

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
FEBRUARY 18, 2020**

The Henry County Fiscal Court met in Regular Session on February 18, 2020, 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 January 21ST MEETING MINUTES

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to approve the minutes from the January 21st Regular Meeting.

Motion carried unanimously

RE: UNFINISHED BUSINESS

Judge Brent stated there was no unfinished business from the previous meeting.

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Henry County Road Supervisor, Kenny Tindle, informed the Court that they had been doing maintenance on trucks and hauling gravel. He recommended the hiring of Landon Burba for employment. Radcliffe Road needs to be restriped at a cost of 26 cents per foot. The total price would be slightly less than \$7,000. Judge Brent explained that Radcliff and Giltner are the only 2 County roads wide enough to allow striping. Mr. Tindle explained that he has had difficulty in locating a used 550 truck that was included in the year's budget. He proposed spending \$16,624 this year for the spreader box and plow that would be attached to a new truck which would be purchased next year. The Road Department does perform random drug testing of all road employees.

Upon motion by Esq. Hartlage and second by Esq. Bates, it is ordered by the Court to authorize spending \$7,000 to stripe Radcliff Road.

Motion carried unanimously

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to employ Landon Burba to a full-time road worker position.

Motion carried unanimously

2. Road Committee Report--Esq. Beasley

Esq. Beasley stated that the committee did meet and discussed the items included on the agenda for this meeting.

3. Ratification of the Committee's Decision to Keep State Rural Secondary Flex Funds for 2020-21

Judge Brent stated that at the January meeting the 20-21 Flex Funds allocation was discussed. The Road Committee was given authority to determine how these funds would be used. They decided to keep the \$156,598 for use on County roads.

Upon motion by Esq. Beasley and second by Esq. Smith, it is ordered by the Court to ratify the decision of the Road Committee to keep the 2020 State Rural Secondary Flex Funds for use on County roads.

Motion carried unanimously

4. Approval of Hinkle Environmental Bids for Road Stabilization Work

Judge Brent informed the Court that the County has received a commitment for \$250,000 in State Discretionary money for New Cut Road. We have received \$30,000 from FEMA for Turkey Run Road and approximately \$91,000 for Fox Creek Road. These 3 projects for stabilization work were advertised in one package, and Hinkle Environmental was the sole bid received.

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered by the Court to accept the bid from Hinkle Environmental for \$246,478 for New Cut Road and \$37,658 for Turkey Run Road, and \$113,964.50 for Fox Creek Road for road stabilization work.

Motion carried unanimously

5. Approval to Authorize Additional \$19,000 for New Cut Road Stabilization Work

Judge Brent explained to the Court that the funds received for the New Cut Road project were for the area where the gas line intersects the road. It has continued to slide below the line. Supervisor Tindle estimates that it will cost approximately another \$57,000 to fix that area, and Judge Brent informed the Court it would have to be rebid. Fiscal Court could authorize spending an additional \$19,000 to shore it up to prevent more slides while the repair is already underway. The area has expanded from 40 to 80 feet. The decision will be postponed until the next meeting to allow the budget to be reviewed and the Court members an opportunity to view the site.

6. Purchase Authorization for Plow and Spreader Box from Road Equipment Budget

Judge Brent informed the Court that \$30,000 has been budgeted this year for purchase of a used truck. Supervisor Tindle recommends spending a portion of those funds for the plow and spreader box to be installed on the truck purchased next year.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to authorize the purchase of plows and a spreader box from the Road Equipment budget.

Motion carried unanimously

7. Rural Road Aid Coop Agreement

Judge Brent explained that the State sets aside 18.3% of motor fuel taxes for rural roads and bridges and through its Cooperative Program distributes them back to the County for maintenance and construction. The County must agree to accept the funds for the said purpose and enter into an agreement with the Transportation Cabinet.

Upon motion by Esq. Smith and second by Esq. Stanley, it is ordered by the Court to authorize Judge Brent to sign the County Road Aid Cooperative Program Agreement for the fiscal year beginning July 1, 2020.

Motion carried unanimously

8. HWY 146 Update

Judge Brent stated that HWY 146 did make the Governor's proposed budget with the potential of a let date in July. The project does have to make it through the House and Senate. He and Court members will be attending the 2020 Legislative Day and will certainly address it. He encouraged others to continue to lobby for the funding.

RE: AMBULANCE TAXING DISTRICT

1. Update

Henry County EMS Director Paige Lucas-Jamiel did not attend the meeting.

2. EMS Board Report - Esq. Smith

Esq. Smith reported that the Board met last night and discussed 2 ambulances which have 260,000 and 280,000 miles and are currently out of operation. Director Smith had found a new ambulance which could be purchased for \$118,000. He will continue to investigate options and look at potentially leasing until tax revenues are generated. Paramedics continue to be in short supply.

Esq. Bates who serves as treasurer for the Board stated that no new ambulance can be purchased now. Director Smith has not pursued repair of the 2 ambulances since the costs would exceed the \$2,000 threshold. The Board continues to switch accounts and work with the billing companies. Baptist Health is responsible for paying all utility costs.

RE: P & Z/SOLID WASTE

1. Director's Update

Amanda Ricketts, Henry County P & Z / Solid Waste Administrator, reported that 12 building and 15 electrical permits have been issued during the month. The Planning and Zoning Commission met and reviewed an application for an internet tower in Turners Station. It was postponed due to the need for a text amendment on this type of application. The Board of Adjustments will meet next week for placement of a manufactured home in Smithfield.

2. Text Amendment Proposal 660 – 1st Floor Residential Restrictions—2nd Reading

Judge Brent stated that the 1st Reading was approved last month on a text amendment that would restrict first-floor residences in businesses within city limits. It was originally proposed by the city of New Castle.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered by the Court approve the 2nd Reading of the text amendment on Zoning Ordinance Section 660 (I) (A) (1) to restrict first floor residential purposes in B-3 Districts for building that are attached to adjoining buildings.

Motion carried unanimously

RE: PARKS & FAIRGROUNDS

1. Supervisor's Update

Travis Buchanan, Parks and Fairgrounds Supervisor, reported that they have been working on equipment preparing for spring work, have stripped and waxed the floors on the other side of the 4-H Building, and removed dead ash trees from park sites. Sign-ups have been held for all spring sports, and they will all begin in approximately a month.

RE: ANIMAL SERVICES

1. Director's Update

Director of Animal Services, Dan Flinkfelt reported that activities at the Animal Shelter have been relatively quiet. The shelter has begun a new rescue operation with a group out of Columbus, Ohio. Volunteers earned \$640 last year at the Kentucky Speedway, and they have requested that we work again this year. Mr. Flinkfelt will be meeting with the Advisory Board at the Department of Agriculture regarding the spay/neuter program. Kim Lyons will be hosting another Betsy Jackson Memorial fund raiser at the 4-H Building next month.

Mr. Flinkfelt informed the Court of an incident that was recorded on video surveillance. An individual pulled into the Shelter around 6:30 p.m. and left a crated dog on the lot. The dog was able to escape in approximately 30 minutes and was killed on the road. The FaceBook post which received 150,000 comments has been removed. He reminded the Court that by statute abandoning animals is considered animal cruelty. He would like to post that notice on the site to help with prosecuting should this ever occur again. The Shelter is open over 40 hours per week, but is only required to have 20 hours of operation. Judge Brent thanked Esq. Hartlage for getting the cameras at the Shelter.

2. Committee Report- Esq. Fisher

Esq. Fisher reported that the Committee did meet and operations are going well.

RE: ECONOMIC DEVELOPMENT COMMITTEE

Esq. Hartlage stated that the Committee did not meet. He provided an update on the petition drive to allow package sales of alcohol on Sunday. The issue will be on the May primary ballot to allow voters to decide if sales would be allowed.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of January: 190 KSP dispatch calls, 102 Sheriff's office calls, 49 citations/criminal summons, 33 criminal arrests, 20 warrant arrests, 204 all court papers served, 5 fugitive transport, 1 MIW transport, 68 vehicle inspections, 22 concealed carry licenses issued, 2 DUI arrests, and 6 drug charge arrests.

In response to a question from the Court, Sheriff Perry stated that they work closely with neighboring agencies and across jurisdictions in investigations which often cross county lines.

RE: "OLD" BROWN LANE IN EMINENCE TO EMINENCE SCHOOLS

County Attorney Virginia Harrod stated that there was no deed to be found on the Old Brown Lane which lies between Eminence School and the old KFC building. She has been able to add Henry County Fiscal Court as a third party to the quit claim deed conveying any real or perceived interest in this property to the Eminence School District. There is no money involved in this transaction which includes .056 acres.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered by the Court approve the quit claim deed transferring the Old Brown Lane Property to the Eminence School District.

Motion carried unanimously

RE: SHERIFF'S EXCESS FEES PRESENTATION

Sheriff Keith Perry presented \$41,218.78 in excess fees to Fiscal Court from the Sheriff's Office.

Upon motion by Esq. Smith and second by Esq. Bates, it is ordered to accept the check for \$41,218.78 from the Henry County Sheriff's office for excess fees collected during 2019.

Motion carried unanimously

RE: COUNTY CLERK'S EXCESS FEES PRESENTATION

County Clerk Shanda Archer described the duties of her office as the official record keeper for the County and serving the public. The office processes over \$3,690,000 during the year and works diligently to save money. She presented the Fiscal Court with a check for \$107,366.45 in excess fees collected during 2019. The Court thanked her for the effort which led to it and the check which far exceeded the previous year.

Upon motion by Esq. Stanley and second by Esq. Bates, it is ordered to accept the check from the Henry County Clerk's office for \$107,366.45 in excess fees collected in 2019.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$329,968.58
Road & Bridge Fund	44,241.36
Jail Fund	43,303.93
LGEA	1,374.92
Litter	346.83
911 Fund	3,514.74
ABC	3,254.65
Fair Fund	<u>451.94</u>
Total Expenditures	\$426,456.95

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments.

Hugh McBurney thanked Amanda Ricketts for her work on the R & R Septic System issue.

RE: COURT COMMENTS

Esq. Bates acknowledged the support given by the Judge/Executive's office to the Court members. He expressed his desire to Sheriff Perry that additional money can be provided in the upcoming year's budget. He feels that despite what some say, the real problems relate to people and are not just simply money issues.

Judge Brent stated that the increased security costs at the new courthouse will be an issue for the Sheriff's office. Wehr Constructors expects to be finished ahead of schedule. He would like to see adequate funding for the Sheriff's office also. Esq. Bates stated that he had spoken with Commonwealth's Attorney Baxter asking for help from her office in expediting cases to get inmates moved through the system and off the County's incarceration costs. There are more long-term inmates at a cost of \$13,000 per year than ever before. There is no reimbursement for those housed over a year when they are ultimately convicted as she indicated.

Judge Brent echoed County Clerk Shanda Archer's comment about the benefit of everyone working together for the County. He acknowledged Esq. Beasley who has continued to work on trucks and at the Road Department. County Attorney Virginia Harrod expressed her thanks for the Court's understanding in her absence due to surgery and the support of Assistant County Attorney Cassidy Dees for stepping in for her.

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: **March 17, 2020**