

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JULY 19, 2011**

The Henry County Fiscal Court met in a Regular Session on July 19, 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 Brent called the meeting to order and noted everyone was present.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to approve the minutes from the June 21, 2011 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/Update NRCS Project

Henry County Road Supervisor, Glenn Baxter, reported his department has been working on the Flat Rock Road Project. The project has taken more materials than NRCS (National Resources Conservation Service) had estimated. They plan to pour concrete tomorrow and hope to finish the project this week.

2. Update on FEMA Road Projects

Glenn reported FEMA has approved the projects on Mill Creek, Union Church Road, and New Cut Road. New Cut Road is still closed at this time. The bid for the bridge project will come out in the paper tomorrow. Glenn hopes to get started on the low water crossing on Joe's Branch. He also hopes to get started on the in-house blacktopping. Glenn noted they are starting their third round of mowing the County roads. Esq. Brown noted he has received complaints on Mill Creek. He stressed his concerns for the safety in using the road. Esq. Brown stated he has also received complaints on Lea View Avenue and Paul Nora Drive. Esq. Fisher noted he has received complaints on the Lockport side of Six Mile Road, and the culverts being stopped up on Albert Moore Road. Glenn noted due to the time constraints from NRCS, his department has been working on the Flat Rock Road Project. Glenn hopes to get to these other projects soon.

3. County Road Aid Coop Agreement

Judge Executive, John L. Brent, read the Resolution of the County Road Aid Coop Agreement. Judge Brent asked the Court for a motion to adopt the Resolution.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to adopt the Resolution of the County Road Aid Coop Agreement.

Motion carried unanimously

4. Update on HWY 202 –State Rural Secondary

Judge Brent reported he has received numerous complaints regarding HWY 202. The road is slated to be paved from New Cut Road to Hwy 421. Judge Brent noted at the .5 mile marker, a large 12 foot culvert has peeled up and it will cost several hundred thousand dollars to replace. The paving will start at New Cut Road and stop at the culvert area. They will finish paving the road when they get the funding to replace the culvert.

RE: EMS/PARAMEDICS REPORT

Judge Brent noted Henry County EMS Supervisor, Scott McClamroch, could not be here tonight but the EMS is running well.

RE: P&Z/SOLID WASTER ADMINISTRATOR'S REPORT

Henry County Planning and Zoning Administrator, Jody Rucker, noted he has new tires on the Planning and Zoning vehicle. He reported the system that monitors the miles while doing the 911 addresses is broken. He hopes to have it replaced by Friday. Jody noted the sound system for the Court room is up and running. Jody gave an update on the number of permits his departments have issued.

RE: PARKS DIRECTOR'S REPORT

Henry County Park's Director, Travis Buchanan, reported mowing has slowed down. His department has been using the extra time preparing for the fair and the Harvest Showcase. Football practice has started at the new park. Judge Brent reported the County is having a woven wire fence built at the new park, along the McCarty property line. The new Health Department has broken ground and dirt was hauled by Ricky King to the back of the park to build a youth soccer field. Bowen Excavating and Ricky King are donating the labor and equipment for this. Judge Brent informed the Court that the Henry County Extension Board voted to spend money on replacing the fence and doing work on the old horse ring at the fairgrounds.

RE: ANIMAL SERVICES REPORT

Esq. Hartlage was pleased to inform the Court that Trimble County has received the deed to the property for the animal shelter. Esq. Hartlage noted the committee has met with the architect and have applied for the \$150,000.00 (one hundred fifty thousand dollars) grant. Esq. Hartlage complimented the Animal Control Officer, Dan Flinkfelt, for doing a good job.

RE: AUTOMATIC DOOR OPENER FOR HANDICAPPED ENTRANCE AT COURTHOUSE

Judge Brent informed the Court that it was recommended by the State that the handicap entrance door have no more than eight pounds of pressure. Judge Brent had the door adjusted, but felt installing an automatic door opener was the best option. Judge Brent got a bid of \$4,336.00 (four thousand three hundred thirty six dollars) from Randy Berry. The bid is to furnish and install the door opener. Esq. Hawkins noted work should start tomorrow on replacing the courthouse steps.

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to accept the bid of \$4,336.00 (four thousand three hundred thirty six dollars) from Randy Berry, to furnish and install the automatic door opener.

Motion carried unanimously

**RE: COUNTY PROPOSED REAPPORTIONMENT-
RHONDA CARPENTER & COMMITTEE TO PRESENT**

Rhonda Carpenter came before the Court to bring the re-apportionment report and the recommendation from the committee. The committee found changes necessary in all Magisterial districts. Rhonda reviewed the changes with the Court and noted all districts must meet the federally mandated requirements. Rhonda answered questions from the Court. Esq. Hawkins noted it is a complex process and he suggested the Court establish a committee to review the data and come back at next month's meeting with a recommendation.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to establish a committee to review the re-apportionment data, and bring recommendation back to the Court.

Motion carried unanimously

The Court drew lots to determine Esq. Beasley, Esq. Brown and Esq. Hawkins would serve on the committee. The committee will meet with Rhonda Carpenter and will contact Adam Forseth from KIPDA for input and assistance.

**RE: 1ST READING ORDINANCE FOR SUNDAY ALCOHOL SALES
AT THE HENRY COUNTY COUNTRY CLUB**

Judge Brent read the Ordinance for Sunday Alcohol Sales at the Henry County Country Club. He noted the Ordinance is the same as the previously adopted Ordinance which allows Sunday sales of wine, at the Smith-Berry Winery. Judge Brent introduced Attorney, Bill Brammell, and Henry County Country Club Board Member, Jimmy Simpson. Mr. Brammell stressed this Ordinance is in reference to a golf course. Mr. Simpson stressed the golf course is a top draw of tourism in the County. He feels the Sunday sale of alcohol is needed to compete with other courses which is important for economic growth and tourism. He also stated the County Club hopes to have a restaurant in the future, which would provide 3-5 jobs. Esq. Bates and Esq. Brown stated they could not support the sale of alcohol for moral reasons. Following discussion and comments the Court amended the Ordinance for the 1st reading.

Upon motion by Esq. Hawkins and seconded by Esq. Hartlage, it is ordered by the Court to approve the 1st reading of the amended Ordinance for Sunday Alcohol Sales at the Henry County Country Club, by striking distilled spirits and inserting wine and malt beverages.

Yes-Beasley, Brent, Hartlage, Hawkins
No- Bates, Brown, Fisher
Motion carried

Judge Brent noted he voted in favor of the Ordinance not only for economic development, but also in the hope with controls, consumption of alcohol will go down.

RE: 2011/2012 TAX RATE – 1ST READING

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court that the County **tax levy remain the same** as last year at 11.7 cents per hundred dollars on all real property in Henry County, 15.9 cents per hundred dollars on all personal property in Henry County, and 11.9 cents per hundred dollars on all vehicles and watercraft for 2011. A public hearing for the tax levy will be held on August 16, 2011 at 6:00 p.m.

Motion carried unanimously

RE: CLOSED SESSION – DISCUSSION OF PROPERTY

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to enter into a closed session.

Motion carried unanimously

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to go back into regular session.

Motion carried unanimously

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to purchase two (2) acres of property on the Pleasureville side of the Henry County Fairgrounds from the Gaunce family, in the amount of \$35,000.00 (thirty five thousand dollars).

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$352,639.88
Road & Bridge	119,986.46
Jail Fund	50,992.19
LGEA Fund	4,632.06
Federal Grant Fund	20.00
Litter Fund	1,413.59
911-EMS Fund	4,192.40
Fair Fund	<u>506.19</u>
Total Expenditures	<u>\$534,382.77</u>

Transfers (Nunc Pro Tunc) for 2010-2011 Budget/June 30, 2011

General Fund

From: 0152053840 (Spay & Neuter Grant)	1,246.00
To: 0192009990 (Reserve for Transfers)	1,246.00
From: 0192009990 (Reserve for Transfers)	\$19,938.00
To: 0150011030 (Deputy Judge/Executive)	223.00
To: 0150201010 (Coroner/Salary)	116.00
To: 0150201030 (Deputy Coroner/Salary)	271.00
To: 0150202100 (Coroner/Expense Acct)	18.00
To: 0150401020 (Treasurer/Salary)	4,152.00
To: 0150701070 (P&Z/Enforcement Officer)	86.00
To: 0150701250 (P&Z/Secretary Salary)	428.00
To: 0150801070 (Courthouse Superintendent)	205.00
To: 0151401070 (EMT Supervisor)	201.00
To: 0151401370 (Paramedics Salaries)	63.00
To: 0152051020 (Animal Control Officer)	2,154.00
To: 0152051790 (Animal Control Part-time)	873.00
To: 0152053980 (Contract-KY Humane Society)	8,947.00
To: 0152125420 (Dumping/Litter/Part-time)	418.00
To: 0154011020 (Parks Coordinator)	45.00
To: 0154011790 (Parks/Part-time)	187.00
To: 0154015780 (Parks Utilities)	1,463.00
To: 0191005990 (Miscellaneous)	75.00
To: 0194002050 (Health Insurance)	13.00

Road Fund

From: 0261034450 (Office Supplies)	\$1,126.00
From: 0261053980 (Contracted Labor)	2,210.00
From: 0261053090 (Consultant)	250.00
From: 0261053640 (Rental/Track Loader)	1,273.00
From: 0294002010 (Social Security)	2,348.00
To: 0292009990 (Reserve for Transfers)	7,207.00
From: 0292009990 (Reserve for Transfers)	7,207.00
To: 0261031020 (Road Supervisor/Salary)	191.00
To: 0261051430 (Road Worker's Salaries)	4,784.00
To: 0294002020 (Retirement)	2,232.00

Jail Fund

From: 0351013140 (Training/Fringe Benefits)	\$2,667.00
To: 0392009990 (Reserve for Transfers)	2,667.00
From: 0392009990 (Reserve for Transfers)	11,439.00
To: 0351011010 (Jailer/Salary)	3,619.00
To: 0351011030 (Deputy Jailer's Salaries)	4,411.00
To: 0394002020 (Retirement)	3,409.00

Motion carried unanimously

RE: COURT COMMENTS

Esq. Brown commented it was a good meeting and he was happy with purchasing the property for the fairgrounds. Esq. Brown thanked Esq. Hartlage and his committee for their hard work on the animal shelter. Animal Control Officer, Dan Flinkfelt, gave an update to the Court noting he was keeping a tight rein on his budget.

RE: ADJOURN

Upon motion by Esq. Hawkins 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: August 17, 2011