

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
NOVEMBER 16, 2010**

The Henry County Fiscal Court met in a Regular Session on November 16, 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  
Esquire Jerry Beasley  
Esquire David Brown  
Esquire Guy Coombs  
Esquire Mike Fisher  
Esquire Nick Hawkins  
Esquire Adam West

Honorable Virginia Harrod, 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.

**RE: APPROVAL OF MINUTES**

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to approve the minutes from the October 19, 2010 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 Report**

Henry County Road Supervisor, Glenn Baxter, reported the road department has been putting in culverts and getting the equipment ready for winter. He also noted they had been doing grading and hauling cinders.

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to establish a 35 mph speed limit on Montfort Road and Powell Lane.

Motion carried unanimously

Upon motion by Coombs and seconded by Esq. Brown, it is ordered by the Court to establish a 15 mph speed limit on Pendleton Loop.

Motion carried unanimously

**2. Update on Closing Happy Ridge Spur Road**

Esq. Fisher suggested the Court table the issue on closing Happy Ridge Spur Road. Esq. Fisher has talked with the parties involved and is hopeful the issue is taken care of.

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to table the issue on closing Happy Ridge Spur Road.

Motion carried unanimously

**RE: EMS/PARAMEDICS**

**1. Supervisor's Update**

Henry County EMS Supervisor, Scott McClamroch, noted the new remount is in service. He stated the company did an excellent job.

**2. EMS Committee Update**

Esq. West reported the EMS Committee had met. The Committee felt it would be best for them to review the background and applicant's record before bringing a hiring recommendation to the Court.

Upon motion by Esq. Hawkins and seconded by Esq. West, it is ordered by the Court to hire Jerry D. Glass II, as a part-time paramedic.

Motion carried unanimously

## **RE: PLANNING & ZONING**

### **1. Planning & Zoning Committee Update**

Esq. Coombs noted he did not have a report at this time as the Committee has not had the opportunity to meet.

### **2. New Appointments**

Judge Brent reminded Esq. Fisher of the need to find an appointment to replace Dennis Yeary as a member of the Board of Adjustments. He also noted the City of Smithfield's seat on the Planning Commission is open due to the resignation of Les Bryant.

### **3. Planning & Zoning Administrator Update**

Judge Brent noted we have advertised the position of the Planning and Zoning Administrator. The deadline to apply will be Friday, November 19, 2010. Interviews will be set up in the next week. A Special Meeting may be called to get the person approved.

## **RE: PARKS**

### **1. Supervisor's Update**

Henry County Parks Supervisor, Travis Buchanan, reported most sports are winding down. They have been winterizing the parks. They have planted more than 40 trees and installed several benches. He noted there is work being done on installing the new fence.

### **2. Walking Trail Grant**

Judge Brent informed the Court that the County has \$10,277.00 (ten thousand two hundred seventy seven dollars) left in our Walking Trail Grant. We can use this money to resurface the one mile of walking trail but we have to match the fund dollar for dollar. We can apply labor and equipment as an in-kind match. If we use the full amount of the grant the County's cash match will be around \$7,000.00 (seven thousand dollars). Judge Brent asked for advice and direction from the Court. Henry County Road Supervisor, Glenn Baxter, noted approximately \$13,000.00 (thirteen thousand dollars) should do the one mile walking trail.

Upon motion by Esq. Brown and second by Esq. Hawkins, it is ordered by the Court to match up to \$10,200.00 (ten thousand two hundred dollars) including in-kind.

Motion carried unanimously

### **3. Noting of Leadership Classes & Garden Club Contributions to the Park**

Judge Brent thanked the Shelby Garden Club and the 2008-2010 Henry County Leadership Classes for their donations to the new park . He noted they have donated 5 new park benches and

35 trees to the park. He also thanked Joe Akers, of Lake View Nursery in Bethlehem and Star View Nursery of Pendleton for helping keep the cost down on the trees.

**RE: 2011 COUNTY HEALTH INSURANCE**

Scott Brown with Brown Insurance came before the Court to present the insurance options for the 2011 Health Insurance. He noted the County is currently with UnitedHealth Care Insurance. The past years with UnitedHealth Care have been good, but the County is looking at a 45 percent increase in their premium for 2011. Scott also reviewed the rates from Anthem-KACO and Commonwealth Insurance. This is the same insurance offered to the State employees. Judge Brent noted if we sign a contract to go with the Commonwealth Insurance we are required to stay with them for a term of three years. Judge Brent also noted if the State does not have an administrator for their plan, he would like to present the option of retaining Scott Brown to administer the plan for the County.

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to enter into a contract with the State for the Commonwealth Insurance. It is for a term of 3 years.

Yes-Beasley, Coombs, Fisher, Hawkins, West  
Abstained-Brown  
Motion carried

**RE: PROPOSED ORDINANCE PERTAINING TO MANDATORY FIRE DEPARTMENT AUDITS -1<sup>ST</sup> READING**

Esq. Hawkins noted that he and Fire Department Committee members Esq. Beasley and Esq. Coombs had met to discuss accountability. The public funding the fire departments receive via a deed fee on the property tax bills is collected by the County. Esq. Hawkins stressed the Court has requested each fire department turn in their annual budgets to the Court. Some of the fire departments have complied, but not all. Esq. Hawkins read the proposed ordinance noting there is no increase of fees. The proposed ordinance states all fire departments will be required to present an annual budget, an annual budget settlement, and an annual audit. The County would buy the software for each fire department, pay for training and split the cost of the audit. Should a fire department not meet the requirements of the ordinance, the deed fees would not be collected by the County, but would be the responsibility of the fire department to collect on their own.

After much discussion a motion was made by Esq. Brown and seconded by Esq. Fisher, to table the issue for a month, giving the Committee time to meet with the Fire Chief's Association.

Motion carried unanimously

**RE: PROPOSED ORDINANCE PERTAINING TO SUNDAY WINE SALES - 1<sup>ST</sup> READING**

Smith-Berry Winery owner, Chuck Smith, and attorney, Bill Brammell came before the Court presenting a proposed ordinance for approval for Sunday wine sales. Mr. Smith gave a brief

history of Smith-Berry Winery and noted on Sunday afternoon visitors come by the Winery, but because of the prevailing law they cannot sell their products. Smith - Berry Winery is the only business that if passed the ordinance would affect. The proposed ordinance was read to the Court. Several Court members expressed their concerns that the wording in the ordinance not only included wine, but also included distilled spirits. Following discussion and comments the Court amended the ordinance for the 1<sup>st</sup> reading.

Upon motion by Esq. Fisher and seconded by Esq. Hawkins, it is ordered by the Court to approve the first reading of the amended ordinance by striking distilled spirits. This ordinance will establish the hours in which wine may be sold within the jurisdictional boundaries of Henry County.

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

### **RE: 2011 SHERIFF'S AND CLERK'S BUDGETS**

The 2011 Sheriff's and Clerk's Budgets were presented to the Court for review. Esq. Hawkins complimented Henry County Clerk, Juanita Lashley, for an exceptional job as her income went down but she is still returning a large sum of money to the County.

### **RE: ESTABLISH COMMITTEE FOR REVIEW OF SHERIFF'S & CLERK'S BUDGETS**

Judge Brent asked Esq. Beasley, Esq. Hawkins and Esq. West to serve on the committee to review the Sheriff's and Clerk's Budgets.

### **RE: GARBAGE COLLECTION SCHEDULED FEE INCREASE 2011**

Judge Brent reminded the Court that the contract with Rumpke has a scheduled fee increase of .38 (thirty eight cents) beginning January, 1 2011. In the past the County has absorbed the increase versus passing it on to the resident. Judge Brent asked the Court for their direction.

Motion made by Esq. Hawkins that the County does not absorb the increase of thirty eight cents for the Rumpke Garbage Collection Fee beginning January 1, 2011.

Motion died for lack of a second

Upon motion by Esq. Brown and second by Esq. Fisher, it is ordered by the Court to absorb the increase of thirty eight cents for the Rumpke Garbage Collection Fee, beginning January 1, 2011 for a period of one year.

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

**RE: CLAIMS AND 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	\$323,537.82
Road & Bridge	267,883.12
Jail Fund	38,823.46
Federal Grant	62.50
Litter Grant Fund	237.39
911-EMS Fund	3,585.89
Fair Fund	<u>932.07</u>
Total Expenditures	\$635,062.25

Transfers		
From: 0192009990	(Reserve for Transfers)	
To: 0150705690	(P&Z Workshops)	500.00
To: 0151403030	(Ambulance)	17,589.00
From: 0292009990	(Reserve for Transfers)	
To: 0261053120	(Special Road Projects)	5,908.00

Motion carried unanimously

**RE: COURT COMMENTS**

Esq. West noted the wireless speakers should be ready for the December meeting. Esq. Brown stated a good job was done on Sorrell Lane. Judge Brent announced Goodlett & Klempner, Inc. had the low bid of \$247,000.00 (two hundred forty seven thousand dollars) for the Henry County Commerce Park Project.

**RE: ADJOURN**

Upon motion by Esq. Brown and seconded by Esq. Coombs, 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: December 21, 2010

