

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
AUGUST 21, 2012**

The Henry County Fiscal Court met in a Regular Session on August 21, 2012 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

Judge Brent asked for a moment of silence to honor EMT, Mark Rexroat, who lost his life in a motorcycle accident.

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 July 17, 2012 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

RE: 2ND READING OF THE 2012 TAX RATES

Upon motion by Esq. Brown 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 motor vehicles and watercraft for 2012.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Glenn Baxter, reported several roads have been blacktopped and work started today on McCarty Lane. Glenn thanked the Court for hiring the two part-time guys, as it has made a big difference on paving. Glenn plans to start work Thursday on Carters Road if MAGO is open. Glenn reported the first footer has been poured on the Long Branch Bridge and they are slowly making progress. He also noted the Hwy 193 project is close to getting the approaches blacktopped. Esq. Brown was appreciative of the work done on Lea View.

Esq. Hartlage reported an issue with a downhill gravel driveway in Pendleton Heights. The owner of the home and driveway was in attendance. When the County paved the road it caused the road to be higher than the driveway. When it rains the rock washes out at the bottom of the drive causing the wife's small car to drag, so now she is driving through the grass to get down the driveway. Esq. Hartlage stated the driveway needs to be feathered down and since the County paved the road he felt it was the County's responsibility to correct it. Glenn noted the paving was done in July 2010 and the County does not do aprons. Esq. Hawkins and Esq. Beasley noted we now have the two part-time road employees to feather the drives, to avoid future problems when paving. Following discussion, Esq. Beasley suggested the County use cold mix to straighten up the drive stating it won't solve the problem, but will help it. Judge Brent recommended the Court set a policy so Glenn will know what to do in the future.

Upon motion by Esq. Hartlage and seconded by Esq. Beasley, it is ordered by the Court to address driveways that have the fall off problems from asphalt to gravel that we go taper the float down not to exceed three feet and only where culverts.

Motion carried unanimously

2. Road Committee Report-Esq. Beasley

Esq. Beasley was pleased to inform the Court that Representative, Rick Rand, has additional funding of \$250,000.00 (two hundred fifty thousand dollars) for blacktopping in Henry County. Representative Rand reviewed both Jackson Road and Hwy 561 and recommends eight tenths of

a mile be paved on Jackson Road and the rest of the money be put on Hwy 561, the lower end toward Gestville. The Court was in consensus to accept the recommendation from Representative Rand.

RE: EMS/PARAMEDICS

1. Supervisor's Report

Henry County EMS Supervisor, Josh Jamiel, reported the service was running pretty good and they have picked up on transfers. They are doing a lot of transports out of Trimble County. They are not staffing the transport vehicle but calling staff in as needed. Judge Brent complimented Josh on his handling of the situation following the tragic loss of EMT, Mark Rexroat.

2. Committee Report-Esq. Bates

Esq. Bates agreed with Judge Brent and also complimented Josh. Esq. Bates also noted Josh is doing a good job trying to find ways to increase their revenues. Esq. Bates noted everything has been switched to narrow band. There have been a few issues and they have a few bugs to work out.

3. Eminence EMS Building

Esq. Bates gave an update on the Eminence EMS building. He noted Josh wants to keep an ambulance in Eminence, but the County cannot afford to pay the utilities that run \$5,000.00 a year just to keep the ambulance there. The Eminence EMS is no longer making runs and covering expenses on the building. The County does need to keep the building until after the November election as we store the voting machines there. Judge Brent noted the agreement with the City of Eminence states if the County does not use the building for the ambulance service it goes back to the City. The building is in good shape and is currently being used by the food backpack program. Judge Brent also noted keeping the property mowed was also a concern for the County. Esq. Bates has contacted Eminence School Superintendent, Buddy Berry, to see if the school would be interested in using the building, but he hasn't heard back yet. Esq. Bates hopes to bring back options to the Court.

Esq. Hawkins noted all fire departments have turned in their required audits. Some of them are not happy with the audits. Esq. Hawkins discussed the need for an amendment to the Fire Department Deed Fees Ordinance, to make it work for everyone, be more uniformed and flow a little smoother. Esq. Hawkins noted the audits were not uniformed as different departments used different auditors. Esq. Hawkins plans to have a recommendation before the next Court meeting.

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

Henry County Planning and Zoning Administrator, Jody Rucker, reported 13 permits were issued for the month of July. Jody has finished the 5 Year Solid Waste Plan and has a copy at the Henry County Library and Judge Executive's Office if anyone wants to review it.

RE: PARKS & FAIRGROUNDS

1. Director's Report

Henry County Park's Director, Travis Buchanan, reported the football and soccer teams are getting ready to start their fall leagues. The park newsletters have been given to all the schools to inform them of activities at the park. Travis noted the 2010 Leadership Class started a project of selling trees in honor of or in memory of, to be planted around the walking trail at the new park. Travis is going to continue with the program and noted anyone interested could contact him to purchase a tree.

2. 1st Annual "Trail & Treat" at Walking Trail

Judge Brent noted he attended a Diabetes Coalition meeting where they stressed the importance of walking and several in attendance talked about the asset of the walking trail at the park. Judge Brent suggested the County sponsor an event to encourage physical activity for our youth and at the same time promote our park and walking trail. Judge Brent discussed the matter with Travis and they decided the "**trail & treat**" would be a good idea. They plan to have a number of civic groups and governmental offices stationed along the walking trail. Some will give out candy, and others such as the Health Department may give out toothpaste and toothbrushes, the Library may read ghost stories, and the Diabetes Coalition give out jump ropes. Cedar Lake Lodge has agreed to judge the costume contest. The date is October 26, 2012 from 5:00 pm-7:00 pm.

RE: ANIMAL SERVICES

1. Committee Report-Esq. Hartlage

Esq. Hartlage noted the animal services committee met a couple of times to identify and discuss the needs at the new animal shelter. The top priority is the need of a storage unit. The committee also advertised for a part-time animal control position and they received eight applicants.

2. Approval of part-time hire

Esq. Hawkins stated the committee interviewed eight great applicants. Many were very qualified which made for a tough decision. Esq. Hawkins brought the recommendation from the committee to hire Suzanne M. Schulte as the part-time animal control officer.

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to hire Suzanne M. Schulte, as the part-time animal control officer.

Yes-Bates, Beasley, Brown, Fisher, Hawkins
Abstain-Hartlage
Motion carried

3. Director's Report

Henry County Animal Control Officer, Dan Flinkfelt, reported Trimble County has their full-time and part-time officers hired and they are up and running. Dan noted we are now in partnership with the KY Speedway where our volunteers can work at the Speedway and their pay is donated to the animal shelter. Dan applied for the non-profit 501C3 status. He was contacted by the Humane Society of United States, telling him they did all the paperwork, cut through the red tape and are donating the 501C3. Judge Brent wanted assurance from Dan that the County was not affiliated or connected to this group. Dan assured him we were not. They just helped with the paperwork. Dan noted this status will help the shelter obtain grants and donations. Pet Smart Charity will hold an adoption week in October.

RE: SHERIFF'S SETTLEMENT FOR 2011

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the Sheriff's Settlement for 2011, pending audit.

Motion carried unanimously

RE: TREASURER'S SETTLEMENT FOR 2011/2012

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to approve the Treasurer's Settlement for 2011/2012, pending audit.

Motion carried unanimously

RE: ESTABLISH BUDGET COMMITTEE

Judge Brent noted each Magistrate received a end of year financial statement in their packet and a chart tracking the general fund back to the year 2000. Judge Brent noted the report shows 2000, 2001 and 2002 the County was in the red. The Court made several changes in the coming years and things turned around. The County had eight straight years in the black. This past year we were down \$540,000.00. Judge Brent noted several one-time expenses for this year which included \$70,000.00 for paving the commerce park, \$22,000.00 for the cost of special elections, \$12,000.00 for the County match on the emergency generators, \$19,000 in animal shelter construction match, \$35,000.00 for the purchase of land for parking at the fairgrounds, and a \$20,000.00 reimbursement check that we received late for payroll from the County Attorney. The County Attorney was waiting on the State and they were late paying her. Judge Brent stressed these are one-time expenses. Other areas of concern are the EMS revenues were down due to fewer transports, tax revenues are flat due to foreclosures, interest on our deposits are down and an increase in benefit costs, due to increase in premiums and more employees participating. Judge Brent stressed this is not panic time but simply a time to make adjustments. He noted the County started the year with almost \$1.9 million dollars and that is better than most counties of our size. Judge Brent appointed a Finance Committee consisting of Esq. Bates, Esq. Fisher and Esq. Hawkins. Esq. Hawkins will serve as the Chair. Judge Brent will provide them with a list of recommendations that could save the County \$140,000.00. Judge Brent is also hopeful the economy will soon turn around.

RE: CLAIMS & TRANSFERS

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

General Fund	\$353,498.04
Road & Bridge	143,381.63
Jail Fund	50,375.11
LGEA Fund	264.12
Federal Grant Fund	50.00
Litter Grant	1,874.55
911-EMS	673.49
Fair Fund	<u>5,306.73</u>
Total Expenditures	\$555,423.67

Transfers:

From: 0192009990 (Reserve for Transfers)	\$23,413.30
To: 0152053100 (Animal Shelter Construction/Cost Over-Run)	\$23,413.30

Motion carried unanimously

RE: VACANCY HENRY COUNTY WATER BOARD

Judge Brent noted there is a vacancy on the Henry County Water Board since the passing of Merle Brewer. Due to the number of people interested in the position a committee was formed to review the resumes, do interviews and make a recommendation. Esq. Brown agreed to serve on the Committee along with two Henry County Water Board Members. The committee recommended the appointment of Denise Coombs. Judge Brent asked the Court for a motion to approve the appointment.

Esq. Hartlage expressed displeasure with the selection process. He noted people didn't know to submit resumes unless they were in the network to know. He also noted he was not aware someone from his district was going to be chosen. Esq. Bates also noted he has no problem with Denise, but was not happy with the selection process.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to confirm the appointment for Denise Coombs to serve on the Henry County Water Board.

Yes-Beasley, Hawkins
No-Bates, Fisher, Hartlage
Abstain-Brown
Motion Failed

Esq. Brown noted the Water Board is not required to ask for resumes for an appointment. Esq. Beasley noted they have never advertised for an appointment position. County Attorney, Virginia Harrod, stated the Court cannot tell the Water Board what procedures to follow or how to do their job, as long as the Water Board complies with the law. Esq. Brown noted if the decision is not made tonight the State will make the appointment.

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to consider to revote the issue.

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

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to confirm the appointment for Denise Coombs to serve on the Henry County Water Board.

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

RE: COURT COMMENTS

Esq. Bates noted he received a couple of calls requesting the speed limit on Giltner Road be raised from 45 mph. He noted the State Police have been giving out speeding tickets. Esq. Bates talked to the people living on Giltner Road and they want the speed limit to remain at 45 mph. Esq. Bates recommended the speed limit stays the same.

Animal Control Officer, Dan Flinkfelt, questioned when the new part-time hire for the animal shelter should start. The Court was in consensus to give a two week notice to the person currently working the position.

Esq. Beasley complimented Terry Justice with the State Highway Department for a good patching job on Hwy 421.

RE: ADJOURN

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to adjourn and each Magistrate, the Judge Executive and the County Attorney shall received 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: September 18, 2012

with an amendment to read; following the failure of the first vote to accept the appointment of Denise Coombs to the Henry County Water Board, a second vote was needed, as Judge Brent was only willing to accept the recommendation for the appointment from the Henry County Water Board Committee.