

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
NOVEMBER 20, 2012**

The Henry County Fiscal Court met in a Regular Session on November 20, 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. Beasley and seconded by Esq. Bates, it is ordered by the Court to approve the minutes from the October 16, 2012 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

Henry County Road Supervisor, Glenn Baxter, reported Long Branch Bridge is now open. All blacktopping has been finished for the year. The road department is currently grading gravel roads.

2. Committee Update-Esq. Beasley

Esq. Beasley reported the road committee met and made the requested changes to the snow removal routes in Esq. Hartlage's district, and all other roads will remain the same. Esq. Beasley reported the State is in the County doing bushwhacking, and he encouraged the Court to contact Terry Justice with the State Department of Transportation, if they had state roads in need of trimming. Judge Brent inquired if the issue on Hwy 3322/Point Pleasant Road had been addressed. Esq. Beasley noted the State is checking on the cost and will get back to him. Esq. Brown expressed appreciation for the work done on Frontage Road.

RE: EMS/PARAMEDICS

1. Supervisor's Report

Henry County EMS Director, Josh Jamiel, reported the department is running smooth. They currently have three dialysis patients. The newly ordered response truck should be ready at the end of the month. Josh requested the Court hire Jeremy Simms as a part-time paramedic. Esq. Bates noted the background check on Mr. Simms was back and he brought recommendation to hire him.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to hire Jeremy W. Simms as a part-time paramedic.

Motion carried unanimously

2. Committee Report-Esq. Bates

Esq. Bates reported Joe with J&N notified the County of a lightning strike on the Lockport repeater. The lightning protector kept the repeater from being damaged, but the lightning protector and antenna will need to be repaired or replaced. Esq. Bates noted the Eminence School is not interested in the Eminence EMS building. He suggested keeping a watch on the utilities until it is decided what to do with the building.

3. Annual Medicare Audit Discussion

Henry County EMS Director, Josh Jamiel, informed the Court that the new Medicare and compliance laws will soon affect the EMS. Josh introduced Nancy Horn, President of Medical Compliance Services, Inc., to the Court. Ms. Horn gave a background of her experience in medical auditing. She would write the policy and procedures, train the staff, do the annual audit, and keep up with changes, for an annual fee of \$7,200.00 (seven thousand two hundred dollars). Ms. Horn noted this is not mandatory right now, but thought the County should have a voluntary plan in place. Josh stated he has not received anything from the State requiring the audit. Esq. Bates noted the committee needs to review the issue and also get another quote. Judge Brent and Josh Jamiel thanked Ms. Horn for coming.

RE: PLANNING & ZONING/SOLID WASTE

1. Administrator's Report

Henry County Planning and Zoning Administrator, Jody Rucker, reported 19 permits were issued in October. The County Wide Clean-Up had another successful year with cleaning 148.3 miles and picking up 1075 bags of garbage.

2. Committee Report on Nuisance Ordinance

Esq. Hartlage reported the committee met and had two different ordinances that they merged together. Esq. Hartlage reviewed the proposed ordinance with the Court, beginning with the definition of nuisance, in Section 1(d). The Court questioned Section 3, if (30) days to correct and/or remove the nuisance was allowing enough time. Section 4, which exempts agriculture land, raised the question of how many acres are needed to consider the land agriculture. Questions were also raised in Section 5, regarding fines. Esq. Bates expressed concerns of the ordinance putting in more government. Esq. Hartlage stressed the burned out and abandoned trailers were a problem. He questioned without an ordinance, what is the answer. Sheriff Cravens noted if the abandoned property goes into foreclosure it can drag on for a long time. Following questions and discussion Esq. Hartlage suggested tabling the issue.

Upon motion by Esq. Hartlage and seconded by Esq. Brown, it is ordered by the Court to table the 1st reading of the Nuisance Ordinance.

Motion carried unanimously

RE: PARKS/FAIRGROUNDS-DIRECTOR'S REPORT

Henry County Parks Director, Travis Buchanan, reported the 1st annual trail or treat was a huge success, as 300 plus kids attended even though it was a cold and rainy evening. All sports have ended at the park and the bathrooms have been winterized. Travis is hoping to have the concrete poured for the new basketball goals. Judge Brent noted since making cuts in the budget, the new picnic shelter that was to be built in this area will have to wait until next year.

RE: ANIMAL SERVICES

1. Director's Report

Henry County Animal Control Officer, Dan Flinkfelt, expressed his appreciation to the parks department for seeding the lawn at the animal shelter. Currently there are 32 dogs at the shelter with 8 leaving for rescue this week. Dan asked for permission to accept a personal donation from Becky Fox. She sells bags for a company called Thirty-One. Becky would like to donate a percentage of her sells to the shelter. The Court was in consensus to accept the donation. Dan noted the shelter is heading in the right direction and things are more organized with the new storage shed.

2. Trimble/Henry Meeting Report

Judge Brent reported he met with Trimble County Judge Executive Powell to review the thirteen recommendations made by the committee. Judge Brent stressed in time, these recommendations will be implemented. Judge Brent noted he is most concerned about the vet bills. Esq. Hartlage felt vet bills were up due to the animal population being up, but the numbers are down now. Dan noted he spoke with the Henry County Animal Clinic and is getting their bill under control. Dan was pleased that Wal-Mart, in Madison, donated a pallet of dog food.

3. Committee Report-Magistrate Hartlage

Esq. Hartlage noted his committee did not meet this month. He encouraged the members of the Court to stop by the animal shelter for a site visit, and to ask questions and make suggestions.

RE: 2013 COUNTY CLERK'S BUDGET-1ST READING

Henry County Clerk, Juanita Lashley, presented the 2013 County Clerk's Budget. The proposed budget projects receipts of \$3,059,030.00, disbursements of \$2,997,623.00 and excess fees of \$61,407.00.

Upon motion by Esq. Hawkins and seconded by Esq. Beasley, it is ordered by the Court to approve the first reading of the Henry County Clerk's 2013 Budget.

Motion carried unanimously

RE: 2013 SHERIFF'S BUDGET-1ST READING

Henry County Sheriff, Danny Cravens, presented his 2013 Sheriff's Budget to the Court. The proposed budget projects receipts of \$650,331.93, disbursements of \$628,656.82 and excess fees of \$21,675.11. Sheriff Cravens noted he only cut over-time a little, but just because the money is there, doesn't mean they are going to use it.

Judge Brent noted the City of New Castle sent Scott Treece to talk with him about the City's building the County is using for the Command Post. Scott told Judge Brent that Sheriff Cravens

was interested in using the building and if the Sheriff took the building the County would have to move the command post. Judge Brent asked Sheriff Cravens if there was anything to this and if so, what was going on. Sheriff Cravens noted he had talked with the City about using the building for storing his hummers and a generator. He noted it is an ideal location for them as it is across from the Sheriff's office. Sheriff Cravens also expressed the need for a secure fenced area to keep impounded vehicles and a secure area to store evidence. The committee will meet with Sheriff Cravens to address the issues.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to approve the first reading of the 2013 Sheriff's Budget.

Motion carried unanimously

RE: COMMITTEE TO REVIEW SHERIFF & CLERKS BUDGET

Judge Brent asked Esq. Bates, Esq. Fisher and Esq. Hawkins to serve on the budget committee. They committee will meet with the Sheriff and Clerk to review their 2013 budgets before the second reading.

RE: JAILERS UPDATE

Henry County Jailer, Scott Southworth, informed the Court that he learned at the Jailer's Summer Conference that the State will reimburse the County for transporting felony inmates. Scott has been sumitting the paperwork and the County recently received a check in the amount of \$3,130.00 (three thousand one hundred thirty dollars). Scott noted the only expense to the County was buying a computer. He requested the reimbursements be put in the jail budget. Judge Brent complimented the job Scott is doing. Judge Brent noted Scott recently got a medical release for an inmate with severe medical problems.

RE: RUMPKE CONTRACT-DICUSSION OF SCHEDULED INCREASE

Judge Brent reminded the Court that January 1, 2013 Rumpke's monthly rate, per contract, will increase forty cents. Judge Brent noted the County has kept the monthly rate at \$19.00 for the last three years by absorbing the annual increase out of the County's franchise fee. Judge Brent noted the contract will have to be bid out again next year, and he asked for direction from the Court. Esq. Brown suggested the County absorb the increase until we bid it out next year. Esq. Bates noted the bids on garbage pickup for the City of Eminence went down and he hates to raise anything on anybody right now. Esq. Hawkins commented that the mandatory garbage was passed in an effort to put the county's fiscal house back in order as well as cleaning up illegal dumps. He noted if the Court continues to cut year after year the revenues will be gone, and if we continue down this path, it is going to be increasingly challenging to operate on a balanced budget.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to leave the Rumpke Garbage Monthly fee the same and the County will absorb the forty cent increase.

Yes-Bates, Beasley, Brown, Fisher, Hartlage

No- Hawkins

Motion carried

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	\$302,547.92
Road & Bridge	72,462.86
Jail Fund	29,752.15
LGEA Fund	20,132.06
Federal Grant	1,772.00
Litter Grant	2,705.06
911-EMS	4,138.80
Fair Fund	883.93
Total Expenditures	<u>\$434,394.78</u>

Transfers

General Fund

From: 0192009990 (Reserve for Transfers) \$2,458.00

To: 0151355940 (DES-Homeland Security) \$2,458.00

Motion carried unanimously

RE: PUBLIC COMMENTS

Mr. James Edds, a resident of Stonehurst Trailer Park, addressed the Court. He thanked Esq. Hartlage and Jody Rucker for helping with issues in the trailer park. Mr. Edds asked for help in dealing with the rules and regulations in Stonehurst. He stressed several property owners are trying to clean up the area, but they need help from the County, State and Sheriff's Department. Mr. Edds expressed concerns of abandoned and burned out trailers depreciating the value of his property. County Attorney, Virginia Harrod, stressed the County cannot enforce subdivision restrictions, only the land owners can bring charges to enforce. Mr. Edds noted he appreciates any help and he supports the proposed nuisance ordinance. Mr. Edds thanked the Court for their time.

RE: COURT COMMENTS

Esq. Brown thanked the Court for their support in electing him to the Board of Directors at KACO. Esq. Bates noted due to budget restraints he wanted to publically say any raise he receives he will give it back to the County. Esq. Hawkins and Esq. Brown stated they would give their raises back too. Esq. Brown asked for a motion on the issue.

Upon motion by Esq. Bates and seconded by Esq. Brown, it is ordered by the Court that the Court will not accept any pay increase.

Motion carried unanimously

RE: ADJOURN

Upon motion by Esq. Fisher and seconded by Esq. Hawkins, 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: December 18, 2012