

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
OCTOBER 16, 2012**

The Henry County Fiscal Court met in a Regular Session on October 16, 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. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the minutes from the September 18, 2012 Regular Meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

**RE: ORDINANCE PERTAINING TO BURN BAN TABLED**

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to take off the table the proposed ordinance pertaining to the burn ban.

Motion carried unanimously

## **RE: BURN BAN PROPOSED ORDINANCE-1<sup>ST</sup> READING**

Judge Brent noted last month several questions and concerns were raised regarding the proposed burn ban ordinance. The Court asked County Attorney, Virginia Harrod, to research the issues and to develop an ordinance for the County. Judge Brent felt there was need of discussion, as the one paragraph ordinance turned into a thirteen page ordinance. Judge Brent noted he had a lot of questions. County Attorney Harrod told the Court to develop the ordinance she went to Sara Johns at the Division of Forestry and to Oldham County. She noted Oldham County charges a fifty dollar fee for their burn permits, but she did not put a fee in ours. She noted the ordinance includes the needed definitions from the KRS and KAR. It also addresses the issues of air quality. Judge Brent expressed concerns of a required permit. He noted it would be tough to enforce and a burden to a lot of people. Judge Brent questioned if the ordinance can be done without a permit. Esq. Bates noted he didn't think we needed to push so much through, but just to enforce burning, during the burn ban. Esq. Beasley noted Sara Johns from the Division of Forestry was present and he asked for her input. Sara Johns noted there is already a State Statue in place in KRS401. This statue gives the County Judge authority to issue the burn ban and the local law enforcement the authority to write citations. Judge Brent noted he was told by the Department of Local Government that a local ordinance was needed. Sara stated her position is that we don't need an ordinance as laws are already in place that designates authority. Sara noted she would provide an official statement from the State Attorney with the statue cited. The Court was in consensus that no further action was needed. Judge Brent, County Attorney Harrod and Esq. Beasley thanked Sara Johns.

## **RE: AMENDED FIRE DEED FEE ORDINANCE-2<sup>ND</sup> READING**

Esq. Hawkins reviewed the following amendments to **Ordinance # 310-05-11-04 Relating to the Henry County Fire Department Deed Fees**

**(Section # 2) Annual Budgets** This budget will be due no later than **July 1<sup>st</sup>** of each calendar year and should be delivered to the Henry County Judge Executives Office. (The date was changed to allow the Eminence City Council time to approve their fire department budget before it comes to the County.)

**(Section # 3) Annual Audits** **The Certified Public Accountant to perform the annual audits will be selected at the discretion of each Henry County Fire Department or the incorporated city in which they operate. If a Henry County Fire Department elects not to use a Certified Public Accountant to perform the audit; Henry County Fiscal Court shall designate a Licensed Tax Agent/Preparer to perform the audit.**

Esq. Hawkins noted the previous section requiring the annual settlement has been eliminated, because the committee felt it was redundant, as each department is required to have a full audit.

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the second reading and adoption of an amendment to **Ordinance#310-05-11-04 Relating to the Henry County Fire Department Deed Fees.**

Motion carried unanimously

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor's Update**

Judge Brent gave the road update due to Henry County Road Supervisor, Glenn Baxter, being out for vacation. He noted the road department has been working on some base failures and have finished the one on Frontage Lane. Judge Brent reported he noticed some bad base failures as he traveled through Coakley Farms. The road department is currently working on those. Judge Brent noted Esq. Hartlage may want to look at these roads for next year. Judge Brent updated the Court on State Road 389. He spoke with Blake Nelson from the local engineer's office who hopes to do some milling and patching next month on the slips on Hwy 389. Judge Brent and Esq. Brown met with Jason Richardson who does road signs for the State of Kentucky. Mr. Richardson has marked areas for eighty caution signs from Hwy 561 to the Carroll County line. Judge Brent reported Mago is scheduled to be in the County the last of October to do the scheduled rural secondary projects which are parts of Hwy 202, 1606, 389 and Jackson Road. Esq. Fisher noted the slab on the low water crossing on Joe's Branch has a deep washed out area on the lower side. He requested the road department fill it in with rock. Esq. Brown was pleased with the grade of gravel used on Frontage Lane. Esq. Hartlage asked the road committee to look at the snow removal routes in his district. He noted L'Esprit Parkway and Radcliff Road are two major roads that he felt should be cleaned first, before the roads that are less traveled. Esq. Beasley noted the committee will look at this.

**2. Committee Update-Esq. Beasley**

Esq. Beasley noted he did not have any update at this time.

**RE: EMS/PARAMEDICS**

**1. Supervisor's Update**

Henry County EMS Supervisor, Josh Jamiel, noted everything was going good so far. The committee met with the two volunteer squads and the merger date is November 1, 2012. Following the merger everything will be billed under the paid service. Josh asked the Court to approve hiring the volunteers as part time EMT's.

Upon motion by Esq. Bates and seconded by Esq. Brown, it is ordered by the Court that volunteers Bobby Burnett, Connie Burnett and Rodney Young be hired as part-time EMT's.

Motion carried unanimously

Josh also brought recommendation to hire Cindy Lou Pierce and Camille J. Jamiel as part time EMT's for the transport truck.

Upon motion by Esq. Bates and seconded by Esq. Brown, it is ordered by the Court to hire Cindy Lou Pierce and Camille J. Jamiel as part time EMT's for the transport truck.

Motion carried unanimously

Josh noted there is a vacant full time position and he would like to recommend Paige Lucas be moved from part time to full time status to fill this position.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to approve Paige Lucas be moved from part time to full time EMT status.

Motion carried unanimously

## **2. Committee Update-Esq. Bates**

Esq. Bates reported the committee met to discuss the Senate Bill 66 money. The twenty thousand dollars must be spent for the purchase of a vehicle and cannot be spent for equipment. Esq. Bates noted the money must be spent before the end of the year or it goes back to the State and it will be two years before the County would get it again. He noted it would cost us forty thousand dollars by not using the twenty thousand dollars. The committee received bids for vehicles from Paul Miller Ford, of \$27,000 for a 2012 truck and \$30,000 for a 2013 truck. Esq. Hawkins contacted Earl Floyd Ford and received a bid of \$21,330.24 for a 2013 F-150 extended cab, half ton pickup truck. Esq. Bates brought recommendation from the committee that the County accept the bid from Earl Floyd Ford, using the SB66 funding of \$20,000 and the balance of \$1,330.24 be paid by the County. Esq. Brown commented he was in favor because of the price, but he was concerned with the rate of speed, and didn't think the pickup was the right way to go. Esq. Beasley questioned why a pickup was needed. Josh Jamiel explained they want to put a sliding bed cover on the pickup. If they have to go in a field or where an ambulance can't go, they can put a backboard in the bed of the truck. The patient can be brought out in the truck and transported to the ambulance. Esq. Beasley questioned why they don't use the ATV that the County currently owns or maybe they should sell the ATV. Judge Brent noted the ATV has been used a few times for deer hunting accidents. Sheriff Cravens commented the ATV has been used at the fair to help transport an injured person to the ambulance and also to bring out an injured person from Greens Fork following an ATV accident.

Upon motion by Esq. Bates and seconded by Esq. Hawkins, it is ordered by the Court to accept the bid from Earl Floyd Ford of \$21,330.24 (twenty one thousand three hundred thirty dollars and twenty four cents), using the SB66 money of twenty thousand dollars and the County paying the balance of one thousand three hundred thirty dollars and twenty four cents, for the 2013 F-150 extended cab, half ton pickup truck.

Motion carried unanimously

## **RE: P&Z/SOLID WASTE UPDATE**

### **1. Administrator's Update**

Henry County Planning and Zoning Administrator, Jody Rucker, reported a total of 14 permits were issued in September, with 3 being new residential houses. He noted things are picking up, as they have already issued 14 permits this month. Jody asked the Court to reaffirm appointments to the Planning Commission and Board of Adjustments.

### **2. Planning Commissioner Appointments-Samuel Adams & Danny Shain**

Jody asked the Court for appointments of Planning Commissioners, Samuel Adams and Danny Shain, noting their terms expire on January 1, 2013.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to appoint Samuel Adams and Danny Shain as Planning Commissioners.

Judge Brent called for discussion and questions. Esq. Hartlage expressed his concerns regarding the Court's appointments to these positions. He noted the Court has until January 1, 2013 to fill the positions. He suggested these positions should be publicized to allow others to serve, and be given the opportunity to get involved in government. He noted he is not against the person, but against the process. Esq. Hartlage will talk with Danny Shain and check with others to see if they are interested. Judge Brent explained in the past it has been a courtesy to allow the Magistrate from the district to make their recommendation. Judge Brent noted this is an unpaid position. Esq. Beasley and Esq. Bates noted it is hard to get people to serve. Esq. Hawkins noted he is satisfied with the people from his district that are serving. Esq. Beasley noted he will withdraw his motion for both commissioners, but he would like to go ahead and appoint Samuel Adams as he is from his district.

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to appoint Samuel Adams as Planning Commissioner, representing District 6, for a term of 4 years.

Yes- Bates, Beasley, Brown, Fisher, Hawkins

No-Hartlage

Motion carried

### **3. Board of Adjustments-Yvonne Moore, Adam West, & Keith Morris**

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to approve the appointment of Yvonne Moore, to the Board of Adjustments, for a term of 4 years.

Yes- Bates, Beasley, Brown, Fisher, Hawkins

No- Hartlage

Motion carried

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to approve the appointment of Adam West, to the Board of Adjustments, for a term of 4 years.

Yes- Bates, Beasley, Fisher, Hawkins

No- Hartlage

Abstain- Brown

Motion carried

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the appointment of Keith Morris, to the Board of Adjustments, for a term of 4 years.

Yes- Bates, Beasley, Brown, Fisher, Hawkins

No- Hartlage

Motion carried

## **RE: PARKS/FAIRGROUNDS-DIRECTOR'S UPDATE**

Henry County Parks Director, Travis Buchanan, reported an adult coed kick ball league has recently started at the park. There are a couple weeks left for the youth soccer league. Travis reminded everyone of the Trail and Treat event that will be at the new park on, Friday, October 26, 2012. Judge Brent encouraged everyone to attend, if possible. Judge Brent complimented Mona Huff for organizing the diabetes walk at the park. He noted Henry County had over 100 walkers and took more steps than Bullitt and Shelby Counties combined.

## **RE: ANIMAL SERVICES**

### **1. Committee Update-Esq. Hartlage**

Esq. Hartlage noted the committee met to address some growing pains with the shelter. He brought a list of 13 recommendations from the committee. The committee wanted Judge Brent to discuss the issues with the Trimble County Judge Executive to try and eliminate some of the problems.

### **2. Director's Update**

There was no update as the Animal Control Officer, Dan Flinkfelt, was out on vacation.

## **RE: ECONOMIC DEVELOPMENT COMMITTEE UPDATE**

Judge Brent gave an economic development update. He noted the local committee met tonight. The regional committee which consists of Carroll, Gallatin, Henry, Oldham, Owen, and Trimble Counties has put up funds to put together a program. The main priority of the group was to hire an economic development coordinator to share between the six counties. Judge Brent introduced the new economic development coordinator, Steve Dale, noting he was from Bagdad, KY and has worked for the Cabinet for Economic Development for more than 15 years. Judge Brent will have Mr. Dale back every three to four months to give the Court an update.

**RE: BUDGET COMMITTEE REPORT AND RECOMMENDATIONS-  
ESQ. HAWKINS**

Esq. Hawkins reported the committee met a few times and came back with a revised budget proposal. Esq. Hawkins noted Item #10 was reduced by \$10,000. The committee has three different scenarios regarding Item #12 EMS/dialysis transport, as it is a big part of the plan. Esq. Hawkins thanked the committee for their hard work and he reviewed the following proposals with the Court:

**Scenario#1-Zero Scheduled Dialysis Transports**

#1	Reduce Miles of Solid Waste/Litter Clean-up	\$4,000.00	net savings
#2	Eliminate Solid Waste Attorney/Use Co. Attorney	5,000.00	net savings
#3	New Contract/Annex Cleaning & Maintenance	3,050.00	net savings
#4	Parks Part-Time Layoff/Winter Months	5,101.31	net savings
#5	Reduce Park Improvements	10,000.00	net savings
#6	Reduce Overtime Sheriff's Department	14,365.00	net savings
#7	Reduce Employee Raises	17,762.25	net savings
#8	EMS/Paramedic on Ambulance for Night Runs	41,083.30	net savings
#9	EMS/Staff Non Emergency Truck as needed	33,761.45	net savings
#10	EMS/Consolidate Campbellsburg & Pleasureville	48,219.24	increased revenue
#11	Trimble Co. Intercepts/New Contract	18,000.00	increased revenue
#12	EMS/0 dialysis transport	0.00	increased revenue
	Total Savings and Increased Revenue	\$200,342.55	

**Scenario #2-One Scheduled Dialysis Transport**

#1	Reduce Miles of Solid Waste/Litter Clean-up	\$4,000.00	net savings
#2	Eliminate Solid Waste Attorney/Use Co. Attorney	5,000.00	net savings
#3	New Contract/Annex Cleaning & Maintenance	3,050.00	net savings
#4	Parks Part-Time Layoff/Winter Months	5,101.31	net savings
#5	Reduce Park Improvements	10,000.00	net savings
#6	Reduce Overtime Sheriff's Department	14,365.00	net savings
#7	Reduce Employee Raises	17,762.25	net savings
#8	EMS/Paramedic on Ambulance for Night Runs	41,083.30	net savings
#9	EMS/Staff Non Emergency Truck as needed	33,761.45	net savings
#10	EMS/Consolidate Campbellsburg & Pleasureville	22,500.00	increased revenue
#11	Trimble Co. Intercepts/New Contract	18,000.00	increased revenue
#12	EMS/1 dialysis transport	156,000.00	increased revenue
	Total Savings and Increased Revenue	\$330,623.31	

**Scenario #3-Two Scheduled Dialysis Transports**

#1	Reduce Miles of Solid Waste/Litter Clean-up	\$4,000.00	net savings
#2	Eliminate Solid Waste Attorney/Use Co. Attorney	5,000.00	net savings
#3	New Contract/Annex Cleaning & Maintenance	3,050.00	net savings
#4	Parks Part-Time Layoff/Winter Months	5,101.31	net savings
#5	Reduce Park Improvements	10,000.00	net savings

#6	Reduce Overtime Sheriff's Department	14,365.00	net savings
#7	Reduce Employee Raises	17,762.25	net savings
#8	EMS/Paramedic on Ambulance for Night Runs	0.00	net savings
#9	EMS/Staff Non Emergency Truck as needed	19,287.49	net savings
#10	EMS/Consolidate Campbellsburg & Pleasureville	22,500.00	increased revenue
#11	Trimble Co. Intercepts/New Contract	18,000.00	increased revenue
#12	EMS/1 dialysis transport	312,000.00	increased revenue
	Total Savings and Increased Revenue	\$431,066.05	

Esq. Hawkins noted cuts are being proposed for the EMS, parks department and sheriff's department. Sheriff, Danny Cravens, expressed his dissatisfaction with the County's proposal to cut his overtime by \$10,000. Sheriff Cravens has an agreement to provide additional services to the Cities of Pleasureville and New Castle. Several of their council members were present to show their support for Sheriff Cravens. Esq. Hawkins noted a 1.6 percent cut from the Sheriff's budget is minimal, compared to a 5.5 percent cut in EMS and an 83 percent cut in our capital improvement budget at the parks. Esq. Hawkins expressed concerns that the sheriff had an issue with the cuts tonight, when at the budget meeting last week, the sheriff told the committee he felt he could make it work. Sheriff Cravens disputed that until Esq. Bates also commented that he was present at the budget meeting and Sheriff Cravens did say he thought he could make it work. Sheriff Cravens then agreed he did tell the budget committee he thought he could make it work. Esq. Hawkins noted these cuts are necessary to bring in revenue without raising taxes.

Motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the budget committee's recommendation on the budget proposal.

Motion carried unanimously

**RE: VOTING MACHINE REQUEST-CO. CLERK JUANITA LASHLEY**

Henry County Clerk, Juanita Lashley, came before the Court to ask for permission to use more than one voting machine in each precinct, for the November 6, 2012 General Election.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to approve the use of more than one voting machine in each precinct, for the November 6, 2012 General Election.

Motion carried unanimously

**RE: CEREMONIAL CHECK PRESENTATION-REP. RICK RAND**

Representative Rick Rand brought ceremonial checks to present to the Court. He thanked the Court for the invitation and the opportunity to come. He noted they have worked long and hard on projects such as Hwy 146, to improve safety. He noted the State General Fund Budget has suffered but the Road Budget has done very well. He was pleased to present ceremonial checks for additional paving on Hwy 561, for spot improvements on Hwy 574 and for the Hwy 146 project. The Court expressed their appreciation to Rep. Rand.



**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	\$246,697.89
Road & Bridge	125,272.46
Jail Fund	49,539.49
LGEA Fund	800.00
Litter Grant	1,356.34
911-EMS	1,790.25
Fair Fund	<u>1,604.84</u>
Total Expenditures	\$427,061.27

Transfers

Road Fund

From: 0292009990 (Reserve for Transfers) \$8,000.00

To: 0261053120 (Special Road & Bridge Projects) \$8,000.00

Litter Fund

From: 1392009990 (Reserve for Transfers) \$100.00

To: 1352124290 (Litter Gas) \$100.00

Motion carried unanimously

**RE: PUBLIC COMMENTS**

There were no comments from the public.

**RE: COURT COMMENTS**

Esq. Hartlage presented to the Court an Ordinance he drafted for next month's meeting. The ordinance concerns procedures for abandoned house trailers. He noted it was modeled after Trimble County's Ordinance. Esq. Hartlage asked County Attorney, Virginia Harrod, to review the ordinance. Esq. Hawkins stated he talked with Jody Rucker and he has been working with council on the same type ordinance. Esq. Hawkins suggested Jody, Esq. Hartlage, Esq. Fisher and Attorney, Josh Clubb, meet to discuss and merge the two ordinances together. The Court was in consensus to do that.

**RE: ADJOURN**

Upon motion by Esq. Brown and seconded by Esq. Hartlage, 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 20, 2012