

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
MAY 17, 2016**

The Henry County Fiscal Court met in a Regular Session on May 17, 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 April 19, 2016 Regular Meeting and the minutes from the April 28, 2016 Special Budget Meeting.

Motion carried unanimously

**RE: OLD BUSINESS**

**RE: 2<sup>ND</sup> READING OF ZONING ORDINANCE AMENDMENT**

Judge Brent reviewed the amendment to the Zoning Ordinance. Esq. Bates questioned if the section regarding signs included political signs. County Attorney, Virginia Harrod, reviewed the ordinance amendment. She noted it did not include political signs and she approved the amendment for the 2<sup>nd</sup> reading. Judge Brent noted he would like the Court to set some guidelines

for political and temporary signs. Esq. Bates agreed and noted he would like to see the guidelines include a time frame. Judge Brent noted many of the signs are placed on the right a ways. County Attorney Harrod noted the right a way is not private property and placing signs there would be criminal littering. Following discussion Judge Brent asked for a motion to approve.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court to approve the 2<sup>nd</sup> reading and adoption of the Text Changes/Clarifications Amendment to Ordinance No. 91-002. Motion carried unanimously

**RE: NEW BUSINESS**

**RE: ROADS**

**1. Supervisor Report**

Henry County Road Supervisor, Kenny Tindle, reported New Cut Road is closed due to a slip. Kenny feels New Cut could be closed for another two weeks. Kenny met with a guy from the pipeline today. They discussed using their right a way to make a new road on New Cut. Kenny will meet with their engineer to see if that would be a possibility. Kenny also noted a problem with loggers damaging Quickert Lane. Kenny reported due to all the rain and a tractor being down the road department is behind with their mowing.

**2. Opening of Asphalt, Rock & Salt Bids for 2016/2017**

The following bids were received for asphalt, rock and salt:

**Asphalt Bids**

**OHIO VALLEY ASPHALT**

**Picked-Up Asphalt Products**

| <u>Hot-Mixed Asphalt Product</u> | <u>Brownsboro Asphalt Plant Unit Bid Price</u> | <u>Carrollton Asphalt Plant Unit Bid Price</u> |
|----------------------------------|--|--|
| Base                             | \$56.00 Per Ton                                | \$56.00 Per Ton                                |
| Binder                           | \$58.00 Per Ton                                | \$58.00 Per Ton                                |
| Surface                          | \$59.00 Per Ton                                | \$59.00 Per Ton                                |

**In Place Asphalt Products**

| <u>Hot-Mixed Asphalt Product</u> | <u>Price Per Ton, Placed and Compacted</u> |
|----------------------------------|--|
| Base                             | \$65.50                                    |
| Binder                           | \$66.50                                    |
| Surface                          | \$67.50                                    |

SS-1H will be supplied and placed as needed for \$2.50/gallon

**MAGO CONSTRUCTION COMPANY**

**Bituminous Concrete Surface  
F.O.B. Plant at Lockport, KY \$55.50 per ton**

**Bituminous Concrete Binder  
F.O.B. Plant at Lockport, KY \$54.50 per ton**

**Bituminous Concrete Base  
F.O.B. Plant at Lockport, KY \$53.50 per ton**

**Bituminous Cold-Mix thru  
Plant F.O.B. Lockport, KY \$120.00 per ton**

**Asphalt laid per ton in Henry County**

**Labor and equipment per ton to apply bituminous surface (including all incidental  
preparation, rolling and sweeping.) \$7.95 per ton**

**Haul bituminous surface to roads as specified,  
By Henry County Fiscal Court. \$4.75 per ton**

**SS-1H Tack Coat \$3.75 per gallon**

**SHELBYVILLE ASPHALT COMPANY (MAGO OWNED)**

**Bituminous Concrete Surface  
F.O.B. Plant at Shelbyville, KY \$55.50 per ton**

**Bituminous Concrete Binder  
F.O.B. Plant at Shelbyville, KY \$54.50 per ton**

**Bituminous Concrete Base  
F.O.B. Plant at Shelbyville, KY \$53.50 per ton**

**Bituminous Cold-Mix thru  
Plant F.O.B. at Shelbyville, KY \$120.00 per ton**

**MAC CONSTRUCTION & EXCAVATING**

**HMA in place 500 ton Min Order \$77.00 per ton  
HMA in place 1000 ton Min Order \$70.00 per ton  
FOB CL2 Surface 0.38D PG 64-22 at Plant 1.00 ton \$43.00 per ton  
FOB CL2 Base 0.75D PG 64-22 at Plant 1.00 ton \$36.00 per ton**

## **ROCK BIDS**

### **LITER'S INC. LOCKPORT PLANT**

|                      |                 |
|----------------------|-----------------|
| #2 #3, &#4 limestone | \$8.75 per ton  |
| DGA & 610            | \$8.75 per ton  |
| #57                  | \$9.85 per ton  |
| #8                   | \$10.20 per ton |
| Class II Rip Rap     | \$10.50 per ton |
| Class III Rip Rap    | \$14.00 per ton |
| Dust                 | \$6.00 per ton  |

## **SALT BIDS**

### **MORTON SALT**

|                        |                           |
|------------------------|---------------------------|
| Bulk Deicing Road Salt | \$64.79 per ton delivered |
|------------------------|---------------------------|

### **CARGILL**

|                   |                 |
|-------------------|-----------------|
| Bulk Ice Control  |                 |
| Dumped Delivery   | \$62.82 per ton |
| Estimate purchase | 500 tons        |

### **DETROIT SALT COMPANY**

|                  |                 |
|------------------|-----------------|
| Delivered Price  | \$84.32 per ton |
| Maximum 500 tons |                 |

Upon motion by Esq. Beasley and seconded by Esq. Bates, it is ordered by the Court to accept all bids for asphalt, rock and salt for Fiscal Year 2016/2017.

Motion carried unanimously

### **3. Committee Report – Esq. Beasley**

Esq. Beasley reported the Road Committee did meet regarding the slip on New Cut Road. Esq. Beasley complimented the road department for doing a good job cutting the trees out of the ditches on Happy Ridge.

## **RE: EMS/PARAMEDICS**

### **1. Supervisor's Report**

Judge Brent reported Henry County EMS Supervisor, Josh Jamiel, is not present as he is on a run. Judge Brent has been talking with Josh about managing his time and managing the schedule with the over-time. Josh is working on a schedule with 24 hour shifts to present to Judge Brent and the EMS Committee. Judge Brent stated he is open to looking at changes in the schedule.

### **2. Approval of Hiring Full-Time Paramedic**

Esq. Bates noted the need to hire a full time paramedic. He brought recommendation that Brittany Ramsey be moved from part-time to full-time paramedic status.

Upon motion by Esq. Bates and seconded by Esq. Fisher, it is ordered by the Court that Brittany Ramsey be moved from part-time to full-time paramedic status.

Motion carried unanimously

### **3. Committee Report – Esq. Bates**

Esq. Bates reported the Eminence EMS building is vacant. Esq. Bates complimented the previous renter noting she had a good daycare there, took care of everything and didn't bother anything. Travis is currently mowing the lot. The Committee hopes to find a renter to rent out the space where the daycare had been.

### **4. Tim Abrams to Address the Court**

Henry County School Superintendent, Tim Abrams, asked to address the Court. Tim stressed he wanted to publicly thank the Henry County EMS, the Henry County Sheriff's Department, the Henry County Coroner, the New Castle Fire Department and Judge Diane Wheeler. They participated in the mock accident held at the Henry County High School. Tim noted all students from the Henry County High School and the juniors and seniors from the Eminence High School were present. Superintendent Abrams felt it had an impact on the 1100 students in attendance.

## **RE: P&Z/SOLID WASTE**

### **1. Administrator's Report**

Henry County P&Z/Solid Waste Administrator, Jody Rucker, reported 16 permits were issued last month with 5 of the permits for new houses. The Board of Adjustments met and passed 1 conditional use and 1 variance.

### **2. Electrical Inspections – General Discussion & Committee Request**

Jody Rucker noted Esq. Stanley had been told most counties charge a fee for electrical permits and he suggested Henry County might want to do the same. This would go through the state

electrical inspector. Jody explained they would come to P&Z to get the electrical permit which would keep him informed of new electrical poles, etc. Jody asked our electrical inspector, Jerry Dunaway, his opinion and Mr. Dunaway thought it was a great ideal. Judge Brent suggested P&Z Committee members Esq. Fisher, Esq. Moffett and Esq. Timberlake meet before next month's meeting to discuss the issue and bring recommendation to the Court. Judge Brent also noted another issue has been with people living in lawn mower sheds. Judge Brent suggested the Committee may want to contact officials in Oldham County. They are having the same problem and they have been looking at the State guidelines.

### **3. Approval of Electrical Inspector's Contract**

Judge Brent noted Jerry Dunaway has been working as our Electrical Inspector and he asked the Court to authorize him to enter into an official contract with Mr. Dunaway. Esq. Bates was very complimentary of the work Mr. Dunaway did for him personally.

Upon motion by Esq. Moffett and seconded by Esq. Bates, it is ordered by the Court to approve the Electrical Inspector's Contract with Jerry Dunaway.

Motion carried unanimously

## **RE: PARKS & FAIRGROUNDS**

### **1. Superintendent's Report**

Henry County Parks & Fairgrounds Superintendent, Travis Buchanan, reported the little league has one month left in their season. They have had a lot of rainouts. The two part-time summer helpers will be getting out of school next week. Travis reported the first of May a storm with high winds came through the fairgrounds. It damaged 2 sets of bleachers, light fixtures in the Ag Arena and the hail beat paint off several of the midway buildings. Travis noted a lot of painting will need to be done before the fair. Travis is waiting to hear back from the insurance adjuster on the damage. Travis noted they are busy with projects and mowing when they can.

### **2. Committee Report – Esq. Stanley**

Esq. Stanley noted the Parks Committee did not meet.

## **RE: ANIMAL SERVICES**

### **1. Director's Report**

Judge Brent welcomed Henry County Animal Control Officer, Dan Flinkfelt, back following his accident. Dan reported with the spay and neuter program the shelter is down about 100 dogs from this time last year. The food Dan bought in December will last through this fiscal year. Dan felt he saved the County around \$3,000 by going to Lexington and purchasing the food. Dan complimented Skylar and Joan for picking up the slack while he was out. Dan also thanked the EMS, the Sheriff's Department and the New Castle Fire Department for coming to his rescue and helping him after his accident. Dan has a Dr. appointment next week to find out if he will require

surgery on his shoulder. The shelter will have a picnic on June 11<sup>th</sup>, to thank all the volunteers for helping at the shelter. Dan invited everyone to attend.

## **2. Committee Report – Esq. Fisher**

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

### **RE: EMA APPOINTMENTS – JODY RUCKER & MARTIN WASHBURN**

Upon motion by Esq. Beasley and seconded by Esq. Fisher, it is ordered by the Court to re-appoint Jody Rucker as EMA Director and Martin Washburn as EMA Deputy Director.

Motion carried unanimously

### **RE: WINE SALE REQUEST AT FARMER’S MARKET & FAIRGROUNDS – MELISSA BLANKENSHIP**

Judge Brent welcomed Melissa Blankenship, chairperson of the 2016 Henry County Harvest Showcase. Judge Brent asked Melissa if she wanted to address the Court. Melissa noted she sent some additional information in the packets for the Court to consider. She thanked the Court for their time. Judge Brent informed the Court that he spoke with Rich Ornstein, attorney with KACO Insurance. Mr. Ornstein reviewed the Fairgrounds Rental Contract and felt the Court would not be in conflict with the Contract by allowing the sale of unopened bottles of wine at the Harvest Showcase. Mr. Ornstein stressed going forward the Court needs to be careful not to pick and choose.

Upon motion by Esq. Moffett and seconded by Esq. Stanley, it is ordered by the Court to allow Smith-Berry Winery to sell unopened bottles of wine at the Henry County Harvest Showcase.

Yes- Fisher, Moffett, Stanley, Timberlake

No- Bates, Beasley

Motion carried

### **RE: COUNTY ROAD AID PUBLIC HEARING**

Judge Brent explained the County Road Aid. He held the County Road Aid Public Hearing. He asked for comments. There were no comments from the public.

### **RE: LGEA PUBLIC HEARING**

Judge Brent explained the LGEA Fund and how the money is used. Judge Brent held the LGEA Public Hearing. He asked for comments. There were no comments from the public.

**RE: LIBRARY APPOINTMENTS – DIANE BRAMMELL & THOMAS MINTON (LIBRARY RECOMMENDATIONS)**

Upon motion by Esq. Bates and seconded by Esq. Timberlake, it is ordered by the Court to accept the recommendations from the Library and reappoint Diane Brammell and Thomas Minton to the Library Board.

Motion carried unanimously

**RE: HORSE COUNCIL-TOM JACKSON TO ADDRESS THE COURT**

Mr. Tom Jackson came before the Court to discuss a problem that is occurring in his neighborhood. He explained a neighbor's horses run loose getting on his property and in the road. Mr. Jackson expressed concerns that an accident was going to happen. He noted Henry County does not have an organization to take care of horses. He would like to get a group of horsemen and cattlemen with equipment and knowledge to rescue the horses when there is a problem. Dan Flinkfelt noted he is aware of the issues and has been talking with a lady from Oldham County who has equipment and space for the horses. Dan stressed there are no horse laws on the books. County Attorney, Virginia Harrod, stated the State has a statute which gives the Sheriff the authority to round up the horses and to appoint special deputies with equipment. Judge Brent noted the issue with the horses is not abuse. The lady refuses to fix her fence and the horses are out all the time. Dan volunteered to meet with Mr. Jackson and the Animal Services Committee to discuss the issue.

**RE: CLAIMS & TRANSFERS**

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

|                    |               |
|--------------------|---------------|
| General Fund       | \$238,314.16  |
| Road & Bridge      | 43,342.79     |
| Jail Fund          | 38,371.32     |
| LGEA               | 10,209.00     |
| Litter Fund        | 763.49        |
| 911 EMS/Fund       | 3,120.20      |
| Fair Fund          | <u>466.58</u> |
| Total Expenditures | \$334,587.54  |

Transfers

General Fund

|   |            |
|---|------------|
| From: 0192009990 (Reserve for Transfers)  | \$3,241.00 |
| To: 0150103680 (Co. Clerk, Tax Bill Prep) | \$2,241.00 |
| To: 0150255390 (Legal Ads)                | \$500.00   |
| To: 0150573190 (Data Processing, Misc.)   | \$500.00   |



Road Fund

From: 0292009990 (Reserve for Transfers) \$100.00  
To: 0261034450 (Office Supplies) \$100.00

Jail Fund

From: 0351015490 (Medical) \$11,000.00  
From: 0351023140 (Housing Juveniles) \$5,000.00  
To: 0392009990 (Reserve for Transfers) \$16,000.00

From: 0392009990 (Reserve for Transfers) \$26,000.00  
To: 0351013140 (Contract W/Other Counties) \$26,000.00

Litter Fund

From: 1392009990 (Reserve for Transfers) \$225.00  
To: 1352124450 (Office Supply) \$225.00

Motion carried unanimously

**RE: PUBLIC COMMENTS**

Mr. David Trimble came before the Court to express his concerns with speeders on Sweeney Lane. He offered to pave or gravel an area for the Sheriff's department to park on his property to catch the speeders. Mr. Trimble noted he has called the State Police, but had no response. Esq. Moffett volunteered to contact the State Police and get some patrols on Sweeney.

**RE: COURT COMMENTS**

Esq. Fisher noted in Judge Brent's update to the Court he stated the State is moving slower than normal and he feels no rural secondary paving will happen until 2017. Esq. Fisher questioned if the flex funds could be returned to the County if the State is not going to use them. Judge Brent noted these projects will bid in September with a completion date of May or June. Esq. Fisher and Judge Brent were in agreement we might get a better blacktop job in the Spring.

Judge Brent, Esq. Moffett, Rep. Rick Rand and Sen. Paul Hornback will meet with the Department of Transportation next Tuesday, to discuss the Eminence Project and Hwy 146.

**RE: ADJOURN**

Upon motion by Esq. Bates and seconded by Esq. Fisher, 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: June 21, 2016