

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
OCTOBER 18, 2011**

The Henry County Fiscal Court met in a Regular Session on October 18, 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 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. Bates, it is ordered by the Court to approve the minutes from the September 20, 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 low water crossing on Joe's Branch was in, and completed under budget. He also noted all in-house blacktopping has been done. Glenn reported the headwall has been poured on Ransdell Bridge. Some of the rebar was taken from the project and will need to be replaced, but things are still progressing. Esq. Fisher requested it be noted that he is very disappointed with the low water crossing on Joe's Branch. Esq. Fisher stated the road is laid in the creek bed. He noted it was discussed in the spring as to how they were going to do the job. Esq. Fisher stressed everyone who has seen the low water crossing feels it is not going to be beneficial. Esq. Fisher stressed the water is going to cover it with rock. Glenn replied that the project was done in-house and he and the Herrell Brothers did what they thought was best, noting he did not think it would be a problem. Esq. Fisher stated he hopes it won't be a problem, but only time will tell. Esq. Brown expressed thanks for the job done on the road in Leaview, noting it was appreciated. Esq. Hartlage also complimented the job done on the entryway and road in Stonehurst. Judge Brent noted he was not happy with Phil Crump from Mago. Mr. Crump told Judge Brent the paving on Drennon Road (Hwy 202) would start the second week in September, which was delayed due to rain. Judge Brent was then told they would start the first week in October and now has been promised they will start next week. Judge Brent gave in good faith this information to others. Judge Brent felt Mago put other road projects in front of us.

**RE: EMS/PARAMEDICS-SUPERVISOR'S UPDATE**

In the absence of Henry County EMS Supervisor, Scott McClamroch, Esq. Bates gave a brief update. He noted as far as he knows everything is running smooth with the EMS.

**RE: P&Z/SOLID WASTE-ADMINISTRATOR'S REPORT**

P&Z/Solid Waste Administrator, Jody Rucker, reported 10 (ten) permits were issued last month. He announced the Tire Amnesty will be held this week, October 20-22, at the State Highway Barn.

**RE: PARKS/FAIRGROUNDS-DIRECTOR'S REPORT**

Henry County Parks Director, Travis Buchanan, reported the practice fields have been renovated and seeded. They are currently building a 30 x 30 picnic shelter at the new park. Judge Brent noted picnic tables have been built and donated for the new park shelter. Esq. Hartlage stated he has received complaints of problems with the lights on the tractor pull track at the fairgrounds. Esq. Hartlage noted if there are problems, we need to address them and fix them. Travis reported the immediate problem has been taken care of. He had an electrician replace the breaker box that provides the electricity for the lights. Justin Atchison noted there have been problems with the electricity since he has been involved with the fair. Justin reminded the Court that he came at the last budget meeting to bring a proposal of \$20,000.00 (twenty thousand dollars) for needed

electrical improvements. Justin also introduced electrician, J.O. Johnson, who had just left the fairgrounds after viewing the electrical boxes. Mr. Johnson noted he found there needs to be a more balanced load in the electrical boxes. He also stated the distribution section needs to be locked and secured. Judge Brent responded that the distribution section was locked and someone must have cut the lock off. Esq. Beasley noted there are too many electricians involved. Every group that uses the fairgrounds brings in their own person. They don't combine together, but just wire up to get their job done. Judge Brent noted in the nine years he has been Judge the County has spent over \$30,000.00 (thirty thousand dollars) on electric at the fairgrounds. He questioned how much money it would take to never have a complaint. Judge Brent also stressed an electrician comes each year before the fair. Esq. Hawkins noted \$5,000.00 (five thousand dollars) was allocated in this year's budget for improvements at the fairgrounds. The parks/fairgrounds committee will meet with the fair committee to set priorities and to discuss the issue.

## **RE: ANIMAL SERVICES**

### **1. Committee Report-Magistrate Hartlage**

Esq. Hartlage reported the County received the official letter awarding the \$150,000.00 (one hundred fifty thousand dollar) grant for the construction of the new animal shelter. The pre-bid meeting is scheduled for Thursday, October 20, at the Trimble County Judge Executive's Office, with bids due on October 31. Esq. Hartlage noted the property will need to be re-zoned. Esq. Hartlage noted roughly \$60,000.00 (sixty thousand dollars) will be the County's portion of the shelter project, and he questioned if the County wants to use money from reserves or borrow the money. Esq. Hawkins stated the committee felt it would be better off to use the reserves and avoid paying closing costs associated with borrowing the money.

Upon motion by Esq. Hawkins and seconded by Esq. Hartlage, it is ordered by the Court to use money from reserves to pay the County's portion for the new animal shelter.

Motion carried unanimously

### **2. Officer's Report-Dan Flinkfelt**

Henry County Animal Control Officer, Dan Flinkfelt, reviewed the blueprints of the new animal shelter with the Court. Dan noted the building will be on 2 acres. He stressed it will be one of the best shelters in the region and will be a building the County can be proud of. Dan stated he has received complaints of dog owners allowing their dogs to run free at the new park. He requested signs be posted, asking dog owners to keep their dogs on a leash. Dan reported animals are up this month with many puppies being brought in. He also noted he needed new tires on his animal control vehicle. He has a price of \$659.00 (six hundred fifty nine) dollars for the new tires and rotation.

### **3. Henry/Trimble Inter-local Agreement on Property**

Upon motion by Esq. Hartlage and seconded by Esq. Brown, it is ordered by the Court to enter into an Inter-local Agreement with Trimble County Fiscal Court, for the lease of the animal shelter property, located at Highway 157, Pendleton, KY, for a term of one hundred (100) years.

Motion carried unanimously

### **RE: EMERGENCY SERVICES COMMITTEE REPORT ON CONSTABLES-MAGISTRATE BATES**

Esq. Bates reported the committee met with Constable, Michael Robinson, to express their concerns. They discussed the training and the County's responsibility to pay for it. Esq. Bates stated they will get the record of dispatch from Post and bring to next month's meeting. Henry County Sheriff, Danny Cravens, noted the 911 Board can request who gets dispatched from Post. Sheriff Cravens suggested the Court set the guidelines for the Constables and inform the 911 Board. Sheriff Cravens also suggested the money the County will spend training and paying the Constables be given to the Sheriff's department, as this will limit the County's liability, as his officers are already trained and certified. The Court will continue discussing the issue at next month's meeting.

### **RE: VOTING MACHINES & POLLING PLACES-COUNTY CLERK JUANITA LASHLEY TO ADDRESS THE COURT**

Henry County Clerk, Juanita Lashley, came before the Court to request permission to use more than one voting machine in each precinct, for the November 8, 2011 General Election. Juanita also informed the Court that the County lost the polling site in the Defoe precinct. Due to the handicap requirements, the precinct will be moved to the Pleasureville Methodist Church.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to approve the use of more than one voting machine in each precinct for the November 8, 2011 General Election.

Motion carried unanimously

### **RE: LOCAL OPTION ELECTION-COUNTY CLERK JUANITA LASHLEY TO ADDRESS THE COURT**

Judge Brent noted a couple of Local Option Election Petitions have been going around. One for the City of New Castle and one for the entire County. These petitions are to allow voters to decide whether or not alcohol by the drink will be sold in the City of New Castle and/ or be sold in the County. Henry County Clerk, Juanita Lashley, reviewed the many steps required for the election process. The KRS states no local option election shall be held in the same territory more than once in every three (3) years. A Special Election was held on June 21, 2011, for the North East New Castle Precinct, to vote on alcohol sales by the drink, at the Henry County Country Club. The question is if the County and City of New Castle can go forward with the Special

Elections. New Castle Attorney, Joe Yates, addressed the Court. He noted it boils down to the definition of "same territory". He questioned how the County can move forward with a Special Election and the City of New Castle cannot, as all precincts are in the County. County Attorney, Virginia Harrod, noted she talked with General Council at the State Board of Elections, and feels like the City of New Castle could not have their City vote until after three (3) years, or before June 2014. County Attorney Harrod noted the State Board's opinion is that the Country Club vote banned the City vote, but not the County vote. Judge Brent stated he will rescind the City of New Castle's Executive Order, and will go forward on the County's Order, based on County Attorney Harrod's conversation with the State Board of Elections.

**RE: COUNTY HEALTH INSURANCE FOR 2012**

Judge Brent reported the County is currently covered under the State's health insurance. Next year's premium will increase \$13.00 each month. Judge Brent brought recommendation that the County pay the increase. Esq. Hartlage expressed concern about the premium. Judge Brent explained the past history, noting the County left the State insurance several years ago and got quotes through another insurance company. The premiums continued to rise, due to the age and health of some of our employees, so this year the County went back with the State insurance.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to pay the monthly increase of \$13.00 (thirteen dollars) for the employee health insurance.

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

**RE: CLAIMS AND TRANSFERS**

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

General Fund	\$233,374.22
Road & Bridge	283,311.35
Jail Fund	46,318.46
LGEA Fund	3,510.00
Federal Grant Fund	20.00
Litter Fund	1,143.71
Health Dept/CDBG Grant	151,857.00
Fair Fund	<u>523.61</u>
Total Expenditures	\$720,058.35

Motion carried unanimously

**RE: PUBLIC COMMENTS**

Katherine Vegh suggested the County post signs at the park, that a dog has to be on a leash and if caught with their dog unleashed, the County should charge a fine. County Attorney, Virginia Harrod, noted the County would have to enact a new ordinance. Esq. Hartlage noted the committee will review the issue.

**RE: COURT COMMENTS**

Esq. Brown thanked the Henry County Local for the article they did on recycling. He hopes the article will help to increase recycling in the community. Esq. Brown questioned if the County could provide recycling containers at the mom and pop stores in the County. Judge Brent asked the Solid Waste Administrator, Jody Rucker, to go on-line and get prices. Henry County Sheriff, Danny Cravens, announced that on Saturday, October, 29 from 10:00 am-12:00 pm, his department will take back old drugs in the parking lot behind the Courthouse. A shred-it truck will also be available that day for residents to bring documents they want shredded.

**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: November 15, 2011