

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

The Henry County Fiscal Court met in a Regular Session on February 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**

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. Bates and seconded by Esq. Beasley, it is ordered by the Court to approve the minutes from the January 17, 2012 Regular Meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

There being no old business the meeting proceeded to new business.

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor's Report**

Henry County Road Supervisor, Glenn Baxter, noted the County has been fortunate with the mild winter and has spent very little on salt. The road department has been doing a lot of grading on the gravel roads. Glenn also reported one head wall is complete on the Long Branch Bridge. Depending on the weather the project may be completed in two weeks. Esq. Beasley felt the culvert on Bush Lane needs to be bigger. Glenn agreed to look at it.

**2. Road Committee Report-Magistrate Beasley**

Esq. Beasley brought recommendation from the road committee to resurface the following State Rural Secondary Roads for 2012:

1. Jackson Road-2 miles-Starting at Highway 22 in Eminence and going to the 2 mile marker
2. Highway 1606/Fallen Timber Road-1 mile-Starting at the west side of the railroad tracks, going across the tracks, and coming 1 mile down Highway 1606 and crossing the bridge
3. Highway 202/Drennon Road-1 mile-Starting at New Cut Road at the end of the 2011 resurfacing and going 1 mile
4. Highway 389/River Road-1 mile-Starting at Liters Quarry and going 1 mile to Aces Store in Lockport

Judge Brent noted he forwarded the recommendations to Terry Justice and also to Tom Wright at the 5<sup>th</sup> District Office. They will bring back the roads for approval at the next Fiscal Court Meeting. Esq. Beasley noted in the future, when we get the blacktopping down on these County roads, we need to address the problems of loggers hauling their heavy loads on them. He noted Little Dixie is a gravel road, but it is torn to pieces from the heavy logging trucks. County Attorney, Virginia Harrod, stated it is a crime to deface or damage a roadway and the drivers can be sited. She will forward a copy of the statute to Sheriff Cravens, so his department can enforce this KRS.

**3. Rural Secondary "Flex Funds" Use for 2012**

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to use the 2012 Flex Funds on State roads instead of County roads.

Motion carried unanimously

**4. County Road Project Requests for 2012/2013 Budget**

Judge Brent reminded the Court that it won't be long before we get into planning the new budget. He asked the Court to get their special or big road projects to Esq. Beasley or Glenn Baxter. The road committee will review them and bring recommendations to the Court. Judge Brent noted Esq. Beasley had requested a bid on the low water crossing on Bullitt Hill Road, and

the bid came in a little over \$9,000.00 (nine thousand dollars). Esq. Hartlage questioned at what stage he can look at major projects like Wolf Pen Bridge. Glenn Baxter responded he checked last year and the deck alone for the Wolf Pen Bridge is over \$160,000.00 (one hundred sixty thousand dollars). Judge Brent suggested Esq. Hartlage may want to use his allotment of road funding plus the special bridge money for the Wolf Pen Bridge Project.

#### **5. John Allgeier Memorial Bridge Request-Magistrate David Brown**

Esq. Brown requested the Court name the new bridge on Hieatt Lane after former Magistrate, John Allgeier. Esq. Brown noted the bridge is in the district Magistrate Allgeier represented. He noted Magistrate Allgeier was very faithful in his years of service to the County, a man of integrity, and it would be nice to do this in his memory. Henry County Road Supervisor, Glenn Baxter, noted John would be proud of the new bridge.

Upon motion by Esq. Brown and seconded by Esq. Hawkins, it is ordered by the Court to name the new bridge on Hieatt Lane in memory of former Magistrate, John Allgeier.

Motion carried unanimously

### **RE: EMS/PARAMEDICS**

#### **1. Supervisor's Report**

Henry County EMS Supervisor, Scott McClamroch, recommended the Court approve Jerry Glass from part-time to full-time paramedic status, and hire Gregory J. Wuestefeld as a part-time paramedic.

Upon motion by Esq. Bates and seconded by Esq. Brown, it is ordered by the Court that Jerry Glass be approved from part-time to full-time paramedic status, and Gregory J. Wuestefeld be hired as a part-time paramedic.

Motion carried unanimously

#### **2. Committee Report-Magistrate Bates**

Esq. Bates reported the EMS committee met last week to discuss issues with the EMS and paramedics. He noted this is helping to keep things running as smooth as they can and for now, they will continue to meet once a month. Esq. Bates has not heard anything on the switch to narrow band. County Attorney, Virginia Harrod, noted she reviewed the contract for the EMS Medical Director, Dr. Kenneth Gardner, and it looked good.

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

Planning and Zoning Administrator, Jody Rucker, reported five building permits were issued in January, with four of them being for new homes. Jody felt this was positive for the economy. The new planning and zoning maps are now up in his office. Jody and Solid Waste Code Enforcement Officer, Donnie Tipton, will attend the Solid Waste Conference this week. Mr. Rucker asked the Court for their direction on signs posted on the state right-of-way at Exit 34 in

Campbellsburg. Mr. Rucker noted all the signs according to our Ordinance are illegal, and posted on the state right-of-way is also illegal. Esq. Fisher noted if we have an Ordinance we should enforce it. Esq. Hartlage stated he wants the County to be known as a business friendly county. Esq. Beasley suggested we take the signs to the road barn and put them in a pile. If someone is missing a sign they can come and look for it. Following discussion, the Court was in consensus that signs on the state right-of-way are illegal anyway and Jody can remove the signs after an extended period of time.

## **RE: PARKS AND FAIRGROUNDS**

### **1. Superintendent's Report**

Henry County Parks Superintendent, Travis Buchanan, reported they have finished stripping and waxing the floors, and completed the painting in the 4-H Building. He noted all equipment is ready for spring mowing.

### **2. Spring Concession Stand Proposal**

Travis reported that Judge Brent sent letters to all the non-profit groups who helped with the County wide road cleanup to see if any group would be interested in running the concession stand at the new park this spring. He received no interest. Travis also noted the people who ran the concession at Harry Hill Park last year are not interested in running it this year. Travis asked the Court for their suggestions and direction. Travis suggested the County stock the concessions and hire a part-time person to run it. Esq. Hawkins noted this suggestion was as good as any, as the concessions are more of a service for the community.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court that the County will stock the concessions and hire a part-time person to man it.

Motion carried unanimously

### **3. Fairground's Electric Bids-Magistrate Hawkins**

Judge Brent reminded the Court that they gave permission to bid out for the electrical upgrades and maintenance at the Henry County Fairgrounds. Esq. Hawkins reviewed the two bids that were received. J.O. Johnson's bid was \$6,300.00 (six thousand three hundred dollars) for the electrical work and \$750.00 (seven hundred fifty dollars) for the 10 hours of maintenance labor. Greg Hutcherson Electric's bid was \$2,700.00 (two thousand seven hundred dollars) for the electrical work and \$650.00 (six hundred fifty dollars) for the 10 hours of maintenance labor. Esq. Hartlage questioned if the bids were made on the same work. Esq. Hawkins assured him they were.

Motion was made by Esq. Hawkins and seconded by Esq. Brown to accept the low bid from Greg Hutcherson Electric in the amount of \$2,700.00 (two thousand seven hundred dollars) for the electrical work and \$650.00 (six hundred and fifty dollars) for the 10 hours of maintenance labor. Following discussion from the Court there was an amendment to the original motion.

## Amendment to the Original Motion

Upon motion by Esq. Hartlage and seconded by Esq. Hawkins, it is ordered by the Court to accept the low bid, which encompasses the punch list that was attached to the letter submitted by Henry County Fiscal Court, dated February 1, 2012, from Greg Hutcherson Electric in the amount of \$2,700.00 (two thousand seven hundred dollars) for the electrical work and \$650.00 (six hundred fifty dollars) for the 10 hours of maintenance labor.

Motion carried unanimously

## **RE: ECONOMIC DEVELOPMENT**

### **1. Committee Report**

Judge Brent reported that he along with Esq. Brown and Esq. Hartlage will be going to Carrollton tomorrow to meet with the I-71 Group of Counties (which Henry is a part of). The plan is for Henry County to share the cost with the other four counties to pursue hiring a person for economic endeavors. The Local Economic Development Committee met and set prices on sale of lots in the Campbellsburg Commerce Park. The committee suggested a sign be posted at the Commerce Park. They recommended using the same theme with rock work, as the sign at the Henry County Recreational and Services Park. Judge Brent noted we have left over money to pay for the sign.

### **2. Sign Purchase**

Upon motion by Esq. Brown and seconded by Esq. Hartlage, it is ordered by the Court to move forward with a sign for the Commerce Park.

Motion carried unanimously

## **RE: ANIMAL SERVICES COMMITTEE REPORT- MAGISTRATE HARTLAGE**

Esq. Hartlage noted Trimble County has hired Tony Walker as the project manager and today they have started clearing the land for the new animal shelter. Henry County Animal Control Officer, Dan Flinkfelt, spoke with Tony today and will meet with him tomorrow to review the blueprints and discuss the new building. Dan also noted he had been contacted by Pet Smart and Tractor Supply. Both are interested in doing adopting days for the shelter. County Attorney, Virginia Harrod, noted Terri Smith has a list of animals she wants back and Ms. Smith's attorney has requested a jury trial. The trial date has been set for March 29, 2012.

## **RE: ANIMAL SHELTER BUDGET AMENDMENT-1<sup>ST</sup> READING**

Upon motion by Esq. Hartlage and seconded by Esq. Fisher, it is ordered by the Court to approve the first reading of an Ordinance amending the Henry County Fiscal Court Budget for Fiscal Year 2011/2012, to include the unanticipated receipts and expenditures from the following accounts:

Receipts from:		
01-4510C	Animal Services Grant	\$135,000.00
Expenditures from:		
01-5205-310	Animal Shelter Construction	\$135,000.00
Motion carried unanimously		

## **RE: ALCOHOL ORDINANCE RELATED**

### **1. Discuss Amendments and Issues with the Ordinance**

Judge Brent noted business owner, Steve Losch, had raised some valid concerns with the Ordinance. Judge Brent reviewed and discussed the following amendments with the Court:

1. Revocation or Suspension  
Section (6)-line seven, insert: **other than state authorized** lottery
  2. Article VIII. Mandatory Responsible Beverage Service Training  
Section (a) line seven: The County will **require participation in the STAR training program.**
  3. Article IX. Signs and Advertising  
Section (b) lines 12-14: **Temporary signs and/or banners not to exceed 4 feet by 8 feet may be displayed two (2) weeks prior to a special event.**
  4. Article XI. Noise  
Line eight delete: **Live music shall not be permitted at any time on any property zoned B1 or B2 under the Zoning Ordinance in effect at the time.**
- 2. 2<sup>nd</sup> Reading of an Ordinance Pertaining to Alcohol Sales at Restaurants (Includes amendments)**

Upon motion by Esq. Hartlage and seconded by Esq. Bates, it is ordered by the Court to approve the 2<sup>nd</sup> reading and adoption, including the amendments, of An Ordinance Relating to the Control of Alcoholic Beverages in Henry County.

Motion carried unanimously

### **3. Recommendation of an Alcohol Beverage Control (ABC) Officer**

Judge Brent brought recommendation to hire David McGuire as the ABC Officer. Judge Brent also suggested paying up to \$500.00 (five hundred dollars) for his time and expenses.

Upon motion by Esq. Fisher and seconded by Esq. Brown, it is ordered by the Court to approve David McGuire as the ABC Officer with compensation up to \$500.00 (five hundred dollars) for his time and expenses.

Motion carried unanimously

**RE: HENRY COUNTY CLERK EXCESS FEES-COUNTY CLERK  
JUANITA LASHLEY**

Henry County Clerk, Juanita Lashley, presented the Court a check from her excess fees in the amount of \$82,082.20 (eighty two thousand eighty two dollars and twenty cents).

**RE: HENRY COUNTY SHERIFF EXCESS FEES-SHERIFF DANNY  
CRAVENS**

Henry County Sheriff, Danny Cravens, presented the Court a check from his excess fees in the amount of \$7,375.73 (seven thousand three hundred seventy five dollars and seventy three cents). Sheriff Cravens noted he had surplus of a car, which he turned over to Henry County Jailer, Scott Southworth.

**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	\$357,193.76
Road & Bridge	64,848.82
Jail Fund	46,571.34
LGEA Fund	1,064.12
Federal Grant Fund	20.00
Litter Fund	76.48
911-EMS	5,389.50
Fair Fund	<u>2,997.92</u>
Total Expenditures	\$478,161.94

Transfers:

From: 0192009990 (Reserve for Transfers)	\$21,000.00
To: 0150704290 (P&Z/Gas & Maintenance)	\$1,000.00
To: 0152051790 (Part-Time Staff/A. Shelter)	\$20,000.00
From: 0392009990 (Reserve for Transfers)	\$10,000.00
To: 0351014290 (Jailers/Gas & Maintenance)	\$10,000.00
From: 1392009990 (Reserve for Transfers)	\$300.00
To: 1352124290 (Litter Gas)	\$300.00

Motion carried unanimously

**RE: CITIZENS COMMENTS**

Mr. Louis Genter questioned if Smith-Berry Winery could sell beer by the drink, as he noticed they were advertising for a beer license. Henry County Attorney, Virginia Harrod, replied that the winery is under a different KRS and goes to ABC in Frankfort.

**RE: COURT COMMENTS**

Esq. Hartlage questioned when the new magisterial districts would go into effect and was told it would change after the next election. Esq. Beasley questioned Glenn on bids for widening Six Mile Road.

**RE: ADJOURNMENT**

Upon motion by Esq. Fisher 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: March 20, 2012

