

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
DECEMBER 20, 2011**

The Henry County Fiscal Court met in a Regular Session on December 20, 2011 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 Scott Bates
Esquire Jerry Beasley
Esquire David Brown
Esquire Mike Fisher
Esquire Roger Hartlage
Esquire Nick Hawkins

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 and noted everyone was present.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the minutes from the November 15, 2011 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

There being no old business the meeting continued with new business.

RE: NEW BUSINESS

RE: ROADS-SUPERVISOR'S UPDATE

Henry County Road Supervisor, Glenn Baxter, reported the repainting of the center line on Giltner Road has been completed. The road department has been busy putting up road and stop signs and Glenn noted one is already missing, on Little Dixie. Glenn checked the low water crossing on Joe's Branch and stressed it seems to be holding. The work on Ransdell Bridge is completed and the bridge is open. The road department has been working on pot holes and rocking the gravel roads. Esq. Fisher questioned if the County had an adequate supply of salt. Glenn noted we are in good shape as he recently purchased salt. Esq. Brown requested more rock be put on Montfort Lane.

RE: EMS/PARAMEDICS

1. Supervisor's Report

Henry County EMS Supervisor, Scott McClamroch, was ill and not present for the meeting.

2. Emergency Services Committee Report-Chair Scott Bates

EMS Committee Chair, Scott Bates, noted everything is running smooth with the EMS. J&N Electronics has been contacted to begin the process of applying for the broadband licenses. Esq. Bates stressed his committee has been looking at the EMS Budget to see if there are any areas where they could make budget cuts.

Deputy Judge Bryant reminded the Court that in January 2008 the Court approved an annual allocation of \$1600.00 for each Fire Department for the purchase of radios, pagers and batteries at J & N Electronics. The new allocation of funding begins January of each year. She received a call from J&N on December 20 saying the Pleasureville and Eminence Fire Departments wanted to spend the balance of their 2011 money, before the end of the year. She explained that she would not be presenting new claims to the Court for approval until the January meeting. Deputy Judge Bryant noted she did not want to see them lose their 2011 money, but they need to spend it earlier in the year. She asked the Court for their direction.

Upon motion by Esq. Fisher and seconded by Esq. Brown, it is ordered by the Court to establish a policy that if requested by the fire departments, Deputy Bryant has approval to pay after the December meeting, and before the end of the calendar year, any balance of their \$1600.00 (sixteen hundred dollars) to J&N, without the claim being presented to the Court.

Motion carried unanimously

RE: PLANNING & ZONING/SOLID WASTE-DIRECTOR'S REPORT

Judge Brent noted Planning and Zoning Director, Jody Rucker, was absent due to family illness.

RE: PARKS & FAIRGROUNDS-DIRECTOR'S REPORT

Henry County Park's Director, Travis Buchanan, reported his department has been working on equipment to get it ready for next year. He also noted all winterizing has been completed at the parks and fairgrounds.

RE: ANIMAL SERVICES

1. Director's Report

Animal Control Officer, Dan Flinkfelt, updated the Court on the situation regarding the seizing of the animals on the Smith property. He noted they are still doing their normal work along with dealing with all the new animals. They have done 10-15 adoptions this month and are currently doing a Home for the Holidays Program. Presently they have 13 animals in the shelter. Dan is taking care of the animals and allowing his staff off for Christmas. Esq. Brown complimented Dan on a job well done. County Attorney, Virginia Harrod, noted 218 counts of cruelty to animals charges have been brought against Terri Smith. She is still in custody today and a pre-trial conference is set for January 9.

2. Committee Report-Chair Roger Hartlage

Esq. Hartlage complimented Dan and his staff. Esq. Hartlage noted the rebid on the new shelter was still too high. Trimble County is going to hire a project manager and they are looking at doing a lot of the project in house. Judge Brent noted he has talked with the Humane Society and requested a month to month lease.

RE: YOUTH COALITION TO PRESENT TO COURT

Judge Brent welcomed Youth Coalition Members, Nathan Carroll, Nikki Gamble, Brianna Moore and Emily Rice as they came before the Court. The advocates for the Youth Coalition stressed the Coalition works to prevent the abuse of alcohol and drugs among the youth of our county. They represent grades seven through twelve in both school districts. They asked the Court to consider STAR (Server Training in Alcohol Regulations), a program of the Kentucky Department of Alcoholic Beverage Control, be a requirement in the County's Ordinance for Alcohol Sales. This training is for the servers and helps to create a better environment for the customers.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court that the STAR training will be part of any Ordinance concerning alcohol sales in Henry County.

Motion carried unanimously

RE: SHERIFF'S BUDGET AMENDMENT REQUEST-DANNY CRAVENS

Henry County Sheriff, Danny Cravens, came before the Court to explain the need for an amendment to his 2011 budget. He noted due to requests to provide more services to the public his department has over spent their part-time salary line item by \$23,000.00 (twenty three thousand dollars). Sheriff Cravens noted calls of service, transports, working the elections, and

paying for training time for one of his staff to be a certified EMT has also added additional expense to the part-time salary. He also stated the auditor suggested he include an additional 20% (twenty percent) above the salary cap, which he felt would prevent his department from needing to do an amendment in the future. Esq. Brown asked Sheriff Cravens if this was a one-time deal and Sheriff Cravens replied that it won't happen in 2012, as his part-time law enforcement employee's certification runs out at the end of the year and he is not going to get recertified. Judge Brent questioned what this \$23,000.00 amendment was going to do to this year's budget, and if Sheriff Cravens was still going to return the \$10,000.00 (ten thousand dollars) in excess fees to the County. Sheriff Cravens responded that he was still collecting taxes and did not know about the ten thousand dollars and would not know until the end of the month.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to amend the 2011 Sheriff Budget with an increase of \$23,000.00 (twenty three thousand dollars) for part-time salary. Esq. Brown noted this is a one-time deal.

Motion carried unanimously

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to amend the 2011 Sheriff Budget with a 20% (twenty percent) increase on the salary cap.

Motion carried unanimously

**RE: SHERIFF AND CLERK'S BUDGET COMMITTEE REPORT-CHAIR
DAVID BROWN**

Esq. Brown noted the committee met with the Sheriff and Clerk to review their 2012 Budgets. The Sheriff was in agreement to cut his budget by \$7400.00 (seven thousand four hundred dollars) for part-time and over-time salaries. The budget projected a return to the County of \$7081.00 (seven thousand eighty one dollars) in excess fees. Judge Brent asked Sheriff Cravens if he would return the \$10,000.00 (ten thousand dollars) that he had in the past. Sheriff Cravens said he could not promise that. Esq. Brown noted the committee agreed to recommend the budgets to the Court.

Esq. Hawkins noted the Sheriff is interested in leasing the Henry County Health Department Building. Esq. Hawkins spoke with AOC (Administrative Office of the Courts) to see if they were interested in leasing the additional space if the Sheriff moved his office. AOC will lease 100% (one hundred percent) of the Courthouse. They would pay the County approximately \$25,000.00 (twenty five thousand dollars) for the additional rental space and utilities. Esq. Hawkins suggested the County allocate this funding to the Sheriff. With this funding it would be the Sheriff's responsibility to secure a location for his office and maintain the building. The Sheriff would be responsible for issues such as the air conditioning not working, HVAC problems, roof leaking, replacing light fixtures, painting, utilities, and custodial expenses. Fiscal Court will not be responsible to maintain the leased building. Sheriff Cravens was also in agreement to cut \$12,000.00 (twelve thousand dollars) from his budget to pay for the utilities on the leased building. He also indicated he would like to return more than \$10,000.00 (ten thousand dollars) to the County in excess fees, with the excess of \$10,000.00 going into a line

item in the County's budget for the Sheriff's use in the future. Esq. Hawkins noted if the Sheriff does not move until July the County would only pay half of the \$25,000.00 (twenty five thousand dollars) this year. Sheriff Cravens acknowledged he understood that.

RE: SHERIFF'S BUDGET FOR 2012-2ND READING

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the second reading of the 2012 Sheriff's Budget and the County will pay \$25,000.00 (the amount received from AOC) to the Sheriff to secure a location, and with the understanding the Sheriff is responsible to maintain the lease, for all up keep and utilities of the leased property.

Yes-Bates, Beasley, Brown, Hartlage, Hawkins

No-Fisher

Motion carried

RE: CLERK'S BUDGET FOR 2012-2ND READING

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to approve the Henry County Clerk's 2012 Budget.

Motion carried unanimously

RE: LOCAL OPTION IMPLICATIONS DISCUSSION-COUNTY ATTORNEY VIRGINIA HARROD

Henry County Attorney, Virginia Harrod, informed the Court that the County would need to develop an Ordinance, chose an Administrator, set license fees and percent of sales tax. Judge Brent noted he had asked County Treasurer, Lori Parrish, to call some of the surrounding counties to get information regarding their fees. The Court discussed the duties of the Administrator such as auditing the business to ensure that 70% (seventy per cent) of their revenue is from the sale of food and that a meal must be served with the drink. It was questioned if the ABC Administrator should be a person with law enforcement training. Sheriff Cravens will call the ABC Administrator in Oldham County to see what training is involved.

The committee of Judge Brent, Esq. Beasley and Esq. Hartlage will meet to develop the Ordinance.

RE: TEXT AMENDMENT TO MAGISTERIAL DISTRICTS ORDINANCE-1ST READING

Henry County Attorney, Virginia Harrod, noted there was a typo in the Ordinance Relating to the Reapportionment of Magisterial Districts in Henry County and it needs to be amended for the record.

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to approve the 1st reading of a text amendment, of Section Six, District Five, of Ordinance #110-09-11-06, in lines ten and eleven, change Hwy 322 to Hwy 3322.

Motion carried unanimously

RE: CLAIMS AND TRANSFERS

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

General Fund	\$381,232.76
Road & Bridge	136,508.41
Jail Fund	43,857.86
LGEA Fund	932.06
Federal Grant Fund	20.00
Litter Fund	19,567.36
CDBG Grant/Health Dept.	98,013.00
Fair Fund	<u>36,917.48</u>
Total Expenditures	\$717,048.93

Transfers:

From:	0192009990 (Reserve for Transfers)	\$36,023.16
To:	0191005990 (Miscellaneous)	\$1,000.00
To:	0193009990 (Transfer to Other Funds)	\$35,023.16
From:	0193009990 (Transfer to Other Funds)	\$35,023.16
To:	8092009990 (Reserve for Transfers)	\$35,023.16
From:	1392009990 (Reserve for Transfers)	\$200.00
To:	1352124290 (Litter Gas)	\$200.00
From:	8092009990 (Reserve for Transfers)	\$35,023.16
To:	8054015480 (Special Project)	\$35,023.16

(Special Project/Purchase of 2 acres adjacent to Henry County Fairgrounds)

Motion carried unanimously

RE: PUBLIC COMMENTS

Mr. Bob Cook expressed his concerns of mold being in the health department building. Sheriff Cravens assured Mr. Cook that the building will be inspected prior to the agreement.

Mr. Steve Losch suggested the Court be mindful of small businesses when setting the fees for the sale of alcohol, as these small businesses are already paying a lot of fees.

RE: COURT COMMENTS

Deputy Judge Bryant asked the Court to let her know if they were wanted her to register them for the KCJEA Winter Conference.

RE: ADJOURN

Upon motion by Esq. Hartlage and seconded by Esq. Bates, 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 17, 2012

