

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
OCTOBER 20, 2015**

The Henry County Fiscal Court met in a Regular Session on October 20, 2015 at the Henry County Courthouse in New Castle, Kentucky with the following in attendance:

John L. Brent, Judge Executive
Peggy V. Bryant, Deputy Judge Executive
Virginia Harrod, County Attorney
Esquire Scott Bates
Esquire Jerry Beasley
Esquire Tony Moffett
Esquire Jason Stanley
Esquire Rickey Timberlake

Esquire Mike Fisher – Absent

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 Brent called the meeting to order and welcomed newly appointed Magistrate Tony Moffett. Magistrate Moffett noted he was glad to be here and looked forward to serving.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Stanley and seconded by Esq. Timberlake, it is ordered by the Court to approve the Minutes from the September 15, 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 Update

Henry County Road Supervisor, Kenny Tindle, reported his department has been doing the end of the year grading. Kenny stressed the County has spent a lot of money repairing the roads in Jericho Meadows. They are still building houses in the subdivision and Kenny is concerned the heavy concrete trucks will damage the roads. Kenny suggested putting a 6 yd weight limit on the subdivision roads and a fine if the trucks break the weight limit. Esq. Bates questioned who would look at the weigh bills and who would enforce the weight limit. Kenny volunteered to talk with Oldham and Shelby Counties to see how they enforce the weight limits in their subdivisions. County Attorney, Virginia Harrod, stated the Court would need to pass an Ordinance that includes the fines and penalties. The Ordinance would require a first and second reading. The road committee will meet with Kenny and bring back their recommendation at next month's meeting.

2. Committee Update – Esq. Beasley

Esq. Beasley stated he had been asked if Fiscal Court would buy jackets and coveralls for the six road department employees. Esq. Beasley and Esq. Bates felt buying the jackets and coveralls would be a show of the Court's appreciation. Esq. Bates and Esq. Beasley agreed to donate \$100.00 each towards the purchase and encouraged all Court members to do the same. Judge Brent noted the balance can come out of the budget.

Esq. Bates reported a stop sign was stolen last night at the end of Jackson Road at Sunnyside. Kenny noted the road department will replace it.

RE: EMS/PARAMEDICS

1. Supervisor Update

Henry County EMS Supervisor, Josh Jamiel, reported they have lost two of their dialysis transports, but they are talking with three others. The billing company they use is going out of business the first of January. Josh has been getting prices and bids from other billing companies.

2. Committee Update – Esq. Bates

Esq. Bates reported the EMS Committee reviewed four billing companies and have cut it down to three. The three companies are Ambulance Medical Billing (AMB), 911 and Medical Claims Assistance (MCA). MCA is located in West Virginia and the committee preferred a company in Kentucky. The billing company we are currently using charges a 7% collection fee. Ambulance

Medical Billing (AMB) gets a 6.6% fee for collection. Josh noted he checked references and researched the companies. Josh talked with Oldham and Shelby County who use AMB and got good recommendations. Esq. Bates noted the Committee recommends AMB.

Upon motion by Esq. Bates and seconded by Esq. Timberlake, it is ordered by the Court to switch to Ambulance Medical Billing (AMB), pending the County Attorney's approval of the contract.
Motion carried unanimously

3. Paramedic Vehicle

Esq. Bates reported the paramedic vehicle was totaled. The Committee met and to make the budget right they recommend waiting and ordering a new vehicle in June and put it in the new July budget. The Court was in consensus to wait.

RE: P&Z/SOLID WASTE

1. Administrator Update

P&Z/Solid Waste Administrator, Jody Rucker, reported 17 permits were issued last month with 3 for new houses. Jody noted the Planning & Zoning Commission approved the Zone Change from A-2 to R-3 on property located between King Street and Blackaby Lane, Eminence, KY. This Zone Change is for construction of a multifamily senior development of 40 units. Judge Brent noted this is a big deal and complimented the building project.

2. Zoning Ordinance Text Changes/Clarifications

Jody noted the Henry County Planning & Zoning Commission discussed and voted to approve the following Zoning Ordinance Text Changes/Clarifications. Jody read and reviewed the following;

605 PERMITTED AND CONDITIONAL USES Permitted and Conditional Uses are provided for in each Zone within the County and Incorporated Cities in accordance with Article VI of this Ordinance. Recognizing that such a list cannot be exhaustive, where a proposed use is not explicitly provided for in any zone (as either a permitted, accessory, or conditional use) it shall be the duty of the Administrative Official to determine the appropriate zone for that use. If the Administrative Official cannot make a clear determination then the proposed use will go before the Board of Adjustments for a decision. Any person aggrieved by the Administrative Officials decision shall have the right to appeal that decision to the Board of Adjustments.

1105 FEE SCHEDULE Nothing contained in this Article XI shall exempt a person desiring to install, erect, modify or place any sign, otherwise permitted by this Ordinance, from applying for, and being issued a sign permit from the Henry County Planning & Zoning Office. The Henry County Planning Commission shall establish a fee schedule for sign permits. The Enforcement Office shall verify that the proposed sign conforms with applicable square footage requirements, height, setbacks and other limitations set by this Ordinance.

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to accept the Planning & Zoning Commissions recommendations for the Zoning Ordinance Text Changes/Clarifications. Motion carried unanimously

Esq. Moffett noted there are two houses located on Hwy 146 near Hieatt Lane. One of the houses is for sale. The owner is having a problem selling it as the belongings from the neighboring house have been set out in the yard. Esq. Moffett asked for some guidance for the property owner trying to sell his house. Jody was familiar with the issue. He noted that a letter had been sent requesting the property be cleaned up. The property owner has 14 days to comply or the issue goes to the County Attorney. Judge Brent stressed it takes time, but they are in the process of getting it cleaned up.

RE: PARKS & FAIRGROUNDS – SUPERINTENDENT’S REPORT

Henry County Parks & Fairgrounds Superintendent, Travis Buchannan, reported activities at the parks are wrapping up. After the soccer season ends they will winterize the bathrooms at the parks and fairgrounds. Travis noted Friday night, October 23, is Trail and Treat at the new park. Travis is expecting 500 plus kids. Travis asked the Court to be looking for a used truck for Bobby as his is in bad shape. Travis informed the Court of an issue this past Saturday night at the 4H building. The building was rented for a baby shower. They left the building full of trash and beer containers. Travis and his department spent 6 labor hours cleaning up the building. Judge Brent thanked Sheriff Cravens for following up and getting in touch with the guy who rented the building. Sheriff Cravens replied that the guy apologized and said he did not mind to forfeit his \$100.00 deposit for the cleanup. Sheriff Cravens explained that the deposit money would not pay to clean it up. The renter is willing to pay an additional \$200.00 to the County to cover the additional cost of cleanup. Deputy Judge Bryant noted she went over the contract with the renter. The contract the renter signs states **alcoholic beverages cannot be brought onto or consumed on the premises. The renter may be held liable. If alcoholic beverages and/or containers are found in the 4-H building the damage fee will be kept by the County.** The Court discussed options such as installing cameras in the building, adding in the contract that law enforcement may make random checks, increasing the deposit fee, and adding additional cleaning fees may be incurred. The Parks/Fairgrounds Committee will meet and bring back recommendations at next month’s meeting.

RE: ANIMAL SERVICES

1. Director’s Update

Animal Control Officer, Dan Flinkfelt, reported the shelter has been swamped with dogs during August and September. There are 3 dogs in the shelter now. Friday night Dan is driving to Chicago on a rescue run. Judge Brent informed the Court that he told Dan if he drives to Chicago by himself to get a room and spend the night. Judge Brent does not want him driving up and back in the same day. Judge Brent noted he and Esq. Moffett dropped by the animal shelter and it was spic and span. The outside looked good and there were about 12 dogs in the shelter. Esq. Moffett complimented the shelter noting everything was in great shape and he was very pleased.

Esq. Moffett also noted he and Judge Brent went to the road department and EMS and he was complimentary of these departments too. Dan informed the Court that he is getting estimates for building outside kennels. Judge Brent noted he meets with Judge Powell every other month to review the bills and discuss shelter issues.

RE: HOPE HEALTH CLINIC – PRESENTATION TO THE COURT

Sandy Perry, Henry County resident and volunteer for the Hope Health Clinic introduced Hope Health Clinic Manager, Janet Warner, to the Court. Ms. Warner explained the Clinic is located in LaGrange on the campus of Baptist Hospital. The clinic has been open 4 years and has seen more than 400 Henry County residents during this time. The clinic provides basis primary care, patient education, laboratory testing, specialty referrals, counseling and pharmaceutical assistance programs. If you do not have health insurance you can be seen by one of their medical providers for a fee of \$10.00. Ms. Warner noted they want to get the word out to folks that need this service. She asked the Court to direct her to folks in need and she would also appreciate any financial support from the Court. Esq. Bates questioned how many patients are seen at the clinic that does not have health insurance. Ms. Warner replied about 95 per cent. Judge Brent and the Court thanked Ms. Warner for coming.

RE: ALCOHOL PETITION AND DECEMBER ELECTION DISCUSSION

Judge Brent reminded the Court that three years ago we had a moist vote in the County. Any election cost the County around \$25,000.00. Some proponents suggest the tax revenue from the alcohol sales will pay for the election. The County receives around \$2500.00 a year in fees and taxes from the alcohol sales currently. The County has not recouped the expenses from the 2011 special election. Judge Brent stressed we are looking at the expense of another special election in December. Judge Brent expressed concerns as this special election is not included in the budget. It is set by the State KRS. The Court has no say so. Judge Brent asked County Attorney, Virginia Harrod, to research what type of taxes we can charge and what our responsibility will be if the vote passes. County Attorney Harrod noted we cannot levy a tax, but can do a licensing fee for regulation purposes only. It cannot be a revenue generator, but to offset the cost of the administration and the policing of the compliance of the KRS and ABC laws. County Attorney Harrod noted we can get reimbursed for any extra expenses such as police protection but we will need to estimate the fees up front. Judge Brent also noted the County has the responsibility to provide an ABC (Alcohol Beverage Control) Officer. David McGuire is volunteering as our ABC Officer, but Judge Brent doesn't know if he will continue to do that.

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	\$295,759.01
Road & Bridge	108,228.41
Jail Fund	38,665.32
LGEA Fund	3,728.30
Litter Fund	1,156.96
911/EMS Fund	4,935.74
Fair Fund	<u>974.98</u>
Total Expenditures	\$453,448.72

Transfers

General Fund

From: 0192009990 (Reserve for Transfers)	\$1,500.00
To: 0150255390 (Legal Ads)	\$1,500.00
From: 0152053990 (Animal Services Operation)	\$1,000.00
To: 0152055990 (Animal Services, Misc.)	\$1,000.00

Road Fund

From: 0261051430 (Road Worker's Salaries)	\$2,688.00
To: 0261053980 (Contracted Labor/Equip)	\$2,688.00

Certificate of Deposit

Redeem CD in the amount of \$200,000 for deposit in General Fund

Motion carried unanimously

RE: PUBLIC COMMENTS

Hugh McBurney told the Court when the flood came through Flat Rock Road the County fixed the road, but now the posts in the concrete are starting to stick out. Kenny Tindle stated the road department is done patching for the year. Hugh noted he would appreciate if they can do something with it. Kenny suggested pouring concrete over it. The road committee will take a look at it.

RE: COURT COMMENTS

Esq. Moffett was complimentary again of the animal shelter, the road department and the EMS. He also noted Travis does a good job as the park look great.

RE: ADJOURN

Upon motion by Esq. Beasley and seconded by Esq. Bares, 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: November 17, 2015