Rds \$48,387.06

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Update

Henry County Road Supervisor Glenn Baxter reported they had been busy grading and rocking the roads. He has been doing interviews to fill the vacant position at the road department. Glenn recommended the Court hire Mark Terry to fill the position.

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to hire Mark Terry as a full time road department employee.

Motion carried unanimously

2. Opening of Rock and Asphalt Bids for Fiscal Year 2010/2011

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	\$50.00 Per Ton	\$50.00 Per Ton
Binder	\$51.00 Per Ton	\$51.00 Per Ton
Surface	\$52.00 Per Ton	\$52.00 Per Ton

In Place Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Price Per Ton, Placed and Compacted</u>
Base	\$58.75
Binder	\$59.75
Surface	\$60.75

MAGO CONSTRUCTION COMPANY

Bituminous Concrete Surface F.O.B. Plant at Lockport, KY	\$52.00 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	\$50.00 per ton
Bituminous Cold-Mix thru Plant F.O.B. Lockport, KY	\$100.00 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.)	\$6.00 per ton
Haul bituminous surface to roads as specified. Haul rate 0 to 10 miles.	\$2.50 per ton
Haul rate 10.1 miles or greater.	\$0.25 per ton mile
SS-1H Tack coat	\$2.50 per gallon

SHELBYVILLE ASPHALT COMPANY (MAGO OWNED)

Bituminous Concrete Surface F.O.B. Plant at Shelbyville, KY	\$52.00 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	\$50.00 per ton

**Bituminous Cold-Mix thru
Plant F.O.B. Shelbyville, KY** **\$100.00 per ton**

ROCK BIDS:

LITER'S INC. LOCKPORT PLANT

2'S, 3'S, & 4'S	\$8.10 per ton
DGA & 610	\$8.10 per ton
57's	\$9.10 per ton
8's	\$9.35 per ton
Class II Rip Rap	\$10.20 per ton
Ag Lime	\$2.00 per ton

OLDHAM COUNTY STONE/OLDHAM COUNTY PLANT

#3 Stone	\$8.15 per ton
#57 Dry Stone	\$9.55 per ton
Crusher Run	\$8.15 per ton
Dense Grade	\$8.15 per ton
Pug DGA	\$8.15 per ton
#8 Stone	\$9.85 per ton
D MFG Sand	\$7.55 per ton
RR2 (Class II)	\$11.85 per ton
RR3 (Class III)	\$15.50 per ton

Henry County Road Supervisor Glenn Baxter noted the rock bids were about the same as last year's. The asphalt bids increased nine dollars (\$9.00) a ton for laid asphalt but the price was close to last year's for pick-up asphalt. Glenn recommended the Court accept all rock and all asphalt bids.

Upon motion by Esq. West and seconded by Esq. Brown, it is ordered by the Court to accept all bids for rock and asphalt for Fiscal Year 2010-2011.

Motion carried unanimously

Esq. Hawkins requested a slow children sign be posted at 684 Pollitt Circle and a 35 mph speed limit sign be posted on Broko Lane. Esq. Hawkins also noted a problem with standing water in the ditch at 87 Scobie Lane. Esq. Brown questioned the plan to make the needed repairs following the washout on Millcreek. Esq. Beasley asked to establish a speed limit of 25 mph on Hardin Lane. Glenn Baxter made note of these issues.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to establish a 25 mph speed limit on Hardin Lane.

Motion carried unanimously

3. County Road Aid Resolution

Judge Brent reminded the Court that every year they are required to pass the County Road Aid Resolution. Judge Brent read the Resolution and asked for a motion.

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

Motion carried unanimously

4. Hieatt & Beasley Lane Bridge Contract

Judge Brent informed the Court that an 80/20 program had been approved by the State for the Hieatt and Beasley Lane Bridges. The State will pay 80 percent of the cost and the County will pay 20 per cent of the cost. Judge Brent asked the Court for approval to sign the Contract with the State.

Upon motion by Esq. Coombs and seconded by Esq. Hawkins, it is ordered by the Court to allow Judge Brent to sign the Agreement and enter into a contract with the State for the projects on the Hieatt and Beasley Lane Bridges.

Motion carried unanimously

5. Rural Secondary Program Proposal for 2010-2011

Judge Brent welcomed Chris Poe and his staff as they came to present the Rural Secondary Program Proposal for 2010-2011. Chris gave an update on current projects noting Hwy 146 is still in design to go forward. Paving will be completed this year on Hwy 22 from intersection 421 to 1360. It was noted the State has already started the Sulphur Bridge Project and will start the 421 Bridge Project in July. Chris reviewed the Rural Secondary Proposal for 2010-2011 which is a project on KY 1359 (Hillspring Road). This will be the only project due to the rest of the money going into the flex funds for our county roads. Chris and his staff answered questions from the Court.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to accept the project recommended for the Rural Secondary Program for 2010-2011.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor's Update

Henry County EMS Supervisor Scott McClamroch requested the Court approve the hiring of two (2) part-time EMT's. Scott noted he had completed all the background checks and he felt they both would be an asset to the EMS service.

Upon motion by Esq. Coombs and seconded by Esq. Fisher, it is ordered by the Court to hire Richard W. Jaehnigen and Katie S. Cunningham as part-time EMT's.

Motion carried unanimously

2. Open Bids for Ambulance Remount

Henry County EMS Supervisor Scott McClamroch noted he had received only two bids for the remount. The following bids were opened and the dollar amounts read aloud:

Richards and Clarke, Inc.	\$74,503.00
Life Star Rescue, Inc.	\$82,589.00

Scott asked paramedic Josh Jamiel to review the bids and specs. Josh noted the bid from Richards and Clarke, Inc. met bid specs but has short cuts such as repairing the electric instead of replacing it. He noted the bid from Life Star Rescue, Inc. went above the bid specs. Josh recommended the Court accept the bid from Life Star Rescue, Inc. He also stated he would work to cut costs from the bid.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to accept the bid from Life Star Rescue, Inc. in the amount of \$82,589.00.

Motion carried unanimously

3. Back-up Ambulance Situation

Judge Brent reminded the Court that we have an ambulance out of service and it could take up to five months to get the remount done. The paid service currently has 2 ambulances working but is in need of a back-up ambulance in case another ambulance needs to be serviced. Henry County EMS Supervisor Scott McClamroch noted he has contacted the volunteer services asking to use their ambulances as a back-up during the day. He is currently using Eminence's ambulance as a back-up but he did not receive a positive response from the Campbellsburg and Pleasureville volunteer services. Scott noted the cost for leasing an ambulance is a minimum of \$2500.00 per month with a maximum of 100 miles a day. The County would also be responsible for any maintenance or needed repairs. He stated he felt leasing was not an option as the County owns the volunteer ambulances and the paid service would only be using them as back-up when needed. Esq. Hawkins noted he felt the problem was in the relationship between the paid and volunteer services. Esq. Hawkins noted the volunteers do a tremendous service and he has the utmost respect for them. He suggested the EMS committee hold a meeting with the volunteers to see if a reasonable agreement could be reached. Following discussion Judge Brent asked for a motion.

Upon motion by Esq. Beasley to lease an ambulance for the paid service.

Motion died for lack of a second

Upon motion by Esq. Hawkins, the EMS Committee to meet with the volunteers to resolve the issues and if they cannot come to a consensus the EMS Supervisor would have the authority given by Fiscal Court to access the ambulances.

Esq. Hawkins rescinded the motion.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court for the EMS Committee to meet with the volunteers and if they cannot reach a consensus a Special Meeting will be called.

Motion carried unanimously

RE: PARK DIRECTOR'S REPORT

Judge Brent noted park director Travis Buchanan is attending a meeting of the youth football. Judge Brent complimented the new director by stating he is doing a great job and the park and fairgrounds are in really good shape.

RE: HEALTH DEPARTMENT CDBG GRANT RESOLUTIONS & REQUIREMENTS

Judge Brent noted the County is only a pass through for the \$500,000.00 grant for the new Health Department. The Health Department is responsible for this project.

1. Resolution of Approve KIPDA as Grant Administrator

Upon motion by Esq. Coombs and seconded by Esq. Fisher, it is ordered by the Court to approve the Resolution of KIPDA as Grant Administrator.

Motion carried unanimously

2. Resolution for Anti-Displacement and Relocation

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to approve the Resolution for Anti-Displacement and Relocation.

Motion carried unanimously

3. Resolution for Cost Overruns

Upon motion by Esq. Brown and seconded by Esq. Coombs, it is ordered by the Court to approve the Resolution for Cost Overruns.

Motion carried unanimously

4. Resolution to Adopt the Required Procurement Standards

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court to approve the Resolution to Adopt the Required Procurement Standards.

Motion carried unanimously

RE: PLANNING AND ZONING CONCERNS

Judge Brent informed the Court that a Planning and Zoning Commissioner had been found in violation of the County's Planning and Zoning Ordinance. Judge Brent asked the Court for their suggestions and input. Esq. Hawkins noted that several constituents have questioned him about the issue. Esq. Hawkins also noted he was informed by Planning and Zoning Attorney Josh Clubb that Fiscal Court has the authority to remove the member as commissioner. Esq. West reviewed KRS 100.157 with the Court noting he can be removed for reason of malfeasance misconduct. Esq. Hawkins and Esq. West noted the seriousness of the issue. Esq. Coombs stated he had been told by an EPA Official that the area has been cleaned up. Following discussion Judge Brent asked for a motion.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court to remove Roger Hartlage from the planning and zoning commission per KRS 100.157 for reason of malfeasance misconduct.

No Action Taken-Motion Amended

Amended Motion

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to send a letter to Roger Hartlage asking him to resign from the planning and zoning commission and if he does not comply in 30 days the Court will remove him from the planning and zoning commission.

Yes-Beasley, Fisher, Hawkins, West

No-Brown

Abstain-Coombs

Motion carried

RE: COUNTY ROAD AID PUBLIC HEARING

Judge Brent held the public hearing for the use of County Road Aid Funds. There were no comments from the public.

RE: LGEA PUBLIC HEARING

Judge Brent held the public hearing for the use of the LGEA Funds. There were no comments from the public.

RE: CLAIMS AND TRANSFERS

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

General Fund	\$270,695.36
Road & Bridge	48,222.59
Jail Fund	34,487.12
LGEA Fund	109.56
Federal Grant	20.00
Litter Grant Fund	1.60
911-EMS Fund	7,050.68
Fair Fund	<u>518.85</u>
Total Expenditures	\$361,105.76

From: 0192009990	(Reserve for Transfers)	
To: 0150102100	Co. Clerk, Expense Account)	\$300.00
To: 0150151030	(Sheriff, Deputies Salaries)	\$42,500.00
To: 0150255390	(Legal Ads)	\$200.00
To: 0150804110	(Custodial Supplies)	\$400.00
To: 0152053980	(Humane Society)	\$320.00
To: 0154011020	(Parks Coordinator)	\$3,482.00
To: 0194002010	(Social Security)	\$4,813.00
To: 0194002050	(Health Insurance)	\$20,500.00

From: 0292009990	(Reserve for Transfers)	
To: 0261054470	(Materials)	\$10,794.00
To: 0261055490	(Medical)	\$100.00

From: 0291005990	(Miscellaneous)	
To: 0294002020	(Retirement)	\$430.00

From: 0392009990	(Reserve for Transfers)	
To: 0351011010	(Jailer, Salary)	\$2,087.00
To: 0394002020	(Retirement)	\$1,765.00

Motion carried unanimously

RE: COURT COMMENTS

Esq. Hawkins asked for members of the Court to work a night at the fair.
Esq. Brown stated he will be gone most of the month of July for other commitments.

RE: ADJOURN

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, 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 20, 2010