

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
APRIL 19, 2016**

The Henry County Fiscal Court met in a Regular Session on April 19, 2016 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 Mike Fisher
Esquire Tony Moffett
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 Brent called the meeting to order and noted everyone was present.

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 March 15, 2016 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

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

RE: NEW BUSINESS

RE: ABC UPDATE – DAVID MCGUIRE

Henry County ABC Officer, David McGuire, gave an update to the Court. He was pleased to report that 17 individuals had attended the Star Server Training at the extension office. The Field Agent from ABC is doing field reports on the liquor licenses. Some malt beverage licenses have been issued. He reported 4 applications have been received for the sale of package liquor.

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Kenny Tindle, reported the bush mowing is done. They have been doing a lot of road grading and cold patching. Kenny asked the Court to let him know if they have areas that need cold patching. Esq. Stanley questioned if the road department had started working on Montfort Lane and Kenny noted they started working on Montfort today.

2. Committee Update – Esq. Beasley

Esq. Beasley reported the blacktop road projects have been turned in for next year's budget. He suggested the Road Committee look at each project as they have cut back on the funding this year. Judge Brent commended the Magistrates for being reasonable in their road requests. Judge Brent noted he just finished putting together the road budget. He cut the road budget by \$110,000.00 in expenses due to a decrease in revenue. Judge Brent noted he increased the money in materials as they are doing a lot more patching and maintenance. Esq. Bates questioned if we have heard anything from the FEMA money. Jody Rucker checked last week but has not heard anything yet.

3. Allow the advertisement of bids for rock and asphalt for 2016-2017

Upon motion by Esq. Stanley and seconded by Esq. Bates, it is ordered by the Court to authorize Judge Brent to advertise bids for rock and asphalt for Fiscal Year 2016-2017.

Motion carried unanimously

RE: EMS/PARAMEDICS

1. Supervisor's Update

Judge Brent noted EMS Supervisor, Josh Jamiel, was not present for the meeting as he is in training this week. Judge Brent noted he has been looking at the EMS receipts and they are down \$125,000.00 this quarter. Judge Brent and Esq. Bates hopes this is due to the new billing company. Esq. Bates noted they currently have one more dialysis transport patient.

2. Committee Update – Esq. Bates

Esq. Bates brought recommendation to hire two part-time medics.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to hire Emily Nicole Kercheval and Ernest J. Mike as part-time paramedics.

Motion carried unanimously

Upon motion by Esq. Moffett and seconded by Esq. Stanley, it is ordered by the Court to go into an executive session to discuss a personnel issue.

Motion carried unanimously

Upon motion by Esq. Moffett and seconded by Esq. Stanley, it is ordered by the Court to go out of executive session.

Motion carried unanimously

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

Motion carried unanimously

Amended Motion

Upon motion by Esq. Bates and seconded by Esq. Moffett, it is ordered by the Court to amend the previous motion on new hires and hire Ernest J. Mike as a part-time paramedic.

Motion carried unanimously

Judge Brent questioned Esq. Bates on the status of the Eminence EMS building. Esq. Bates stated he hates to lose the current renter, but she had an accident and felt she couldn't continue her business there. The EMS Committee will get together to discuss renting the building or what to do. Esq. Bates will check to see if it needs mowing and if it does he will take care of it.

RE: P&Z/SOLID WASTE

1. Administrator's Update

Henry County P&Z/Solid Waste Administrator, Jody Rucker, reported last month they issued 14 permits, 4 of the permits were for new houses. The P & Z Commission met and granted a sign variance for the New Castle Dollar General Store. The Board of Adjustments met and passed 1 conditional use and 3 variances.

Judge Brent noted we currently have a couple of vacancies to fill on the Planning Commission. He asked the Court to let Jody know if they have any recommendations.

Judge Brent informed the Court that Jody who also serves as the Emergency Management Director and his assistant Martin Washburn spent an entire day last week on I-71 due to an accident and fatality.

2. Zoning Ordinance Text Change Amendment – 1st Reading

Judge Brent reminded the Court that last October they voted to accept the Zoning Ordinance Text Changes/Clarifications that was recommended by the Planning & Zoning Commission. Nothing has changed but this Ordinance combines with the cities so we need to start over. The Zoning Ordinance Text Changes/Clarifications will need a 1st and 2nd reading.

Upon motion by Esq. Bates and seconded by Esq. Timberlake, it is ordered by the Court to approve the 1st Reading of a Text Changes/Clarifications Amendment to Ordinance No. 91-002.
Motion carried unanimously

RE: PARKS & FAIRGROUNDS – SUPERINTENDENT’S UPDATE

Henry County Parks & Fairgrounds Superintendent, Travis Buchanan, reported they have been busy with mowing and preparing the fields for games. This past weekend was the opening day of little league and softball and Harry Hill Park was packed. Travis reported everything is going good. They have started painting on the concession stand.

1. Parks/Fairgrounds Committee – Esq. Stanley

Esq. Stanley did not have anything to report as the Parks/Fairgrounds Committee did not meet. Esq. Stanley did note he talked with Travis a couple of times regarding baseball and softball.

RE: ANIMAL SERVICES

1. Judge’s Meeting Update

Judge Brent reminded the Court that Dan injured his shoulder in an accident a few weeks ago. Dan has been released on light duty to come back to work. He will continue his therapy and be re-evaluated in 6 weeks to see if the therapy is working or if he will need shoulder surgery. Judge Brent had a meeting with Trimble County and everybody was on board to help cover for Dan. Judge Brent noted we have a great relationship with Trimble County and he thinks their plan to cover for Dan will work.

2. Committee Update – Esq. Fisher

Esq. Fisher noted he did talk with Dan. Dan doesn’t know when he will be completely released to come back to work. Dan is now sick with a cold or allergy. Esq. Fisher noted the shelter is making a rescue run to Chicago this weekend.

3. Director’s Update

No update given as Henry County Animal Control Officer, Dan Flinkfelt, is off ill.

RE: KENTUCKIANAWORKS AMENDED INTER-LOCAL AGREEMENT

Judge Brent reminded the Court that Michael Gritton, Executive Director of KentuckianaWorks, spoke to the Court about their job training programs. KentuckianaWorks is a federal funded agency and any amendments to their inter-local agreement have to be approved by everyone involved. County Attorney, Virginia Harrod, noted she reviewed the inter-local agreement and she approved of the amendment.

Upon motion by Esq. Stanley and seconded by Esq. Moffett, it is ordered by the Court to approve the KentuckianaWorks Amended Inter-Local Agreement.

Motion carried unanimously

RE: AOC REIMBURSEMENT RESOLUTION

Judge Brent noted we have been working about 18 months on the Courthouse Project. The first bill we received was for the advertisement in the Courier Journal. Judge Brent recently received a \$36,000.00 bill to pay the architects for the feasibility study. Judge Brent stressed we did not have that money in our budget and he asked AOC to pay it. The Court will need to pass the AOC Reimbursement Resolution to get the needed funding. Judge Brent read the summary of the Resolution to the Court.

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to adopt the AOC Reimbursement Resolution.

Motion carried unanimously

RE: REQUEST TO ALLOW WINE SALES AT FARMER'S MARKET AND FAIRGROUNDS – MELISSA BLANKENSHIP

Henry County Harvest Showcase Chair, Melissa Blankenship, came before the Court to request their permission to allow Smith-Berry Winery to sell its products at the Henry County Harvest Showcase. The Harvest Showcase is held at the Henry County Fairgrounds that is owned by the County. Melissa noted 3 possible Options.

1. The Court allows Smith-Berry Winery to sell samples and unopened bottles of wine at the Henry County Harvest Showcase, July 30, between the hours of 9am and 3pm

County Attorney Harrod replied selling samples would not be allowed.

2. The Court allows Smith-Berry Winery to sell unopened bottles of wine at the Henry County Harvest Showcase, July 30, between the hours of 9am and 3pm

County Attorney Harrod noted we would have to check with our liability insurance and it may be necessary for the County to carry an insurance rider too.

3. The Court does not allow Smith-Berry Winery to sell any of its product at the Henry County Harvest Showcase

Melissa reviewed the KRS 243.166 for Wine Sales at Farmers' Markets. She reviewed KRS 243.155, that discusses the licenses requirements for small farm winery sells off-premise retail sites. County Attorney, Virginia Harrod, noted the County may have to have an ABC License too. County Attorney Harrod also noted we have a very strict Fairgrounds Contract that states **alcoholic beverages cannot be brought onto or consumed on the premises.**

Esq. Beasley questioned how much of their grapes are actually raised in Henry County. Melissa stated she did not know the percentage. Melissa encouraged the Court to consider her request, but noted a decision does not have to be made tonight. Melissa thanked the Court for their time. Judge Brent noted the issue will be on the agenda at next month's meeting.

RE: ANNOUNCEMENT OF SPECIAL BUDGET MEETING TO BE HELD ON APRIL 28TH AT 4:30 IN COURTHOUSE ANNEX

Judge Brent informed the Court that a Special Budget meeting will be held on Thursday, April 28, 2016 at 4:30 pm, in his office to have the first reading of the 2016-2017 Budget.

RE: ANNOUNCEMENT OF PUBLIC FORUM ON THE ADDICTION CRISIS – APRIL 28TH AT 7:00 P.M. AT THE HENRY CHRISTIAN CHURCH

Judge Brent announced a Public Forum on the Addiction Crisis will be held on Thursday, April 28, 2016 at 7:00 pm, at the Henry Christian Church. Judge Brent noted he sent letters to the public officials and to the pastors. He hopes all the Court members will attend. Judge Brent noted he along with Esq. Bates and Esq. Moffett met with the Judges to discuss the addiction problem.

RE: CLAIMS & TRANSFERS

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

General Fund	\$285,982.35
Road & Bridge	47,517.91
Jail Fund	51,583.62
LGEA	2,920.00
Litter Fund	966.72
Fair Fund	<u>1,401.68</u>
Total Expenditures	\$390,372.28

Transfers

General Fund

From: 0192009990 (Reserve for Transfers)	\$7,000.00
To: 0151355070 (DES, Contribution)	\$2,500.00
To: 0151404110 EMS, Custodial)	\$4,500.00

Cash Transfer

From: 014909 (Out of General Fund)	\$165,000.00
To: 034910 (Into Jail Fund)	\$165,000.00

Motion carried unanimously

RE: PUBLIC COMMENTS

There were no Comments from the public.

RE: COURT COMMENTS

Esq. Timberlake reported a complaint regarding garbage stacked up at 3264 Lake Jericho Road. Jody Rucker noted he will check on the complaint. Esq. Timberlake also received a complaint from Anderson Circle of a neighbor not keeping their yard mowed. Esq. Timberlake was correct in telling them the Court cannot make people mow their yard.

Esq. Bates complimented Judge Brent on organizing the public forum to address the drug addiction problem. Judge Brent noted the issue has been on his heart.

Judge Brent commended Esq. Moffett for his help in getting the garbage pickup with the inmates started again. Jody Rucker also thanked Esq. Moffett.

Judge Brent informed the Court that Kenny has brought to his attention a problem with loggers. They come into the county, tear up our roads, and leave us to fix them. Kenny noted in Trimble County the loggers are required by Ordinance to post a \$25,000.00 bond. Kenny caught a logger this week who had damaged a county road. The logger told Kenny he would pay for a load of gravel. Judge Brent suggested the Road Committee discuss the issue.

Judge Brent bragged to the Court about the road department. Judge Brent read a letter he received complimenting the road department for their work and their friendliness.

Judge Brent also read a letter from a parent with the little league thanking Travis Buchanan for all his help.

RE: ADJOURN

Upon motion by Esq. Moffett and seconded by Esq. Stanley, 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: May 17, 2016