

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

The Henry County Fiscal Court met in a Regular Session on January 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.

RE: APPROVAL OF MINUTES

Upon motion by Esq. Moffett and seconded by Esq. Timberlake, it is ordered by the Court to approve the Minutes from the December 15, 2015 Regular Meeting.

Motion carried unanimously

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to approve the Minutes from the January 13, 2016 Special Meeting.

Motion carried unanimously

RE: OLD BUSINESS

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

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Update

Henry County Road Supervisor, Kenny Tindle, reported his department is getting ready for the snow. He has a couple of trucks that are broken down. The guys took care of some ditching problems in the Industrial Park. Henry County Animal Control Officer, Dan Flinkfelt, requested the road department put cinders on the animal shelter's parking lot. Kenny assured him they would.

2. Committee Update – Esq. Beasley

Esq. Beasley noted the Road Committee did not meet.

RE: EMS/PARAMEDICS

1. Supervisor's Update

Henry County EMS Supervisor, Josh Jamiel, reported his department is running smooth. Judge Brent informed the Court they are currently down to transporting 2 dialysis patients. They are trying to supplement the loss of the dialysis patients by transporting wound patients. Josh noted the pay for transporting wound patients is good, but they are not consistent. Josh reviewed Thomas L. Woosley and Floyd A. Hockensmith's applications for part-time EMT's. Josh noted Thomas L. Woosley has worked here before and was a good employee.

2. Committee Update - Esq. Bates

Esq. Bates noted the EMS Committee also reviewed both applications. Esq. Bates brought recommendation to hire Thomas Lee Woosley and Floyd Allen Hockensmith as part-time EMT's.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to hire Thomas Lee Woosley and Floyd Allen Hockensmith as part-time EMT's.

Motion carried unanimously

RE: P&Z/SOLID WASTE

1. Administrator's Update

Judge Brent informed the Court that P&Z/Solid Waste Administrator, Jody Rucker, went home sick today.

2. Citation Drive – Zone Change I-1 to I-2

Judge Brent informed the Court of the possible zone change on Citation Drive in Campbellsburg. He stressed this does not apply to us as the zone change is up to the City of Campbellsburg. The zone change would be for Driveway Dumpsters to put a recycling center and a drop off station. The site is on Citation Drive across from the State Police Post.

RE: PARKS & FAIRGROUNDS

1. Superintendent's Update

Judge Brent informed the Court that Parks & Fairgrounds Superintendent, Travis Buchanan, had hernia surgery. The Courthouse Superintendent, Moe Raisor, is scheduled next week to have shoulder surgery. Judge Brent stressed we are in a bind and need to hire someone to help out.

2. Recommendation to hire Toby Berry

Judge Brent noted Toby Berry has been working part-time since summer. Travis has worked with Toby. Travis feels he will make a good employee and recommends we hire him.

Upon motion by Esq. Stanley and seconded by Esq. Moffett, it is ordered by the Court to hire Toby Berry as a full-time park employee at the starting pay rate.

Motion carried unanimously

3. Committee Report – Esq. Stanley

Esq. Stanley noted the Parks & Fairgrounds Committee did not meet.

RE: ANIMAL SERVICES

1. Director's Report

Henry County Animal Control Officer, Dan Flinkfelt, reported Joan went to Chicago this past weekend on a rescue run. The truck is running good but may need some work in the future. Dan will be leaving Thursday for training. Dan reported the shelter has been busy. Dan picked up 2,000 pounds of dog food for \$200.00. Dan noted this saved a lot of money and is quality dog food. Dan also reported the heating system at the shelter is fixed. Judge Brent complimented Dan for staying within his budget the last 2 or 3 years. Judge Brent stated he appreciates that.

2. Committee Report – Esq. Fisher

Esq. Fisher noted the Animal Services Committee did not meet.

RE: INSURANCE COMMITTEE REPORT – ESQ. MOFFETT

Esq. Moffett reported the Insurance Committee met a couple of times. They reviewed all the vehicles, equipment and properties owned by the County. The paperwork has been returned to KACO. The Committee was told if they listed the value of the vehicle's equipment separate from the value of the vehicle it would be a savings to the County. Esq. Bates noted vehicles are insured at \$1.29 per 100 value and the equipment is insured at .10 per 100. The Insurance Committee felt it was well worth the time and hope the changes will save the County several thousand dollars.

RE: SOIL CONSERVATION DISTRICT TO ADDRESS THE COURT

Judge Brent welcomed Allen Bryant with the Soil Conservation District. Mr. Bryant and Brad Stevenson came to thank the Court and the Henry County Farm Bureau for partnering with them for the Dead Animal Removal Program. The past fiscal year \$29,120.00 was spent for dead animal removal. Mr. Bryant thanked the Court for their financial support in the past and encouraged the Court to continue their support in the future. Mr. Bryant stressed this program is a huge benefit to the County economically by providing a cleaner environment and cleaner water streams. Mr. Bryant thanked the Court for their time.

RE: DWIGHT SALISBURY – BONDING AGENT

Mr. Dwight Salisbury bonding agent for the Courthouse project briefly addressed the Court. He noted the Court will need to pass a Resolution and an Articles of Incorporation to issue bonds. Mr. Salisbury explained the process for issuing bonds and answered questions from the Court. Judge Brent noted the issue will be on the agenda in February. Judge Brent thanked Mr. Salisbury for coming.

RE: ALCOHOL SALES ORDINANCE

1. Committee Report

Judge Brent reported a public information meeting was held last Wednesday, January 13, 2016. The Court heard from Stephen Humphress General Counsel for KY ABC. David McGuire our ABC Officer and several mayors were also present at the meeting.

The Court was in consensus to use the framework of the County's most Ordinance to create the new Alcohol Ordinance. Judge Brent went through the Ordinance noting the following changes: on the first two pages changes were made to the language of the existing most Ordinance, **Article I. In General** changed the first sentence of purpose to encompass all alcoholic beverages, added section (d) for retail licenses. **Article II. Licenses** stays the same until you get to fees, inserted **Fees Pursuant to KRS 243.060** took the fees the State says you can charge, **Review of License** added a section for reporting rules on NQ-2 retail drink licenses, which is for restaurants that only 50% of their sales come from food, at the end of 243.060 added section (e)

which is the regulatory licensing fee of 6%, Review of License inserted (C) all licenses holders will be subject to the license fee reporting requirements, Hours of Sale there is a section for 70% restaurants and a section for all others. Currently they stay the same but could change depending on the Court, Article VI, Conditions, Prohibitions and Restrictions added (e) which prohibits the sale of alcohol within 500 ft of a school or a church, Article VIII. Mandatory Responsible Beverage Service Training added language to make STAR training a requirement for everyone involved in the sale of alcohol, Article XII on Sexual Conduct, Exposure of Human Body section taken out of the Eminence Ordinance and added to ours.

Judge Brent noted several citizens asked Sheriff Cravens if the County was going to allow alcohol sales at the fairgrounds and the park. County Attorney, Virginia Harrod, replied now we are a wet County we can, but do we want the liability. It is County property and the Court controls it. She stressed the Court does not have to allow alcohol on their property. Esq. Beasley noted we don't need to be selling alcohol at the fairgrounds.

2. Public Comment

Louis Gentner asked how much the County was going to charge for the alcohol license. Judge Brent replied there are twenty different license fees with the cost ranging from \$300-\$2,000. Judge Brent noted a convenience store would pay \$400 to sell beer. Hugh McBurney asked if the new Ordinance would change or effect the winery hours. He was assured the hours of operation would remain the same.

3. 1st Reading

Esq. Bates noted he voted against Sunday alcohol sales before and his conscious won't let him vote for any sell of alcohol on Sunday. He stressed he won't vote against what is already in the moist Ordinance under restaurants, etc. Esq. Fisher agreed and noted it should not only include retail package alcohol sales but also carryout alcohol sales. Judge Brent agreed noting he was not comfortable with Sunday alcohol sales. Esq. Stanley noted he didn't see the difference is having a drink at a restaurant or drinking at home on Sunday.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to strike from the Ordinance the Sunday sale of retail package liquor and carryout alcohol.

Yes - Bates, Beasley, Fisher, Timberlake
No - Moffett, Stanley
Motion carried

Upon motion by Esq. Bates and seconded by Esq. Beasley, it is ordered by the Court to approve the 1st reading of the Alcohol Sales Ordinance with the changes that were reviewed and with taking out the Sunday sale of retail package liquor and carryout alcohol.

Motion carried unanimously

Judge Brent thanked the Court and ABC Officer, David McGuire, for all their work and input on creating the new Alcohol Ordinance.

**RE: APPROVAL OF ADF FUNDING FOR KY RIVER FOR FIRE
“TURN-OUT” GEAR**

Judge Brent noted KY River Fire Department is in line to receive the ADF Funding for purchase of turn-out gear. The ADF Grant is around \$5,500 and the Court will pay the rest up to \$8,000. Judge Brent asked the Court to approve the Statement of Assurances for the KY River Fire Department.

Upon motion by Esq. Stanley and seconded by Esq. Timberlake, it is ordered by the Court to approve the Statement of Assurances for the KY River Fire Department turn-out gear.

Motion carried unanimously

RE: CLAIMS AND TRANSFERS

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

General Fund	\$364,727.48
Road & Bridge	128,787.82
Jail Fund	52,533.25
LGEA Fund	4,500.00
Litter Fund	1,484.35
911/EMS Fund	1,630.40
Fair Fund	<u>2,831.08</u>
Total Expenditures	\$556,494.38

Motion carried unanimously

RE: PUBLIC COMMENT

Greg Walker noted the vote was for the County to go wet. He felt the constituents should have been made aware before the Court makes the decision to take out the Sunday alcohol sales. Esq. Bates stressed they voted for the sale of alcohol 6 days a week because that is the State Law. Roger Hartlage noted the wet vote was mainly to promote economic growth and the decision not to allow Sunday sales will hurt that. Esq. Bates noted that is one man’s opinion.

RE: COURT COMMENT

Esq. Bates questioned if making alcohol more available is going to make more economic development. He stated every factory we go to we are told they have a hard time getting people to pass the drug and alcohol tests. Judge Brent noted when he attended the first economic development meeting 5 years ago, infrastructure was the main topic. Today when he meets with the State and industries he is told if they can pass a drug test and show up they have a job. Judge Brent stated there are big problems in Henry County and in our nation related to drug and alcohol abuse. Judge Brent stressed the Court needs to be talking about these issues. Esq. Stanley did not agree. He noted part of the problem is productivity and not all problems are alcohol related.

RE: ADJOURN

Upon motion by Esq. Moffett and seconded by Esq. Timberlake, 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: February 16, 2016