

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
FEBRUARY 17, 2015**

The Henry County Fiscal Court met in a Regular Session on February 17, 2015 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 Mike Fisher
Esquire Nick Hawkins
Esquire Jason Stanley
Esquire Rickey Timberlake

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 January 20, 2015 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

There being no old business the meeting proceeded to new business.

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Glenn Baxter, reported they have been busy following the 7 to 8 inches of snow. Glenn noted they got over most of the gravel roads today, but we are expecting more snow tonight. Glenn discussed putting a large culvert in on Happy Ridge. Glenn asked the Court to let him know if they have any projects in their district that can use the 80/20 Bridge money. Esq. Timberlake noted an issue with a culvert on Blakemore Lane. Glenn and Esq. Timberlake will go look at the culvert as soon as the snow goes off. Esq. Beasley expressed appreciation to Clark's Equipment for cleaning all the gravel roads in his area.

2. Committee Report – Esq. Beasley

Esq. Beasley reported his Committee discussed the 2015 Flex Funds and they recommend the flex funds be given back to the State to use on the rural secondary roads. The Committee wants the State to finish Hwy 389, near Lockport. Esq. Beasley noted the road is in bad shape. They started working on it three years ago and it has not been completed. Esq. Beasley stated they are going to do 2 miles from last year, but another 1.2 miles needs to be completed. Judge Brent stated Rick Rand got discretionary money for Hwy 573 and discretionary money for Hwy 389. Rick Rand is trying to get discretionary money for Woods Pike this year. Judge Brent noted one road is not more important than another road, but all these roads are in the same end of the County and in the same area. Judge Brent stated if he had known that was going to be the Committee's priority he would have asked Rick for discretionary money for a different road. Judge Brent noted it's not about politics, but about fairness and the money needs to be spread around. Esq. Beasley stated he understands that too and the Committee discussed that. Esq. Beasley stressed it has been 3 years since the road was torn up and the project Judge Brent wants was just torn up last fall. Esq. Beasley agreed Judge Brent's road project on Turners Road is bad too, but he looked at it and felt four big patches would take care of it for another year. Esq. Fisher noted 4.4 miles of Hwy 389 were to be blacktopped. They were supposed to blacktop 2.1 miles last year which they didn't get to. Judge Brent agreed, but noted the 2.1 miles where they have base failures is funded and will be done in April or May. Esq. Fisher stated they got \$400,000 to fix the base failures and the road, but the base failures are so bad they don't have enough left to blacktop the 4.4 miles. Esq. Fisher noted you can't find an area worse than the strip on Hwy 389. Judge Brent stressed there are plenty of roads needing repairs noting Sunnyside Road is torn all to pieces. Judge Brent asked Esq. Beasley if he would be willing for all the money next year to be used to pave the 4 miles of Turners Road, noting it would still be a 2 year project. Esq. Beasley noted he would not have a problem with it if the Court agreed. Esq. Hawkins suggested the road committee meet and sort the issues out. The road committee will give their recommendations to the transportation department of highways when they come to next month's meeting.

3. Flex Funds Decision for 2015

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court that the 2015 Flex Funds be returned to the State to use on the rural secondary roads.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor's Report

Henry County EMS Supervisor, Josh Jamiel, reported things are running good. They have lost one dialysis patient who made the decision to quit taking dialysis. EMS employee, Kyle Stewart, has resigned effective March 8, to work for the Carrollton Police Department. Josh was very complimentary of Kyle and noted they will look at filling his position at a later date. Judge Brent expressed his thanks and appreciation to Kyle for his service to the County. County Attorney Harrod also praised Kyle noting while off duty he came to assistance her mother on an EMS run. Esq. Hawkins also expressed his appreciation to Kyle. Josh brought recommendation that the County hire Vinayak Nadar as a part-time paramedic, noting he had completed his background check.

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

Motion carried unanimously

2. Committee Report – Esq. Bates

Esq. Bates noted the EMS Committee did not meet due to the weather.

RE: P&Z/SOLID WASTE

1. Administrator's Report

Henry County P&Z/Solid Waste Administrator, Jody Rucker, reported 10 permits were issued in January with 2 for new houses. Jody reported he has been working on the Solid Waste Grant that is due in March.

2. Zone Change Recommendation – Old DAV Bingo Property

Judge Brent read the Planning Commission findings and recommendations to the Court. The recommendation was to approve a zone change from A-1 to B-1 on property located at 8851 LaGrange Road, Smithfield, KY.

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to accept the Planning Commission recommendations for a zone change from A-1 to B-1, on the property located at 8851 LaGrange Road, Smithfield, KY.

Motion carried unanimously

3. Board of Adjustments & Planning Commission Vacancies

Judge Brent noted there are vacancies on the Board of Adjustments and Planning Commission. Jody brought recommendation to appoint Richard Riedel to serve of the Board of Adjustments.

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to appoint Richard Riedel to serve on the Board of Adjustments.

Motion carried unanimously

Judge Brent noted we still need a recommendation for the Planning Commission and that recommendation falls on Esq. Bates. Jody stated he has a recommendation for Esq. Bates. He has not had a chance to talk with Esq. Bates, but will discuss it with him after the meeting.

RE: PARKS/FAIRGROUNDS

1. Superintendent's Report

Henry County Parks/Fairgrounds Superintendent, Travis Buchanan, noted there is not a lot to report. They have been working to prep stuff so they won't have so much to do when the weather warms up. The bases and supplies have been ordered for the new softball field. They will start getting the fence up at the new softball field when the weather permits. Travis noted the middle school soccer team started practice last week.

2. Committee Report on 4-H Building – Esq. Stanley

Esq. Stanley noted the committee met and brought the following recommendations to increase the rental and cleanup/damage deposit fees at the 4-H Building. Rent for the large side of the building will increase from \$100.00 to \$150.00 per day; the small side of the 4-H building will increase from \$75.00 to \$100.00 per day. The cleanup/damage deposits for all rental property will increase from \$50.00 to \$100.00. Esq. Stanley noted 2005 was the last time there were changes to the rental of the building. It was noted the cleanup/damage deposit is returned if the building is clean and left in good shape. During the week several civic and educational groups use the building at no charge. Judge Brent asked if the Committee had any ideas on how to deal with the alcohol problem in the 4-H building. Esq. Stanley asked KACO our insurance carrier for input. He was told we were not liable if it is in the contract that alcohol is not to be brought onto or consumed on the property. Esq. Hawkins noted the committee did not feel it would be appropriate to send a police officer to every wedding reception.

Upon motion by Esq. Hawkins and seconded by Esq. Stanley, it is ordered by the Court to increase the rental and deposit fees as discussed.

Motion carried unanimously

Following discussion Esq. Beasley noted the need to address the alcohol problem in the contract and made an amendment to the above motion.

Amended Motion

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to increase the rental and cleanup/deposit fees as discussed, and if alcoholic beverages and/or containers are found in the 4-H building they will forfeit their cleanup/damage deposit fee.

Motion carried unanimously

RE: ANIMAL SERVICES

1. Director's Report

Henry County Animal Control Officer, Dan Flinkfelt, reported January was a busy month as several Christmas dogs were turned over to the shelter. They did a great job in finding rescue and homes for the animals. They currently have three dogs at the shelter. Dan noted they got in contact with Pfizer/Zoetis who does a program for meds for the animal shelters. They are saving a lot of money by getting their basic animal intake shots through them. Judge Brent asked Dan to turn the heat up at the shelter for the next couple of nights to help prevent the water pipes from freezing.

2. Committee Report – Esq. Fisher

Esq. Fisher noted the committee did not meet this month. The Committee plans to have quarterly meetings with Judge Powell and a Trimble County Magistrate.

RE: SHERIFF'S EXCESS FEES – SHERIFF DANNY CRAVENS

Sheriff Danny Cravens came before the Court to present his excess fees check in the amount of \$76,374.13. Judge Brent and the Court thanked Sheriff Cravens. Esq. Hawkins noted it is no secret that Fiscal Court and the Sheriff have had some hard times. Sometime you go through hard times together and come out stronger and he thinks that is what has happened. Esq. Hawkins thanked the Sheriff and noted the excess fees check was very much appreciated. Esq. Hawkins noted the Sheriff contacted those on the budget committee as he was thinking long term about the financial condition of his office. Esq. Hawkins explained the Sheriff's office has been doing a 3 year lease to own for their vehicles. They purchased a truck last year. They have made their first payment and have two more left to pay. The Sheriff thought coming in with his high amount of excess fees the Court might agree to make one of the payments for him. It would help the Sheriff pay off the truck early. The budget committee discussed this. They thought it would be a sign of thanks and appreciation to budget \$10,730.00 in Fiscal Court's 2015-2016 Budget to make next year's payment for the Sheriff.

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to put \$10,730.00 (ten thousand seven hundred and thirty dollars) in the 2015-2016 Fiscal Court Budget to make the truck payment for the Sheriff.

Motion carried unanimously

**RE: CLERK'S EXCESS FEES – OUTGOING CLERK
JUANITA LASHLEY**

Outgoing Clerk, Juanita Lashley, came before the Court to present her excess fees check in the amount of \$79,264.52. Juanita noted her check was less due to unexpected expenditures. She hired a new deputy clerk to replace Shanda Archer. Juanita paid out Shanda her vacation/sick time before she begins her new duties as County Clerk. Juanita also had the expense of renting a scanner, leasing software and purchasing new memory cards and boxes for the voting machines. The Court expressed their appreciation to Juanita.

**RE: COUNTY TREASURER/P&Z SECRETARY PROPOSAL &
REQUEST TO ADVERTISE**

Judge Brent informed the Court that part time County Treasurer, Lori Jones, will be leaving as soon as she gets her medical coding degree. Planning and Zoning Secretary, Diana Berry, is planning to retire. Judge Brent suggested we merge these two positions into one full time position. He is looking for someone who is professional, honest, and who knows the County. Judge Brent feels we can find someone outstanding with a salary range of \$35,000.00-\$37,000.00 and he asked the Court for permission to advertise the position.

Upon motion by Esq. Hawkins and seconded by Esq. Bates, it is ordered by the Court to allow Judge Brent to advertise for the County Treasurer/P&Z Secretary position.

Motion carried unanimously

RE: CLOSED SESSION REGARDING LITIGATION

Upon motion by Esq. Hawkins and seconded by Esq. Timberlake, it is ordered by the Court to go into a closed session to discuss litigation.

Motion carried unanimously

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to go out of closed session.

Motion carried unanimously

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to go back into regular session.

Motion carried unanimously

Upon motion by Esq. Hawkins and seconded by Esq. Fisher, it is ordered by the Court to send a 30 day notice to the developer of Jericho Meadows Subdivision, Ellery Esposito, that Henry County Fiscal Court intends to call the letter of Credit, if he does not act in 30 days.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$234,089.71
Road & Bridge	59,212.04
Jail Fund	37,333.53
LGEA Fund	4,160.00
Litter Fund	551.28
911/EMS Fund	2,694.00
Fair Fund	<u>849.05</u>
Total Expenditures	\$338,889.61

General Fund

From: 0192009990 (Reserve for Transfers)	\$8,600.00
To: 0150015030 (Bank Charges)	100.00
To: 0151404110 (EMS, Custodial)	3,500.00
To: 0151407410 (Ambulance-Supplies)	5,000.00
From: 0150655650 (Election Printing & Adv)	\$5,000.00
To: 0150653410 (Voting Machine Upgrade)	5,000.00
From: 0152053990 (Animal Services Operating)	\$10,000.00
To: 0152051790 (Animal Control Part-Time)	9,000.00
To: 0152055990 (Animal Services Miscellaneous)	1,000.00

Motion carried unanimously

RE: PUBLIC COMMENT

Pamela Payton expressed an issue with paying for trash service. She noted her husband works for a landfill and one of the benefits is to bring their trash there at no charge. Judge Brent noted we have an Ordinance that states all exceptions.

RE: COURT COMMENTS

Esq. Hawkins asked Glenn Baxter to go with him to look at two old culverts that have collapsed on Jackson Road. Glenn stated he knows where they are and they will go look at them.

RE: ADJOURNMENT

Upon motion by Esq. Hawkins 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: March 17, 2015