

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
SEPTEMBER 18, 2012**

The Henry County Fiscal Court met in a Regular Session on September 18, 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. Brown and seconded by Esq. Hawkins, it is ordered by the Court that the minutes from the August 21, 2012 Regular Meeting be approved 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.

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 Update**

Judge Brent gave a road update in the absence of Henry County Road Supervisor, Glenn Baxter. Judge Brent noted the bridge replacement on Long Branch has been slow and frustrating. The crane they planned on using is being used on another job. Judge Brent has been making calls and has located another crane. The crane is to set the bridge next Tuesday and the bridge should be open the following Monday. Esq. Beasley reported the entrance to Byers Lane has not been fixed as the rain has delayed the asphalt. Esq. Fisher has a constituent upset about a base failure on Gestville Road. Judge Brent noted he talked with the State regarding Jackson and Gestville Roads, and was told the base failure would be included when the State works on Gestville Road. Judge Brent noted the roads may be done this fall, if not it would be in the spring. Esq. Brown requested some patching be done on Frontage Lane. Judge Brent noted they will look at the road.

**2. Committee Report-Esq. Beasley**

Esq. Beasley noted the committee did not have a report at this time. Esq. Fisher requested the road department address an entrance driveway drop-off problem, at 87 Sawmill Road, the Henny Downey residence. Judge Brent noted he will ask Glenn to adhere to the policy that the Court set last month to address this problem. Esq. Fisher also noted the bushes in the curve past this address need trimming. Esq. Beasley asked that the mail box pull off on Raisor Lane near the new log cabin be fixed.

**RE: EMS/PARAMEDICS**

**1. Supervisor's Report**

Henry County EMS Supervisor, Josh Jamiel, reported his department is going good. They currently have two dialysis transports to LaGrange on Monday, Wednesday and Friday. They are transporting a lot of doctor office runs from both Homestead Nursing Center and Signature Healthcare in Bedford. The County made three ambulance intercepts for Trimble County and will be paid a flat fee. Josh reported he and Glenn Ball talked with EMS volunteers Connie Burnett, Bobby Burnett and Rodney Young. They agreed to merge the Campbellsburg and Pleasureville volunteer services with the paid service and will become part-time paid employees of the County. Josh stated everything with how the volunteers run will remain the same. He noted they are currently getting their stock from the County, and once merged, the County will do the maintenance on the ambulances. Josh noted we need an effective date on the merger. Esq. Bates stated he has not talked with Bobby Burnett or Rodney Young and he wants to be sure they are comfortable with the transition. Bobby Burnett and Rodney Young were present at the meeting. Mr. Burnett replied that he didn't feel they had a choice. He also stated he was not against the paid service.

Esq. Beasley expressed his concerns if the volunteers were in agreement to merge. He also questioned if Rodney would still be available to cover the east end of the County. Esq. Bates noted he appreciates Bobby and Rodney and all the volunteers and the services they provide. Esq. Bates and Josh stressed the County depends on the volunteers during the day. Both Bobby and Rodney stated they wanted to do their own maintenance and have the County reimburse them. Esq. Bates and Josh noted they will work the maintenance issue out.

Upon motion by Esq. Bates and seconded by Esq. Brown, it is ordered by the Court that the merger go forth upon approval of details on maintenance.

Motion carried unanimously

Josh asked the Court to hire Travis P. Leet as a part-time paramedic. Esq. Brown expressed concerns that he had several driving violations. Josh noted the violations were several years ago and all charges had been taken care of.

Upon motion by Esq. Bates and seconded by Esq. Hawkins, it is ordered by the Court to hire Travis P. Leet as a part-time paramedic.

Yes-Bates, Beasley, Fisher, Hartlage, Hawkins

No-Brown

Motion carried

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

Esq. Bates noted the committee did not have anything to report at this time.

## **RE: PLANNING & ZONING/SOLID WASTE**

### **1. Administrator's Report**

Henry County Planning and Zoning Administrator, Jody Rucker, reported ten permits have been issued last month, with three for new houses. Jody asked the Court to approve the Resolution Adopting the Solid Waste Management Plan Update. Jody noted the update is needed when applying for grants.

### **2. Resolution Pertaining to 5 year Solid Waste Plan**

Judge Brent noted the update is required by the State. He read the Resolution pertaining to the 5 year Solid Waste Plan and asked if anyone had any questions. Esq. Brown asked Jody his goals for the 5 year plan. Jody noted there are no major changes to the plan. It is basically the same with an attempt to try and get more recycling in the community. Esq. Brown noted he would like a copy of the plan.

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the Resolution Adopting the Henry County Solid Waste Management Plan 2013-2017 Update.

Motion carried unanimously

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

Henry County Parks Director, Travis Buchanan, noted the front soccer fields have been power seeded. Travis reported fall soccer and football are going full speed ahead. **"Friends for Michael,"** have started the second phase of expanding their playground at the new park. Travis noted a lot of early morning walkers are using the walking trail. Esq. Brown noted he continues to get compliments on the new park.

## **RE: ANIMALS SERVICES**

### **1. Committee Report – Esq. Hartlage**

Esq. Hartlage noted the committee has not met and he has no report at this time.

### **2. Director's Report**

Henry County Animal Control Officer, Dan Flinkfelt, noted the grass is up around the shelter and he thanked Travis and the parks department for their hard work in seeding the area. Dan reported things are going good and they have been extremely busy this month with tons of adoptions and rescues. Pet Smart did six adoptions which raised over \$600.00 for the shelter. The volunteers will be working the race track this Friday and Saturday with their pay being donated to the shelter. Dan noted there have been issues with the vehicle, but it has been taken care of. Dan was informed that Trimble County is looking at getting a 30 X 14 storage shed for the shelter. Dan is not sure if the shed is donated or if Trimble County is purchasing it. Dan thanked Esq. Hartlage and the committee for all their help.

County Attorney, Virginia Harrod, noted the Terri Smith case was resolved quickly. Ms. Smith plead guilty, but as appealed a portion of her volunteer plea of guilt, regarding restitution. This involves the County's cost for the care of the animals. Ms. Smith wants credit for the donations that were given to the County. Judge Wheeler ruled that the money is the County's for the expense in caring for the animals. Ms. Smith's attorney has filed a motion to hold Dan in contempt, charging he did not give an accounting of each animal. Ms. Harrod noted Dan is on video giving an account of the animals and the money spent for their care. A hearing will be held in front of Judge Wheeler on the first day of October.

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

Judge Brent reported he called off the burn ban on Monday. Last week he was contacted by the Campbellsburg Police Officer about someone who was burning during the time of the burn ban. The officer wanted to know what KRS or County Ordinance to go by to issue a citation. Judge Brent contacted County Attorney, Virginia Harrod, and she could not remember one. Judge Brent looked through the County's Ordinance file, but was unable to find one. Judge Brent requested County Attorney Harrod draft a simple burn ban ordinance. County Attorney Harrod noted we do have a KRS for protection of our timberlands, but it does not apply to homes and towns. Judge Brent read the ordinance for the 1<sup>st</sup> reading. He then asked for any questions.

Sheriff, Danny Cravens, questioned if there was language in the ordinance concerning fireworks. County Attorney Harrod noted the issue of fireworks was not included. Sheriff Cravens noted fireworks are a danger during a drought and he felt the burn ban should also include fireworks. Esq. Hawkins noted fireworks are a hard thing to enforce.

Motion was made by Esq. Brown to approve the 1<sup>st</sup> reading of the Burn Ban Ordinance and to include language concerning fireworks.

Motion died for lack of second.

The Court continued to discuss the burn ban ordinance and raised several questions. Esq. Fisher asked if timberland was considered anything outside the city limits. County Attorney Harrod noted she would have to research the definition of timberland. Esq. Hartlage questioned if camp fires would come under this ordinance. County Attorney Harrod noted she will look into that issue as well. Due to unclear issues the Court was in consensus to table the issue.

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to table the 1<sup>st</sup> reading of the Burn Ban Ordinance until next month's meeting.

Motion carried unanimously

## **RE: FIRE DEED FEE ORDINANCE AMENDMENT-1<sup>ST</sup> READING**

Esq. Hawkins noted he and Esq. Bates met with the fire chiefs. They talked about trying to come up with a smoother procedure to have audits performed and more consistency in how the audits are presented to the Court. Esq. Hawkins reviewed with the Court 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.**

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the 1<sup>st</sup> reading of an amendment to **Ordinance #310-05-11-04 Relating to the Henry County Fire Department Deed Fees**, as amended, and to assign Castle Court Enterprises as the Licensed Tax Agent/Preparer to perform the audit in the event the fire department elects not use a certified public accountant.

Motion carried unanimously

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

Esq. Hawkins noted the Budget Committee has met just one time to discuss ways to bring the budget back in order. Esq. Hawkins noted no action is needed tonight, but the committee wanted the Court and public to be aware of some of what has been discussed. Esq. Hawkins reviewed with the Court the following budget proposals

#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	32,500.00	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	\$340,623.31	

**RE: CLAIMS & TRANSFERS**

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

General Fund	\$228,937.14
Road & Bridge	250,664.52
Jail Fund	49,507.02
LGEA Fund	17,632.06
Federal Grant Fund	22.00
Litter Grant	2,126.15
911-EMS	2,821.24
Fair Fund	<u>1,742.47</u>
Total Expenditures	\$553,452.60

Transfers:

From: 0192009990 (Reserve for Transfers)	\$2,500.00
To: 0152053100 (Animal Shelter/Project Manager)	\$2,500.00

Motion carried unanimously

**RE: PUBLIC COMMENTS**

There were no comments from the public.

**RE: COURT COMMENTS**

Esq. Brown noted he attended a KACO insurance conference. He expressed concerns that the pending Obama Care may have an effect on the County. Esq. Brown brought a packet from the conference which County Attorney Harrod will review. Esq. Brown noted another insurance conference will be held in October, and he felt all magistrates would benefit by attending.

**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: October 16, 2012

