

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JUNE 17, 2014**

The Henry County Fiscal Court met in a Regular Session on June 17, 2014 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. Bates and seconded by Esq. Brown, it is ordered by the Court to approve the minutes from the May 20, 2014 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

RE: 2ND READING OF THE 2014-2015 BUDGET

Judge Brent noted the 2014-2015 Budget was sent to the Department of Local Government in Frankfort and it was approved and returned. Judge Brent asked if the Court had any questions and then asked for a motion to approve the budget.

Upon motion by Esq. Brown and seconded by Esq. Fisher, it is ordered by the Court to approve the second reading and adoption of the 2014-2015 Budget Ordinance, which includes the budget attachment and the blacktop projects.

Motion carried unanimously

A copy of the County's Adopted 2014-2014 Budget in full is available for public inspection at the Office of the County Judge/Executive during normal business hours. It is also posted at the Henry County Courthouse.

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Glenn Baxter, reported the Albert Moore Bridge is open. Glenn felt it turned out good but needs a couple hours of cleanup. The road department has been busy doing odd and end jobs. Glenn has been going down his list of projects and is making process. They will start work on the base failures on Rose Hill Lane. He reported the road department had another class last week and it went good. They will attend a class at the Trimble County Library next week and Glenn invited the Magistrates to attend.

2. Committee Report – Esq. Beasley

Esq. Beasley noted a problem on Watkins Lane with heavy rains washing rock and debris out of the driveways and filling up the culvert and ditch. He noted the residents haven't complained but people traveling the road have. Esq. Beasley felt the ditch needs to be cleaned out and larger culverts need to be put in to carry the water. He thinks this will help to solve the problem. Judge Brent and Esq. Beasley will look at Watkins Lane. Esq. Beasley also requested work on a ditch on Hudson Lane. Esq. Hawkins noted the **Share the Road Signs** have been put up and he has already received a complaint that the sign was blocking someone's view. Glenn stated they put the signs up and he will take care of it. A Stop Sign was requested on Hardin Lane. The Committee recommended the road department run the grader on all gravel roads. Esq. Hartlage asked the Committee to look at Spann Lane. He has an estimate of \$30,000.00 to repair it but feels continuing with additional concrete that won't wash away will correct the problem. Esq. Brown noted the low water crossing on Turkey Run is stopped up. Glenn stated it is on his list and they will work on it.

3. 80/20 Bridge Program Discussion – 2014 Project Recommendation

Upon motion by Esq. Fisher and seconded by Esq. Beasley, it is ordered by the Court to accept the Committee recommendation that the 80/20 Bridge Project for 2014 be a prefab bridge on Lower Six Mile Creek Road.

Motion carried unanimously

4. Rock & Asphalt Bid Openings for 2014-2015

The following Bids were received for Rock and Asphalt:

Asphalt Bids

OHIO VALLEY ASPHALT

Picked-Up Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Brownsboro Asphalt Plant Unit Bid Price</u>	<u>Carrollton Asphalt Plant Unit Bid Price</u>
Base	\$64.00 Per Ton	\$64.00 Per Ton
Binder	\$65.00 Per Ton	\$65.00 Per Ton
Surface	\$67.00 Per Ton	\$67.00 Per Ton

In Place Asphalt Products

<u>Hot-Mixed Asphalt Product</u>	<u>Price Per Ton, Placed and Compacted</u>
Base	\$72.50
Binder	\$73.50
Surface	\$74.50

MAGO CONSTRUCTION COMPANY

Bituminous Concrete Surface F.O.B. Plant at Lockport, KY	\$62.00 per ton
Bituminous Concrete Binder F.O.B. Plant at Lockport, KY	\$61.00 per ton
Bituminous Concrete Base F.O.B. Plant at Lockport, KY	\$60.00 per ton
Bituminous Cold-Mix thru Plant F.O.B. Lockport, KY	\$115.00 per ton

Asphalt laid per ton in Henry County

Labor and equipment per ton to apply bituminous surface (including all incidental preparation, rolling and sweeping.)	\$5.50 per ton
Haul bituminous surface to roads as specified, By Henry County Fiscal Court.	\$3.00 per ton
SS-1H Tack Coat	\$2.50 per gallon

SHELBYVILLE ASPHALT COMPANY (MAGO OWNED)

Bituminous Concrete Surface F.O.B. Plant at Shelbyville, KY	\$62.00 per ton
Bituminous Concrete Binder F.O.B. Plant at Shelbyville, KY	\$61.00 per ton
Bituminous Concrete Base F.O.B. Plant at Shelbyville, KY	\$60.00 per ton
Bituminous Cold-Mix thru Plant F.O.B. at Shelbyville, KY	\$115.00 per ton

MAC CONSTRUCTION & EXCAVATING

Hot Mix Asphalt	\$48.00 per ton
SS1H	\$3.25 per gallon
Hot Mix Asphalt delivered and laid (500-999 ton minimum order)	\$82.55 per ton
Hot Mix Asphalt delivered and laid (1000 + ton minimum order)	\$75.03 per ton

ROCK BIDS

LITER'S INC. LOCKPORT PLANT

#2 #3, & #4	\$8.40 per ton
DGA & 610	\$8.40 per ton
#57	\$9.50 per ton
#8	\$10.00 per ton
Class II Rip Rap	\$10.50 per ton
Class III Rip Rap	\$14.00 per ton
Dust	\$6.00 per ton

ROGERS GROUP/OLDHAM COUNTY STONE

#3 Stone	\$10.60 per ton
Crusher Run	\$10.60 per ton
Dense Grade	\$10.60 per ton
#57 Dry Stone	\$12.05 per ton
#8 Stone	\$12.85 per ton
PUG DGA	\$10.60 per ton
D MFG Sand	\$9.55 per ton
Limestone Dust	\$9.00 per ton
RR 2 (Class II)	\$13.25 per ton

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to accept all rock and all asphalt bids for Fiscal Year 2014-2015.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor's Report

Henry County EMS Supervisor, Josh Jamiel, reported things are going smooth. They have five dialysis transports. Josh reported they received a large payment owed them from Humana. Humana has a \$10,000.00 backlog owed to the EMS and Josh hopes to get it before the end of the fiscal year. Josh felt the best option for the Med 5 ambulance was to replace the engine.

2. Committee Report – Esq. Bates

Esq. Bates reported the Committee did meet and they were in agreement to spend the \$15,000.00 (fifteen thousand dollars) to replace the engine in Med 5. Esq. Bates feels the EMS may end their year in the black, not counting their benefits. Esq. Hawkins complimented the EMS on doing a great job.

Upon motion by Esq. Bates and seconded by Esq. Hartlage, it is ordered by the Court to spend \$15,000.00 (fifteen thousand dollars) for a new motor in the Med 5 Ambulance.

Motion carried unanimously

RE: P&Z/SOLID WASTE

1. Administrator's Report

Henry County P&Z/Solid Waste Administrator, Jody Rucker, reported 25 permits were issued in May with five being for new homes. The amendment to the Zoning Ordinance have been approved by the cities and will be published in this week's paper.

2. Nuisance Ordinance Committee – Esq. Hawkins

Esq. Hawkins noted after last month's meeting the Committee met to review the amendment to the Nuisance Ordinance. The Committee felt the amendment did not address the agricultural operations so they revisited the issue. Esq. Hawkins read through the Ordinance for the Court and those in attendance. Esq. Hartlage questioned the number of acres necessary to qualify the property as a farm. Esq. Hawkins noted the Ordinance says regardless of the acres County Government will not interfere with a farming operation.

3. Request to Speak on Nuisance Ordinance – Bob Cook

Bob Cook who lives at 346 Scobie Lane addressed the Court. He noted his neighbor who complained about his property at last month's meeting was not forth coming with the facts. Mr. Cook stated he spoke with Joe at the PVA office and was told his neighbor devalued her own property for taxes not because of anyone else. Mr. Cook cautioned the Court on passing this Ordinance and raised an issue with protecting the farm operations. He questioned how many members of the Court were farmers or business owners. He questioned if they would abstain from voting on the Ordinance. Amy Cline who has lived on Scobie Lane for ten years told the Court she feels this is a good Ordinance. She supports the farmers but thinks people should have to clean up their property. Tom Jackson who resides on New Cut Road told the Court he has had problems with his neighbor's property. This is the property where the County had animal problems. The property is vacant and grown up. He commented that good farmers don't need an Ordinance as they take pride in their land. He stressed you won't get anything done if you request the Court not vote if they have an interest in the issue. He noted he doesn't like big government but we have to have government. Debra Jackson who has lived on New Cut Road for 12 years noted she cannot open her windows from the stench coming from her neighbor's property. She also noted a problem with rats coming from the same area. She noted she takes pride in mowing and keeping her property clean. Ann Cook expressed her concerns with the Ordinance. In her opinion there are violations on County owned property and on one of the Court members property. She urged the Court to think very long and very hard how they define this Ordinance as she can request the County be cited and fined. Esq. Hawkins clarified that this Ordinance applies to all property owned whether residential, commercial, agricultural or industrial. The Ordinance applies to all properties regarding the amount of acreage whether 5 acres, 10 acres or 100 acres. What is does not apply to are farm operations. Farming operations are exempt. Placing a fence for cattle is exempt from this Ordinance. Esq. Hawkins stressed everyone on the Court has made a living at one time through farming and farming is important to the Court and no one intends to do anything to someone's farm operation. Esq. Hawkins stressed we are only on this earth a short time and we have an obligation to our fellow man to leave this world a better place. Esq. Brown stated he appreciates what Mrs. Jackson said. Esq. Brown stressed he has been on the Court for over 20 years. His goal when coming on the Court was to make Henry County a better place to live and to raise a family. Esq. Brown noted he loves the land and feels God has appointed him as a care taker of his property. He noted there are people who could care less about their neighbor. He told Mrs. Jackson he had a similar incident in the Campbellsburg area with a vacant home and rats going to the neighbors and he noted it's just not right. He stressed there are people in Henry County who do care and who love the land and want to see things better.

4. Revised Nuisance Ordinance – 1st Reading

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to approve the 1st reading of an amendment to Ordinance No. 1000-01-13-1, An Ordinance Related to the Abatements of Nuisances in Henry County, Kentucky.

Yes -Bates, Beasley, Brown, Fisher, Hawkins

No - Hartlage

Motion carried

RE: PARKS/FAIRGROUNDS SUPERINTENDENT’S REPORT

Judge Brent noted Henry County Parks/Fairgrounds Superintendent, Travis Buchanan, was not present due to vacation. Judge Brent noted the ball season has wrapped up and they are starting the Church League.

RE: ANIMAL SERVICES

1. Director’s Report

Henry County Animal Control Officer, Dan Flinkfelt, reported they raised \$500.00 for Henry County Relay when participating in the Bark for Life dog walk. Folks participating signed a Relay Shirt which Dan presented to County Attorney, Virginia Harrod, to encourage her as she battles breast cancer. Dan noted this is the 4th year of operation and he was pleased to announce their euthanizing rate is at 4.7 percent. They euthanized 46 animals in 2014 with 13 being hit by cars, 3 due to space issues, 5 old or injured and 25 animals that were aggressive. Dan noted it has been a good year. Everybody has worked hard to improve the shelter and cut spending. They will be working the races at the Kentucky Speedway to make money for the shelter. Dan reported two shelter dogs are being adopted and shipped to Cape Cod, but all expenses are being covered. Suzanne Schulte worked the New Castle Patriot Day and will work Campbellsburg Day representing the shelter and promoting adoptions.

2. Committee Report – Esq. Hartlage

Esq. Hartlage reported the Committee did meet. He agreed with Dan’s report and complimented Dan. Esq. Hartlage reported the Committee looked at the trailer the County bought for transporting and marketing. Esq. Hartlage stressed the County got a good buy on it. Esq. Hartlage noted with two counties working at the shelter they are still having some personnel issues.

RE: REQUEST TO GO INTO CLOSED SESSION REGARDING SALE OF PROPERTY

Upon motion by Esq. Hawkins and seconded by Esq. Brown, it is ordered by the Court to enter into a Closed Session.

Motion carried unanimously

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to go back into Regular Session.

Motion carried unanimously

Upon motion by Esq. Brown and seconded by Esq. Beasley, it is ordered by the Court to sell two tracts in the Commerce Industrial Park consisting of approximately 5.5 acres for \$30,000.00 (thirty thousand dollars) to Chris Wright and John Edwards for a processing facility.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$272,174.10
Road & Bridge	47,288.87
Jail Fund	36,519.45
LGEA Fund	3,500.00
Litter Fund	968.73
911-EMS	245.00
Fair Fund	689.00
Total Expenditures	<u>\$361,385.15</u>

Transfers

General Fund

From: 0192009990 (Reserve for Transfers)	\$74,486.00
To: 0150253320 (Legal Fees)	700.00
To: 0150404450 (Co. Treas. Office Supply)	800.00
To: 0151355070 (DES, Contribution)	2,000.00
To: 0151401790 (EMS Tech. Part-Time)	17,702.00
To: 0151403200 (Debt Collection/Billing)	3,780.00
To: 0151404110 (EMS, Custodial)	165.00
To: 0151404290 (EMS, Gas & Maint)	6,000.00
To: 0152054290 (Animal Services, Fuel)	400.00
To: 0152055990 (Animal Services Misc.)	201.00
To: 0154011790 (Parks, Part-Time)	2,450.00
To: 0154015710 (Parks, Repairs & Maint)	100.00
To: 0194002010 (Social Security)	13,225.00
To: 0194002050 (Health Insurance)	26,963.00

Road Fund

From: 0292009990 (Reserve for Transfers)	\$1,721.00
To: 0261053120 (Special Road & Bridge)	671.00
To: 0261053980 (Contracted Labor)	1,050.00

Fair Fund

From: 8092009990 (Reserve for Transfers)	\$100.00
To: 8054014110 (Custodial Supplies)	100.00

Motion carried unanimously

RE: PUBLIC COMMENTS

No comments were made by the public.

RE: COURT COMMENTS

No comments were made by the Court.

RE: ADJOURN

Upon motion by Esq. Fisher 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: July 15, 2014

