

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
MARCH 19, 2019**

The Henry County Fiscal Court met in Regular Session on March 19, 2019, at the Henry County 4-H Building in New Castle, Kentucky, with the following in attendance:

John L. Brent, Judge/Executive
Virginia Harrod, County Attorney
Esquire Scott Bates
Esquire Jerry Beasley
Esquire Mike Fisher
Esquire Roger Hartlage
Esquire Chuck Smith
Esquire Jason Stanley

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 6:00 p.m. and noted that all magistrates were in attendance.

RE: APPROVAL OF THE FEBRUARY 19th MEETING MINUTES

Upon motion by Esq. Stanley second by Esq. Bates, it is ordered by the Court to approve the minutes from the February 19th Regular Meeting.

Motion carried unanimously

RE: UNFINISHED BUSINESS

Judge Brent stated there was one item of unfinished business from the previous meeting relating to the request of Constable Jim Edds for blue lights.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to continue the Court's current policy of not allowing the use of blue lights by constables.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Kenny Tindle, reported that repair work has begun on New Cut Road. Operations are going well in the department with ditching, grading, gravelling, pot hole repairs, and installing culverts.

2. Road Committee Report--Esq. Beasley

Esq. Beasley stated that the Committee has met.

3. New Cut Road & Other Slides Update

Judge Brent thanked Secretary of Transportation Greg Thomas for the Emergency Road Fund which along with the \$25,000 in local funds is being used on the 3 major slides on New Cut Road. There were 4 previously identified ones and another has developed on that roadway which remain unrepaired. A request for discretionary funds from the Department of Transportation has been submitted.

There are additional slides on Turkey Run, Long Branch, and Fox Creek Roads which we are getting estimates on the cost for repairs. Currently New Cut and Fox Creek Roads are the only roads closed in the County.

4. Road Grader Discussion

Judge Brent reported that the County's road grader blew up, and Esq. Beasley found a good replacement which can be purchased.

Upon motion by Esq. Fisher and second by Esq. Beasley, it is ordered to approve the purchase of the Champion road grader for \$10,000 and the trade-in of the old one.

Motion carried unanimously

5. 5th District Rural Secondary Presentation & Recommendations for 2019/20

Judge Brent introduced Matt Bullock with the 5th District office for his presentation of their recommendation for 2019/20 work. Mr. Bullock explained that Henry County has more Rural Secondary roads than any of 20 counties in the district. The 143 miles must be maintained at a cost of \$3,800 per mile which is approximately \$550,000 annually from our allocation. He described how Kentucky arrives at our funding using the Fifth Formula for Rural Secondary (RS) roads. He explained that Henry County had much more need than funding. He then explained about Main Priority (MP) which include 146, 421, 22, and 55 and said that work has been “Henry County heavy.” He described the Bridging KY Program and that we currently have 5 projects being reviewed: Hillsboro, 3175, Mt. Olivet, Gullion’s Branch, and Fallen Timber Roads.

The recommendation that he presented for the use of the remaining \$400,000 left for Henry County is the repaving of 6.4 miles of Hwy 573, South Property Road, from New Castle to Bethlehem. Funds will be available July 1 and work should be completed by November 30.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to accept the recommendation presented in the 5th District Rural Secondary Roads Plan for the repaving of 6.4 miles of South Property Road from New Castle to Bethlehem.

Motion carried unanimously

6. Recognition of Special Guests

Judge Brent introduced Secretary of Transportation Greg Thomas and members of his team as special guests for tonight’s meeting. Also attending were Sen. Paul Hornback and Rep. Rick Rand.

Secretary Thomas explained that the Transportation Cabinet works to keep roads safe and support the mission of job growth. He recognized Sen. Hornback and Rep. Rand for their efforts on behalf of their constituents and their needs. There is inadequate funding and great competition across the state for available dollars. The 6-Year Plans are written at 200 percent meaning that there is more work than funding to complete. Approximately 50 percent of assets will be dedicated to maintaining current roads and bridges instead of building new ones. The Governor does have discretionary funding that is used to partner with counties to help with critical projects.

Court & Public Questions and/or Comments

Judge Brent shared his concern about the lack of progress on the HWY 146 project which has been identified since 1995 as a dangerous road needing major work. He outlined the chronology of events from public meetings to the purchase of right-of-ways since that time.

The project has been listed on plans and funded, but it is currently on hold. From his meetings with the District 5 staff, he understands that it was broken into 2 phases and only \$7 million of the \$14 million in funding for Phase 1 is currently available so the work will not commence. Judge Brent requested that the funds available be used to do half of Phase 1 of the project from the 4-way stop in Pendleton to Dawkins Lane. The rest of Phase 1 could be postponed to 2023 when the remaining \$7 million is included in the 6-Year Plan.

Mr. Bullock responded by stating that all utilities have not been moved and their office cannot make that happen since the companies are working on projects based on utility prioritization. Judge Brent expressed frustration that these funds are ready, and he feels the work should be started on this phase which is the most critical. The right-of-ways are all purchased on that area, and it appears that AT&T is the only utility which has not completed relocation.

Secretary Thomas fielded comments from members of the audience as they expressed their concerns about the dangers of 146. Citizens shared recounts of wrecks and dangerous situations they encounter. Secretary Thomas stated that he heard and understood the concerns about this project and that he and his team would work to get it going.

RE: EMS/PARAMEDICS

1. Supervisor's Update

Henry County EMS Supervisor, Paige Lucas-Jamiel, reported that run numbers are up. There is one truck in the shop for new injectors and plugs. The EMS Committee had voted to have it repaired. The Envoy will be housed at the Eminence EMS building. She recommended that Elaine Cecil who has been working for the County be changed from part-time to a full-time position. The service has undergone their annual inspection and they passed with no discrepancies.

2. EMS Committee Report - Esq. Smith

Esq. Smith reported that the EMS Committee did meet. They recommend filling the full-time position with Elaine Cecil. They discussed the possible installation of camera surveillance on the narcotics and outside of the building. Esq. Smith stated that he had toured the building and checked on the condition. There is one shower which is not operational.

Upon motion by Esq. Smith and second by Esq. Bates, it is ordered by the Court to hire Elaine Cecil as a full-time EMT.

Motion carried unanimously

RE: P & Z/SOLID WASTE

1. Update

P & Z Administrator Amanda Ricketts reported that 8 building and 14 electrical permits have been issued during the month. Neither the Planning and Zoning Commission or Board of Adjustments met during the month. The Planning Commission will meet in April to discuss a text change.

The Court discussed the installation of culverts for new driveways. The question was raised if there is an ordinance which requires them and who inspects at the completion of construction that they were actually installed. The Committee will meet to review the matter.

RE: PARKS & FAIRGROUNDS

1. Supervisor's Update

Travis Buchanan, Parks and Fairgrounds Supervisor, reported that activities have begun at both parks and the restrooms and concession areas have been opened. There is a plumbing issue at the front restrooms in the new park, but a plumber will be making that repair next week. The 4-H Small Engines Class is continuing with 14 students attending. The new rain diverter required at the Splash Pad should be ready for final inspection by the Health Department in approximately 2 weeks. Mr. Buchanan explained that all scheduling for leagues is done by the leagues themselves. He only gets the fields ready for games and practices.

Parks & Fairgrounds Committee

Esq. Stanley reported that the Parks & Fairgrounds Committee will be meeting and have a report for the April meeting.

RE: ANIMAL SERVICES

1. Director's Update

Director of Animal Services, Dan Flinkfelt, reported that the employees at the shelter have been doing in-service training and all certifications are up-to-date. As the weather improves, they continue to get busier. He is patrolling throughout the County weekly. The Betsy Jackson Memorial Fund Raiser will be held from 9-3 on March 30 at the fairgrounds. It is run by Kim Lyons who continues to help raise money for supplies and medical care for the dogs.

Director Flinkfelt told the Court that it appears that their truck will need transmission work. He requested that the matter be investigated and a decision made if it can be repaired.

Upon motion by Esq. Fisher and second by Esq. Stanley, it is ordered by the Court to get a price quote on the cost of repairing the Animal Shelter's truck.

Motion carried unanimously

2. Committee Report – Esq. Fisher

Esq. Fisher reported that the committee met and discussed the need for security cameras. A suitable system can be purchased for approximately \$235 for the cameras and \$100 for a monitor. Trimble County has agreed to pay half the cost.

RE: ABC ADMINISTRATOR'S REPORT

ABC Administrator Ed Nelson reported that ABC has had a good 2nd quarter. There are currently 18 businesses up-to-date with licenses and fees.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of February: 260 KSP dispatch calls, 100 Sheriff's office calls, 24 citations/criminal summons, 6 criminal arrests, 31 warrant arrests, 127 all papers served, 1 special detail (regional basketball tournament), 55 vehicle inspections, 25 carry conceal licenses, 2 DUI arrests, and 2 drug charge arrests.

RE: SHERIFF'S OFFICE EXCESS FEES PRESENTATION

Former Interim Sheriff Deeanne West presented the settlement for the 2018 Sheriff's annual budget. The budget showed a shortfall of \$18,390.87. She stated that when she took the interim position on October 1 she was hopeful that the budget would be balanced, but revenues were less and expenses greater resulting in this shortage.

County Attorney Virginia Harrod stated that she had researched the situation and the options are that Fiscal Court could cover all or a portion of shortfall or the sheriff of record at that time was personally responsible for the amount. Judge Brent informed the Court that the Sheriff's office was currently behind approximately \$140,000 in payroll reimbursements. Ms. West reported that the checks were written for a portion of that amount and would be paid this week. Judge Brent stated that there was no evidence of any improper behavior, but the precedent being set was concerning. Since Mrs. West was only in the position for 3 months, the Court was concerned that she should not be held liable for the shortfall.

The Court discussed how the budgeting issues with the Sheriff's office must be solved. Sheriff Keith Perry, Deeanne West, and Judge Brent are meeting monthly to manage the on-going budget, and the Budget Committee must insure that future budgets have larger excess fees built in to prevent this type of shortfall from occurring.

Upon motion by Esq. Stanley and second by Esq. Smith, it is ordered by the Court to cover the \$18,390.87 shortfall from the 2018 Sheriff's budget.

Motion carried unanimously

RE: JAILER'S BUDGET—1ST READING

Judge Brent informed the Court that the Jailer's 2019/20 budget must have a 1st Reading in March. The budget presented showed very little change from this year except for the purchase of a requested transport van for \$6,500. The budget includes over \$400,000 for required housing of inmates over which the County has no control.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to approve the 1st Reading of the Jailer's Budget for 2019-2020.

Motion carried unanimously

RE: ROAD FUND BUDGET AMENDMENT – 2ND READING

Judge Brent informed the Court that the 2nd Reading for the Road Fund budget included accepting the \$150,000 in Emergency Road Funds for the repairs to New Cut Road and the purchase of a dump truck for \$14,500 which was taken from carryover funds.

Upon motion by Esq. Smith and second by Esq. Beasley, it is ordered by the Court to approve the 2nd Reading of the ordinance amending the Road Fund budget increase by \$189,258.

Motion carried unanimously

RE: DEAD ANIMAL REMOVAL PROGRAM UPDATE

Judge Brent stated that he has held multiple meetings over the last months regarding the Dead Animal Removal Program which has been funded by the Farm Bureau, Soil Conservation Program, and a grant along with money allocated by Fiscal Court. There have been approximately 470 head annually covered by the program, but this year we are on pace for 840. The cost would rise from \$30,000 to \$54,000. Although it is a great service to farmers and the local communities, this increase may not be sustainable.

CLAIMS & TRANSFERS

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered to approve the following claims and transfers:

General Fund	\$322,218.57
Road & Bridge Fund	61,538.77
Jail Fund	46,479.64
LGEA	550.00
Litter	673.91
911 Fund	2,411.11
ABC	3,011.99
Fair Fund	<u>1,042.30</u>

Total Expenditures \$437,926.29

From: 0191009990 \$10,200.00
To: 0150202100 2,100.00
0152323150 5,000.00
0191005310 3,100.00

From: 0292009990 17,600.00
To: 0294002090 17,600.00

From: 0392009990 150.00
To: 0361015690 150.00

From: 014909 120,000.00
To: 034910 120,000.00

Motion carried unanimously

RE: COURT COMMENTS

Judge Brent opened the floor for additional comments from Court members.

Esq. Hartlage reported that in the economic development area discussion of sewers for Pendleton was being discussed. Another community meeting will be held in a month to gauge public opinion about whether or not people want to pursue seeing them installed in the community.

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments.

In response to a question, Judge Brent explained that the Dead Animal Removal Program includes cows, horses, and other large animals.

Constable Jim Edds explained to the Court that he will continue to offer his services in patrolling in the subdivision areas of his district and explained that he is getting training offered by the Kentucky State Police.

RE: ADJOURNMENT

Upon motion by Esq. Bates and second by Esq. Beasley, 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

S/ Denise Perry
DENISE PERRY
FISCAL COURT CLERK

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

Date Approved: **April 16, 2019**