

**HENRY COUNTY FISCAL COURT
SPECIAL MEETING
NOVEMBER 6, 2013**

The Henry County Fiscal Court met in a Special Session on November 6, 2013 at the Judge Executive's Office 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: CALL TO ORDER

Judge Executive, John L. Brent, called the meeting to order and noted everyone was present.

RE: SUSPEND WITH THE OCTOBER 15, 2013 MINUTES

Upon motion by Esq. Brown and seconded by Esq. Bates, it is ordered by the Court to suspend with the minutes from the October 15, 2013 Regular Meeting.

Motion carried unanimously

RE: SALARY CAP REQUEST-REPORT ESQ. HAWKINS

Judge Brent noted the budget committee met with the Sheriff. He asked Esq. Hawkins for a report. Esq. Hawkins reported that he along with committee members Esq. Bates and Esq. Fisher met with Sheriff Cravens and Deeanne West. Sheriff Cravens wanted to raise his salary cap by \$10,000.00; \$3,000.00 to hire his son as a full time deputy, \$3,000.00 to hire a full time bailiff and \$3,000.00 to hire a part-time deputy. Esq. Hawkins noted he was not in favor of the \$10,000.00 budget amendment. He did note that Sheriff's Deputy Dustin Hamilton had resigned to work for the Eminence Police Department and the Sheriff had to pay him out. Esq. Hawkins stated Dustin leaving and paying him out was out of the Sheriff's control, but he felt the Sheriff had over spent his budget on labor. Esq. Hawkins noted the County allotted a Sheriff Carryover in the budget and he brought recommendation from the Committee that \$5,500.00 be taken from this escrow to amend the salary cap. Esq. Bates stated the \$5,500.00 will pay out Dustin.

Esq. Bates stressed the Sheriff's Salary Cap has been amended the past two years and he does not want to do this again. Esq. Fisher noted he was in consensus with Esq. Bates. Esq. Hawkins told Sheriff Cravens this is not personal and he hopes there are no hard feelings but they have different responsibilities. Esq. Hartlage stated he was in favor of giving the Sheriff \$8,000.00 out of the escrow. Sheriff Cravens stated he needs more part-time people to prevent over-time and to

staff court. He stressed it takes six months to get them qualified. He noted Dustin leaving caused them to be over. Judge Brent asked Sheriff Cravens if he looked at the Salary Cap half way through his year. He replied he relies on his bookkeeper to keep him up on this. Judge Brent stated he asked County Treasurer, Lori Jones, and was told the Sheriff's payroll was \$7,000.00 over, for the first half of the year. Sheriff Cravens stated he doesn't know why this is such a big issue as he isn't taking anything from the County and he doesn't feel like he is getting any cooperation from the Court. Judge Brent reminded Sheriff Cravens of the more than \$200,000.00 the County pays for their benefits and of other requests the Court has done for Sheriff Cravens.

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to take \$5,500.00 (five thousand five hundred dollars) out of the escrow and transfer to the Sheriff's Budget to increase Sheriff's part-time by \$5,500.00 and amend the Salary Cap by \$5,500.00.

Motion carried unanimously

RE: PERSONNEL/ETHICS POLICY

A. Discussion

Judge Brent noted he heard Sheriff Cravens is interested in hiring his son, Matthew, as a full time deputy sheriff. Judge Brent stated when he took office each department was working off a different policy and there was no consistency. Judge Brent used Boyle County, Shelby County and KIPDA's Personnel Policies to revise the Henry County Employee Personnel Policy. He stressed they all had nepotism policies. All Henry County Constitutional Officers agreed and signed off on the Personnel Policy that was adopted March 16, 2004. Judge Brent noted the Sheriff and the County Clerk can have their own Personnel Policies but he feels it is important that all departments follow the same policy and all be on the same page. He also noted while the Personnel Policy is at the Constitutional Officers discretion the Ethics Policy is not. Judge Brent noted in 1994 the Code of Ethics for Henry County had a Nepotism Policy but the Nepotism Policy was amended in 1999. Judge Brent suggested that the County amend the Code of Ethics Nepotism Policy that a relative of a County Officer may not be hired for any full time position. Sheriff Cravens stated he is interested in hiring his son, Matthew, as a full time deputy sheriff. He noted Matthew is interested but took Military leave in August. He noted he agrees with some of the County's policies but some areas don't fit the Sheriff's office. He stated his office is different and he feels like it is a constant conflict with Fiscal Court. Sheriff Cravens noted his office needs their own policies. Judge Brent suggested if the Sheriff develops his own policies than the Sheriff should do his own payroll. Judge Brent stressed he cannot be accountable for the Sheriff's payroll if they have their own policies. Judge Brent also noted the Sheriff's Office is under the County's liability insurance and that is another reason it is best to have the same policies. Esq. Hawkins noted when Sheriff Cravens brought the issue to hire his son full time he felt the need to amend the Ethics Ordinance. Sheriff Cravens stated the Sheriff's Association told him he could hire his son if the County doesn't have the Merit Board System. Esq. Hawkins stated it may be lawful but he felt that is not the type of government we want. Esq. Fisher stated he doesn't feel like it is a good ideal but the Sheriff was elected to run his office and should be allowed to do so. Esq. Fisher noted he is for less government. County Attorney, Virginia Harrod, noted she sent a letter to Attorney General, Jack Conway, requesting an opinion on the Ethics Policy but has not gotten an answer back.

B. Amendment to Ethics Policy-1st Reading

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to approve the first reading of an Ordinance amending Ordinance #150.0-99-1, Section IV is amended as follows: A spouse, child, stepchild, parent, sibling, grandparent, grandchild, or in-law (father-in-law, mother-in-law, daughter-in-law, or son-in-law) of a county officer **may not** be employed or appointed to any paid **full time** position in any county governmental office or agency in the same county in which the officer serves.

Yes- Bates, Beasley, Brent, Brown, Hawkins

No- Fisher, Hartlage

Motion carried

RE: ADJOURN

Upon motion by Esq. Brown 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:

Peggy V. Bryant

PEGGY V. BRYANT

FISCAL COURT CLERK

John L. Brent

JOHN L. BRENT

JUDGE EXECUTIVE

Date Approved: November 19, 2013