

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
AUGUST 15, 2017**

The Henry County Fiscal Court met in Regular Session on August 15, 2017, at the Henry County Courthouse in New Castle, Kentucky, with the following in attendance:

John L. Brent, Judge Executive
Kassidy Dees, Assistant County Attorney
Esquire Scott Bates
Esquire Jerry Beasley
Esquire Mike Fisher
Esquire Terri Cummings
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 at 6 p.m. and noted all magistrates were present.

RE: APPROVAL OF THE JULY 18 MEETING MINUTES

Upon motion by Esq. Bates and second by Esq. Cummings, it is ordered by the Court to approve the minutes from the July 18 Regular Meeting.

Motion carried unanimously

RE: OLD BUSINESS

Judge Brent introduced the 2nd reading of the proposed 2017/2018 tax rates. He stated that the rates were remaining the same as the previous year.

Upon motion by Esq. Fisher and second by Esq. Timberlake, it is ordered that the tax rates remain the same as the previous year.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Kenny Tindle, reported the Road Department has been working on in-house patching, cleaning culverts, and extending pipes. The purchased blacktop should be coming within a week.

Esq. Fisher inquired about the status of the Six Mile Bridge Project. Judge Brent responded that the Transportation Cabinet has been slow to respond, but that he had driven to Frankfort and signed the contract. As soon as a signed copy is returned, the project can proceed.

2. Road Committee Report- Esq. Beasley

Esq. Beasley noted that the committee did not meet.

3. Wolfpen Bridge

Judge Brent reported that the bid openings were held last week for the Wolfpen Bridge. There were four bids submitted ranging in cost from \$392,723 to \$650,000. The low bid was from Roederer Construction at \$392,723 with contingency. There was \$400,000 budgeted for the project. After discussion of the specifications, the Court decided to postpone consideration until clarification of all aspects of the bid can be obtained.

Upon motion by Esq. Stanley and second by Esq. Timberlake, it is ordered to postpone action on approval of the bid for the Wolf Pen Bridge until the September meeting.

RE: EMS/PARAMEDICS

1. Supervisor's Update

Henry County EMS Supervisor, Paige Lucas, reported things are going well. She noted that she has been able to schedule the part-time staff who were recently hired.

2. EMS Committee Report- Esq. Bates

Esq. Bates reported that the committee did not meet as it seems that all is going very smoothly with EMS services.

RE: P & Z/SOLID WASTE

1. Administrator's Update

Henry County P & Z / Solid Waste Administrator, Jody Rucker, reported that 12 building and 14 electrical permits have been issued. The Board of Adjustments met last month with conditional uses approved for an event barn on Drennon Road and a veterinary clinic on McCoun Lane. The Planning and Zoning Commission met on August 8 and approved a sign variance for Thornton's. They additionally approved a zone change from an A-1 to an A-3 in Sligo.

2. 1st Reading of the Pendleton Exit Proposed Zone Change

Judge Brent read the Planning Commission Findings and Recommendations Regarding Proposed Map Amendment on the property situated at the southeast corner of the intersection of I-71 and KY 153. He also read the ordinance related to the rezoning of this 10.393 acre property from A-1/B-2 to I-2.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to approve the 1st reading of these documents.

Motion carried unanimously

RE: PARKS & FAIRGROUNDS

1. Superintendent's Update

Henry County Parks & Fairgrounds Superintendent, Travis Buchanan, reported that baseball and softball have been practicing with games to begin soon. They have been preparing for the Recovery Walk, Youth Football Jam Day, and the Oddfellows activities on Saturday. The football light project is progressing with the trenching done, conduit in the ground, forms built, and concrete expected tomorrow. The lights and ballasts should be in next week. Mr. Buchanan publicly thanked Jake Noel for his summer work; the Road Department for patching Harry Hill Park and for used culverts for forms which saved \$2,400; Darrell Abbott for mulching the playground; Greg Hutcherson and Danny King, the electricians doing the football lighting, who has saved the county thousands of dollars for his generous work on all aspects of the project.

RE: ANIMAL SERVICES

1. Director's Update

Director of Animal Services, Dan Flinkfelt, reported that they are extremely busy. He has been working many hours trying to place rescues including two from Indiana. Employee Skylar Berry will be taking a full-time position and can no longer work during the week.

2. Committee Report- Esq. Fisher

Esq. Fisher reported that the committee did not meet.

3. Henry/Trimble Judge's Meeting

Judge Brent reported that he, Judge Powell, and animal shelter employees have met for two weeks and worked on a new schedule. Joan Lacy who has been instrumental in placing dogs over the years and cleaning the shelter will be hired full-time to a part-time status. The Trimble County person will cover Mondays and Tuesdays. Joan will now work on Wednesdays. Dan will cover three hours on Thursdays and Joan will then work a shift keeping the shelter open until 7 p.m. Both counties will work on Fridays. Judge Powell wants each county to cover their own weekend on-call. Henry County will now contract with Skylar Berry to work on contract every other weekend for \$100 per week.

RE: ABC

1. Administrator's Report

Ed Nelson, ABC Administrator, reported that he and Peggy Bryant had attended a two-day training at which they learned about what is happening. All licenses which expired on June 30 have been collected as have all special fees except one which was late. Four restaurants have been audited. All license fees have to be returned as credits on regulatory fees. This credit will now be applied to first quarter fees. The law has been changed to allow for Quota Retail Drink Licenses which would be available to Henry County establishments to sell by the drink with no requirement for food sales. The current interpretation is that these licenses would currently be allowed for \$1,000, and Fiscal Court would need to pass an ordinance to prohibit the issuing in the county. Following the suggestion of the members, Judge Brent will have an ordinance drafted for the Fiscal Court's consideration.

RE: 2016/17 Treasurer's Settlement

Megan Wilson presented the 2016/17 Settlement Package. She explained that each line item for the fiscal year is closed out. She also presented the first quarter and July reports.

Upon motion by Esq. Bates and second by Esq. Fisher, it is ordered to approve the 2016/17 Treasurer's Settlement.

Motion carried unanimously

RE: HENRY COUNTY LIBRARY TAX INFORMATION

Jessica Powell, Library Director, presented the tax rates, the budget for the upcoming fiscal year, and the end-of-year settlement. They have chosen to opt for the compensating rate for the upcoming year. The Library Board has been granted a \$2 million grant with debt service of

\$100,000 for 20 years. The existing library will hopefully be sold soon. She invited everyone to the unveiling of the designs at the library on Friday, August 18. They hope to break ground on the facility in the spring.

RE: LAND/BUILDING LEASE COMMITTEE REPORT

Esq. Stanley report that he and Esquires Bates and Fisher are working with a commercial business interested in expanding in the county. They have met several times, but there is nothing to report at this meeting.

RE: QUICK RESPONSE TEAM

Deputy Judge/Executive Denise Perry reported that she and Judge Brent along with others from the county attended a meeting at KIPDA at which they heard presentations from teams in Colerain, Ohio, and Boone County, Kentucky, who are currently administering these response programs. In Colerain they have an 80 percent rate of overdose victims seeking treatment following this intervention. Collaboration and planning with the Sheriff's Department, EMS, and the Tri-County Community Action Agency are on-going. She hopes to have a formal implementation plan to the Court in the near future. This program will be a key part to the overall efforts of the county to respond to the addiction crisis.

RE: LEGAL ACTION PERTAINING TO OPIOID CRISIS

Esq. Cummings reported on a meeting that she and Judge Brent attended at which James Magazine of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA, of Pensacola, Florida, presented the opportunity for the County to join with others in pursuing legal action against opioid distributors. Since 1970, these entities were responsible for reporting sudden rises in opioid prescriptions to the federal government. The distributors have been negligent in this effort resulting in the drastic rise in addiction. There will be no cost in joining this action with the legal team retaining the standard 30 percent share of any settlements. Judge Brent read from the Resolution and Legal Services Agreement in response to discussion from the Court.

Upon motion by Esq. Cummings and second by Esq. Bates, it is ordered to approve the Legal Services Agreement and Resolution approving and directing the employment of a law firm to represent the county in potential litigation against contributors of the opioid addiction crisis.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to approve the following expenditures:

General Fund	345,686.25
Road & Bridge Fund	124,484.92
Jail Fund	43,955.94
LGEA Fund	2,025.00
Litter Fund	2,251.93
Fair Fund	<u>1,138.82</u>
Total Expenditures	519,542.86

Motion carried unanimously

RE: PUBLIC COMMENTS

New Castle resident Dale Mahoney raised his concern over a pit bull dog which had attacked his dog near his home. He questioned based on the aggressiveness of the dog why the local ordinance would not allow something to be done with the vicious animal provision. After discussion, Judge Brent requested that the County Attorney review and research our ordinance and those of adjoining counties. The Fiscal Court will review the matter at the September meeting.

Stacie Rockaway from Congressman Massie’s office addressed the court stating that she works out of the LaGrange office and offered help for Henry Countians with federal government agencies such as IRS, Social Security Disability, Medicare, and veterans’ benefits. Also any comments regarding pending legislation are welcome, and calls go to the Congressman every night. She indicated that they can do recommendations for the service academies and provide help with the new Congressional Awards for community service by 14-24 year olds.

RE: COURT COMMENTS

Sheriff Cravens reported that his office conducted the following activities: 281 KSP dispatch calls, 55 Sheriff’s office calls, 24 citations/criminal summons, 8 criminal arrests, 27 arrest warrants, 189 all court papers served, 2 fugitive transports, 1 juvenile transport, 2 special details at the Henry County Fair and Harvest Showcase, 60 vehicle inspections, and issued 20 carry conceal licenses.

RE: ADJOURNMENT

Upon motion by Esq. Bates and second 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/Denise Perry
DENISE PERRY
FISCAL COURT CLERK

S/John L. Brent
JOHN L. BRENT
JUDGE EXECUTIVE

Date Approved: **September 19, 2017**