

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
MARCH 19, 2013**

The Henry County Fiscal Court met in a Regular Session on March 19, 2013 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 noting everyone was present.

**RE: APPROVAL OF MINUTES**

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to approve the minutes from the February 19, 2013 Regular Meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

There being no old business the meeting continued with new business.

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor's Report**

Henry County Road Supervisor, Glenn Baxter, reported the weather has been hit and miss with temperatures high one day and low the next. They have been trying to hit the gravel roads when the weather permits even filling up some pot holes by hand. It is hard to get the grader in this time of the year. The bushwhacker did get around and all bushes have been trimmed.

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

Esq. Beasley noted the Committee has not ironed out all the details but has discussed back and forth the use of the Rural Secondary money. There is four hundred thousand plus dollars for blacktopping projects. The committee discussed finishing one mile on Jackson Road, one plus mile on Fallen Timber Road and trying to do Hwy 561. Judge Brent noted after we finish the Hwy 561 project, using funds Rep. Rick Rand got for us last year, it will take 1.6 miles to get it to Hwy 389. Judge Brent suggested we use this year's Rural Secondary money to finish the Hwy 561 to Hwy 389. Esq. Fisher noted Hwy 202 has both ends done but there is a strip of one mile and seven tenths in the middle that needs to be done. Esq. Brown also raised the concerns of Hwy 1606. Judge Brent noted it would be nice if the Committee could decide what road projects they wanted to use the Rural Secondary money on. If they can't decide the Department of Highways 5<sup>th</sup> District will come and bring their recommendations to the Court.

**3. County Road Resurfacing Requests for 2013**

Judge Brent informed the Court members that they need to get their resurfacing requests in to Glenn or Esq. Beasley. Esq. Beasley noted after they get the requests the committee will have to ride the roads. Judge Brent noted they have about one quarter million dollars for the resurfacing projects. Judge Brent will need the report by April 15<sup>th</sup> so he can get the requests in the budget.

**4. Millcreek Road Discussion**

Judge Brent noted this issue keeps going back and forth. The State is looking at taking over the small area on Millcreek Road, but it is a complicated area. Carroll County is in the sixth district and Henry County is in the fifth district along with Trimble County. The sixth district would have to maintain it, but it would have to come through the fifth district. Judge Powell told Judge Brent that the road would be fixed one way or another this year. No action needed at this time.

**5. 1<sup>st</sup> Reading of Budget Amendment for Road Department**

Judge Brent noted the good news is the County received more County Road Aid then was anticipated and put in the budget. The road department's budget is running low on materials and repairs. Judge Brent asked the Court to amend the additional funds of \$80,091.00 from County Road Aid into the budget.

Upon motion by Esq. Beasley and seconded by Esq. Hawkins, it is ordered by the Court to approve the 1<sup>st</sup> reading of an Ordinance amending the Henry County Budget for Fiscal Year 2012-2013, to include unanticipated receipts and expenditures in the following accounts:

Receipts from:		
02-4518	County Road Aid	\$80,091.00
Expenditures from:		
02-9200-999	Reserve for Transfers	\$80,091.00

Motion carried unanimously

## **RE: EMS/PARAMEDICS**

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

Henry County EMS Supervisor, Josh Jamiel, reported his department is running smooth. They currently have four dialysis patients. Josh asked the Court to approve hiring Bethany Jean Bailey, Elizabeth Ann Baxter, Meredith Lee Hoover, Clinton R. Vinup and Laura Ann Walker, as part time EMT's. Josh reviewed each application with the Court. Esq. Bates noted he reviewed the background checks and recommended they be hired.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to hire as part-time EMT's Bethany Jean Bailey, Elizabeth Ann Baxter, Meredith Lee Hoover, Clinton R. Vinup and Laura Ann Walker.

Motion carried unanimously

Josh also requested the Court use the \$10,000.00 in Senate Bill 66 Funds to apply towards the purchase of a hydraulic battery operated cot. He noted this will help when transporting larger patients as it will prevent lift injuries. The full price of the hydraulic cot is \$15,665.00. Esq. Hartlage questioned if Josh had prices from other vendors and was told by Josh that this was the cheapest cot.

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to approve using the SB66 funds towards the purchase of the hydraulic cot at a cost of \$15,665.00.

Motion carried unanimously

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

Esq. Bates reported the committee met with Josh today and he has been having a hard time keeping over-time down and getting help for the transport truck. Esq. Bates hopes the new hires will help with that. Esq. Bates also reported he talked with an Eminence School Board member who expressed interest in the school taking over the Eminence EMS Building. Esq. Bates hopes to have something from the Eminence School Board to report to the Court at next month's meeting. Esq. Bates suggested the combination on the Eminence EMS Building needed to be changed to conserve on the use of the utilities.

Judge Brent noted two sealed bids were turned in for the Mobile Command Post. Deputy Judge Bryant read the following bids: \$2,501.00 from the Eminence United Pentecostal Church and \$1,433.00 from Chris McIntosh from Frankfort, KY. The Court accepted the bid of \$2,501.00 from the Eminence United Pentecostal Church for the Mobile Command Post.

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

Judge Brent noted P&Z/Solid Waste Administrator, Jody Rucker, was absent due to a family illness. Judge Brent asked for prayers for Jody and his family. He also reported a zone change is coming, but the paperwork has to first go to the City of Pleasureville. The zone change will be on the agenda next month.

## **RE: DES DIRECTOR'S REPORT**

Judge Brent reported DES Director, Jody Rucker, spent last week in training for his new position. Judge Brent spent time with Jody and deputy director, Mike Hillard, to stress the need for a training exercise this year. Judge Brent complimented Mr. Hillard as a good choice and noted he is willing to do the necessary paperwork for the department.

## **RE: PARKS & FAIRGROUNDS**

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

Judge Brent reported Henry County Park's Director, Travis Buchanan, is absent due to the birth of his new daughter. Judge Brent reported there was a request from a baseball coach to open the park and bathrooms. We had a week of warm weather and they went ahead and opened them. Now with this cold weather we are using heaters to keep the pipes from freezing. Judge Brent noted we generally open all the bathrooms by March 15.

### **2. Middle School Soccer Coach Bobby Jamison to Address the Court**

Middle School Soccer Coach, Bobby Jamison, had asked to be put on the Agenda but was not present for the meeting. Esq. Hawkins noted Mr. Jamison wanted to ask the Court if he could charge admission for people attending the soccer games at the park. Esq. Hawkins noted he told Mr. Jamison he was not in favor of this. Judge Brent noted it is a school team and that is how they make their money. Judge Brent noted if Mr. Jamison wants to speak to the Court he can request to be on the Agenda next month.

## **RE: ANIMAL SERVICES UPDATE**

### **1. Director's Report**

Judge Brent gave an update in the absence of Animal Control Officer, Dan Flinkfelt. Judge Brent noted the shelter currently has eight dogs. Last Friday they sent seventeen dogs through a rescue

to Chicago. Jessie B. Woods complained to the Court about his neighbor's dogs coming on his property and causing damage. Judge Brent read a letter he received from the Bland T. Hardison, Estate. Mr. Hardison left a donation of \$1,432.47 to be used for the animal control program.

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

Esq. Hartlage reported the Committee talked about updating the standard operation procedures. They are discussing surrender fees and how they can use the money to offset the cost of spaying the dog. They are discussing ways to save money through cremation and other programs. Esq. Hartlage noted the shelter looks great and is clean. He reported animal control is running smoothly. Esq. Hawkins reported they had a good Committee meeting and Trimble County was there.

## **3. Judge's Committee Report**

Judge Brent noted an issue where the ACO picked up the same dog three times. The owner paid the fine and had it licensed but the dog is still running loose. Judge Brent and Judge Powell agreed we need to have a policy that at some point the owner must surrender their dog. Judge Brent asked the Court for their thoughts of what to do. He questioned if we need to amend the County's Ordinance. County Attorney, Virginia Harrod, noted our Ordinance states a dog being a nuisance or running at large is punishable up to a \$500.00 fine. Esq. Brown stated he would be in favor of adding to the fine, but not taking the dog. County Attorney, Harrod, sees enforcement practical problems, with the forfeiture of the animal. She suggested the County use our existing legislation and enforce it and have Dan start citing these people. Esq. Hartlage stated the Committee wants to increase the fee to \$35.00 for each time a dog is picked up. Esq. Hawkins and Esq. Hartlage noted they will talk in Committee with Trimble County regarding what to do about excessive picking up.

## **RE: JAIL BUDGET 2013-2014-1<sup>ST</sup> READING**

Judge Brent noted there is very little change in the Jail Budget. He moved more money out of medical and moved to housing juveniles. Judge Brent noted \$7,500.00 is budgeted for a jailer car, if needed. Judge Brent also commented that the total amount of the jail budget is \$621,300.00 plus \$120,000.00 for Animal services. This is more than the entire amount that Henry County Fiscal Court receives in property tax dollars.

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the first reading of the 2013-2014 Jail Budget.

Motion carried unanimously

**RE: CHIEFS ASSOCIATION OF ADDRESS THE COURT**

Eminence Fire Chief, Gary Lucas, addressed the Court on behalf of the Fire Chief’s Association. He reminded the Court that in 2002 the Court passed an Ordinance Relating to the Henry County Fire Departments Deed Fees. The deed fee is placed on the Henry County property tax bills which help to fund each fire department. The Ordinance states a rate of \$35.00 per residential deed and \$100.00 per business deed. Chief Lucas reviewed several unfunded State and Federal mandated expenses with replacing and testing their equipment. Chief Lucas requested an increase on the deed fees to help the fire departments with the cost of these mandated expenses. He presented a breakdown by each fire department of the revenues they would receive with the residential deed fee running \$35.00, \$40.00, \$45.00 and \$50.00. He also showed the amounts for the commercial deed fee running \$100.00, \$105.00, \$115.00 and \$125.00. Esq. Hartlage noted he did a survey at his store asking if the deed fee should be left at \$35.00, increased to \$40.00, \$45.00 or \$50.00. He stated he received different comments. All but two people were in favor of giving them something. Esq. Bates noted these unfunded mandates just keeping coming and by raising the deed fees it would be a cost of living increase. Judge Brent suggested the County could set up two grants. We could take the seven to eight thousand dollars we receive from the ADF grant, do fire department audits every three years instead of annually, and use the money we had allocated for audits, and then add two thousand dollars to it. The County could offer two eight thousand dollar grants that the fire departments could apply for each year. Esq. Hawkins noted six years ago the Court opted not to raise the fee, but now due to the audits, we have transparency. We are able to look at their budgets and know where the money is being spent and if they need an increase. He stressed this is not a tax but a flat deed fee to adjust to keep up with inflation. Esq. Bates noted we must have fire protection and we need to lay out the options and vote on it next month.

**RE: CLAIMS & 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	\$281,913.97
Road & Bridge	46,872.14
Jail Fund	33,501.81
LGEA Fund	1,137.56
Litter Fund	345.53
911-EMS	15,000.00
Fair Fund	<u>1,594.91</u>
Total Expenditures	\$380,365.92

Transfers

General Fund

From: 0192009990 (Reserve for Transfers)	\$1000.00
To: 0150573190 (Data Processing, Misc.)	\$500.00
To: 0191005990 (Miscellaneous)	\$500.00

Motion carried unanimously

## **RE: PUBLIC COMMENTS**

Ricky Doyle questioned Esq. Bates as the need for hiring so many part-time EMT's. Esq. Bates responded that some of those hired do not want to work. It is hard to get everyone scheduled when you are running a department 24-7, and many of these EMT's work several jobs. Esq. Hawkins explained that we are running two separate units. You have a transport truck and an emergency truck and a few hired didn't like the part-time transport truck. Ricky Doyle questioned Judge Brent why a treasurer's report is not being read at the Court meeting. Judge Brent replied that the Magistrates receive a monthly treasurer's report and a quarterly financial statement. He stressed since taking office he has not made any changes with how the treasurer's report is done.

## **RE: COURT COMMENTS**

Judge Brent introduced, Stacie Rockaway, the new Field Representative for Congressman Thomas Massie. Ms. Rockaway works out of the LaGrange Office. She told the Court she is there to help with any type of Federal issues they may have. She noted they have a website where you can check their latest news and scheduled events. She will be holding office hours at Judge Brent's office, the third Tuesday of each month, from 4:30-5:30. Judge Brent thanked Ms. Rockaway for attending the meeting.

Esq. Beasley suggested a need for rock at the back door of the 4H Building to help with unloading the commodities. Judge Brent stated he hates to put rock on the midway of the fairgrounds and he had hoped to get a little money ahead and to concrete it. Judge Brent will get an estimate on putting in concrete.

Esq. Hartlage noted he is working on bringing sewers to Pendleton, but it is a slow process. He asked Jarrett Haley, Director of Public Administration the status. Jarrett replied that they are working on the project profile to present before the Water and Management Council on April 12<sup>th</sup> which could result in the project number. KIPDA is willing to assist in the identification of funding sources. Esq. Hartlage feels the CBGB Grant would be a good avenue, but it will require a local match. The cost will be 2.4 million dollars. Esq. Hartlage noted he is not asking for any money, but wanted the Court to know he has the ball in motion on the project. Judge Brent asked if Esq. Hartlage had talked with the truck stops to see what kind of money they could come up with. Esq. Hartlage said no, it is a stage building game and he is waiting to see if we get a state number. Judge Brent was confident that they will get the project number. Esq. Bates noted the Eminence Grant money came in for their sewer project. Judge Brent noted it took four to five years to get the funds for the Eminence sewer project.

**RE: ADJOURN**

Upon motion by Esq. Bates and seconded by Esq. Beasley, 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: April 16, 2013