

**HENRY COUNTY FISCAL COURT
SPECIAL MEETING
JANUARY 13, 2016**

The Henry County Fiscal Court met in a Special Session on January 13, 2016 at the Henry County 4-H Center 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: CALL TO ORDER

Judge Executive, John L. Brent, called the meeting to order.

RE: SUSPEND WITH DECEMBER 15, 2015 MINUTES

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to suspend with the minutes from the December 15, 2015 Regular Meeting.

Motion carried unanimously

RE: STEPHEN HUMPHRESS – GENERAL COUNSEL FOR KY ABC TO PRESENT

Judge Brent welcomed Stephen Humphress, General Counsel, for KY ABC (Alcoholic Beverage Control). Judge Brent noted Mr. Humphress came to explain the Court's responsibilities now that Henry County has voted to go wet. Mr. Humphress presented a power point reviewing the licensing and regulation information for a newly wet county. He stressed it will be 60 days after the election is certified before alcohol sales may be allowed. The County must create an Ordinance to collect licensing fees and to regulate alcoholic beverage sales. Following the power point presentation the floor was open for questions and comments.

RE: GENERAL QUESTIONS AND COMMENTS

Joe Yates, Attorney for the City of New Castle, questioned how the vote will affect the City of New Castle. He noted the City was moist before the election to go wet. Mr. Humphress stated any City moist before the election remains moist and wet. The question was asked how many

more packaged liquor stores can the County have. Judge Brent stated it is determined by the population of the County. Henry County currently has 3 package liquor stores in Eminence. They can have 3 more for a total of 6. Sheriff Cravens expressed concerns of how much time will be involved for his office. Sheriff Cravens researched how the County going wet affects the Sheriff's office. He was told to expect a 10 to 20 percent increase for Sheriff services due to the effect of alcohol sales. LeeAnn Armstrong, Eminence ABC Officer, noted she has 10 places in the City of Eminence that she oversees. She noted not too much time is involved, but she does take a police officer with her when she does their annual inspection. Jimmie Aynes questioned if the STAR Training would still be required. Judge Brent stated it is in our Ordinance and is mandatory. Sheriff Cravens stated all his staff has taken the STAR Training.

RE: OPPORTUNITY FOR COMMENTS

A. COUNTY ABC OFFICER DAVID MCGUIRE

Henry County ABC Officer, David McGuire, suggested the County include in their Ordinance Section 111.46, from the City of Eminence Ordinance No. 2013-015. This section covers illegal sexual conduct and exposure of human body. ABC Officer McGuire asked Esq. Bates to read a part of the section to the Court. The Court was in consensus to include this section in their Ordinance. ABC Officer McGuire also suggested the Court include a temporary license section in their Ordinance. This would allow for special events such as a farm having a cattle sale and contracting with a cater to serve food and alcohol. It was stressed the cater's staff serving alcohol have completed the STAR Training. The Court was in consensus to include the temporary license in their Ordinance.

B. MAYORS

Judge Brent addressed the Mayors who were in attendance. He noted they have the right to have their own Ordinance, hire their own ABC Officer and do their own license fees or the County can do it all. Judge Brent noted the County will charge each business in each City the regulation fee. Rex Morgan, Mayor of Campbellsburg, Denny Benham, Mayor of New Castle, and Rodney Young, Mayor of Pleasureville, all expressed concerns that an Ordinance for their cities would not be worthwhile. The Mayors will discuss the issue with their councils and let Judge Brent know their decisions.

RE: FISCAL COURT DISCUSSION ON ORDINANCE

1. ORDINANCE FRAMEWORK

Judge Brent asked the Court if they wanted to use the Ordinance Relating to the Control of Alcoholic Beverages in Henry County No. 410-02-12-03, as the framework for the new Ordinance. The Court was in consensus to do so.

2. LICENSE FEES

The license fees will be set by the state KRS 243.070.

3. REGULATORY LICENSE FEES

The regulatory license Fees will be 6 per cent of alcohol sales.

4. OTHER

The Court had a lengthy discuss on the Sunday sale of alcohol. The Ordinance currently allows Sunday sale of beer and wine from 1:00 pm-10:00 pm for restaurants, the County Club and the Renaissance Festival. Esq. Bates noted he was against Sunday sale of alcohol but asked how can you let some and not everyone. The Court reached a consensus to allow the Sunday sale of alcohol from 1:00 pm-10:00 pm for all licensed facilities.

RE: ORDINANCE REVIEW COMMITTEE APPOINTMENT

Judge Brent would like to hold the 1st reading of the Ordinance next Tuesday night at the Regular Court Meeting. County Attorney Virginia Harrod will prepare the new Ordinance. A copy of the new Ordinance will be given to each Court member to review prior to the Tuesday meeting.

RE: FINAL OPPORTUNITY FOR COMMENT

Judge Brent thanked Stephen Humphress for coming to present and answer questions. Judge Brent asked for a motion to adjourn.

RE: ADJOURN

Upon motion by Esq. Beasley 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: January 19, 2016