

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JULY 21, 2020**

The Henry County Fiscal Court met in Regular Session on July 21, 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. The meeting was conducted in accordance with social distancing guidelines and with attendees encouraged to wear face masks due to the COVID-19 pandemic.

RE: APPROVAL OF THE JUNE 16TH REGULAR MEETING MINUTES

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to approve the minutes from the June 16th 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, reported that the Department is busy with in-house patching, bush whacking, bush hogging, and working on equipment. Esq. Bates reported that he had received a call commending the work that was completed on Coakley Lane.

2. Road Committee Report - Esq. Beasley

Esq. Beasley stated that the Committee did not meet.

3. Heron Creek Road Paving Proposal

Judge Brent stated that a citizen who lives on Heron Lane outside of Campbellsburg has offered to pay half of the cost of blacktopping the road which is approximately a mile long. Louisville Paving has estimated the cost of laying a 3" base coat at a little over \$86,000. The homeowner is ready to donate 50 percent of this amount, and County Attorney Harrod could prepare a contract to formalize the agreement. The County would be prepared to do half the project this year and the remainder from next year's budget. There would also be 3 culverts required that would cost an estimated \$3,000.

Upon motion by Esq. Fisher and second by Esq. Beasley, it is ordered by the Court to allocate up to \$46,000 to be combined with a citizen's donation of \$43,000 to pave Heron Lane over the next 2 years.

Motion carried unanimously

RE: EMS TAXING DISTRICT REPORT

1. EMS Board Report - Esq. Smith

Esq. Smith reported that the EMS Taxing District Board met and voted to increase some rates based on Medicare allowances. They discussed the use of CARES Act money and possibly using it to purchase an Autopulse CPR device. Esq. Bates reviewed the finances of the Board. It appears that the receipts were slightly more than costs for the month of June. He will continue to work with Baptist Health LaGrange to insure accuracy in accounting and with staff to identify and collect outstanding uncollected balances.

RE: P & Z/SOLID WASTE

1. Update

P & Z Administrator Amanda Ricketts, reported that 21 electrical permits and 24 building permits have been issued during the month. Cindy Norton, a Planning Commission member representing New Castle, and Yvonne Moore, a county representative on the Board of Adjustments, are both resigning. Each entity has 60 days to fill the vacancies. The Planning Commission approved 2 zone changes applications for a sawmill on Ransdell Lane in Turners Station and a 3 lot development on Dogwood Lane in Eminence. The Board of Adjustments will meet on July 27 to review 2 variance and 1 conditional use applications.

RE: PARKS & FAIRGROUNDS

Travis Buchanan, Parks & Fairgrounds Supervisor, reported that the youth league conducted sign-ups to see current interest and soccer will be holding theirs this weekend. The dry weather has helped with mowing. The Donald & Elizabeth Buchanan Splash Pad is currently operating under guidelines implemented to address pandemic concerns and crowds have been good but within the 50-person limit. There is very positive feedback from local and out-of-county visitors. Work should be finished this week on the new shelter which will include 4 new picnic tables.

RE: ANIMAL SERVICES

1. Director's Report

Director of Animal Services, Dan Flinkfelt, informed the Court that rescues continue to go well. The Shelter is handling 5-6 calls per day regarding stray animals. The staff is working on building and vehicle maintenance. Director Flinkfelt was able to obtain a topper for the new truck for \$30. Judge Brent complimented the appearance of the building.

2. Committee Report – Esq. Fisher

Esq. Fisher reported that the Animal Services Committee did not meet.

RE: SHERIFF'S MONTHLY REPORT

Deputy Josh Jamiel reported the following activities for the month of June: 205 KSP dispatch calls, 98 Sheriff's office calls, 61 citations/criminal summons, 20 criminal arrests, 6 warrant arrests, 120 all papers served, 2 juvenile transports, 65 vehicle inspections, 20 carry conceal licenses, 2 DUI arrest, and 4 drug charge arrests.

RE: SHERIFF'S SETTLEMENT APPROVAL

Deeanne West who previously served as Henry County Sheriff explained the need for approval of a settlement with Fiscal Court. The auditors are currently reviewing 2018 records, and there were 3 sheriffs in office during the fiscal year. They are requiring that 4 months of the franchise payments be pulled from the entire settlement report. The amounts remain the same and were previously approved; however, the reports must align with the administration change from that time frame.

Upon motion by Esq. Bates and second by Esq. Smith, it is ordered by the Court to approve the Sheriff's Settlement for the period May 1, 2018, through September 30, 2018.

Motion carried unanimously

RE: SHERIFF'S CAR LEASE

Deputy Josh Jamiel addressed the Court requesting the approval to amend the Sheriff's budget to allow for the lease of a new Durango. The approved budget included \$7,000, but the new vehicle will cost \$10,735 for 5 years. They were unable to procure a Charger, and this vehicle is cheaper than a Crown Victoria.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered to approve the budget amendment requested by the Sheriff's Office to permit \$10,735 for the lease payment for a new Dodge Durango.

Motion carried unanimously

RE: CARES ACT RESOLUTION

Judge Brent informed the Court that Amanda Ricketts and Megan Wilson have researched and determined that the County can apply for funding from the Federal CARES Act. The request includes reimbursement for services including salaries and benefits for Sheriff's Department employees for March through the end of 2020. The resolution authorizes the filing for these dollars through the Department of Local Government and permits the Judge/Executive to act as the authorized correspondent for the reimbursement. With the initial round of funding, accounting/payroll software will be purchased. When we receive additional funding, the funds will be used to offset the cost of replacing the antiquated phone system. Both of these system purchases will allow for operating during potential effects of the pandemic.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered by the Court to authorize the filing of a Coronavirus Relief Fund application for reimbursement of incurred expenses with the Department for Local Government.

Motion carried unanimously

RE: SALARY SCHEDULE APPROVAL – 2020/21

Judge Brent stated that the salary schedule as presented for approval was already included in the previously adopted budget.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to approve the salary schedule for 2020/21.

Motion carried unanimously

RE: COMP HOUR RECAP

Judge Brent reviewed the policy which limits the number of hours of comp time that may be accrued to 200 hours for emergency and public safety employees and 100 hours for all others. There is significant improvement in the report with only 2 individuals over their allowed balances due to concerted efforts by each County office.

RE: ABC ORDINANCE AMENDMENT – 1ST READING

ABC Director Ed Nelson presented the revised ABC Ordinance for 1st Reading. Revisions include allowing Sunday sales for package malt, wine, and spirits from 1 p.m. until 10 p.m.; removing the restriction on all alcoholic beverage sales on Election Day; setting all license fees uniformly at \$300; expanding weekday sales times to 6 a.m. to 12 midnight; increasing the number of alcohol signs to 2; increasing the penalties for late fees to a flat fee of \$250; and clarifying some requirements for CPA review and seating requirements.

Upon motion by Esq. Hartlage and second by Esq. Smith, it is ordered by the Court to amend the proposed ABC ordinance by striking out the hours of Sunday sales from 1 p.m. to 10 p.m. and inserting the hours from 12 noon to 11 p.m. and adding a language change in the Scope.

Motion carried on vote

Yes - (Esqs. Bates, Beasley, Hartlage, Smith, & Stanley)

No - (Esq. Fisher)

Upon motion by Esq. Smith and second by Esq. Stanley, it is ordered to approve the 1st Reading of the Henry County Fiscal Court's ABC Ordinance as amended.

Motion carried on vote

Yes - (Esqs. Bates, Beasley, Hartlage, Smith, & Stanley)

No - (Esq. Fisher)

RE: LOCAL TAX INCENTIVES RESOLUTION FOR PATRIOT BRANDS

Judge Brent informed the Court that Patriot Brands, LLC, was approved for a local incentive under the Kentucky Business Investment Program (KBI) in 2016 which would provide up to \$5,000 in the County's portion of property tax for 10 years. Patriot was offered this incentive to locate in Henry County, and they have fulfilled their participation requirements through the program. Judge Brent requested the approval of the resolution granting the incentives to Patriot Brands.

Upon motion by Esq. Stanley and second by Esq. Smith, it is ordered to approve the incentives to Patriot Brands, LLC, under the KBI Program allowing a refund of up to \$5,000 per year in the County's share of property taxes for up to 10 years.

Motion carried unanimously

RE: COVID-19 OFFICE CLOSURE PROCEDURE

Judge Brent stated that the County has had their first employee to report testing positive for COVID-19. He and other constitutional officers have been researching the best responses for dealing with the pandemic while continuing all services to the citizens. Federal and Kentucky orders are in place to direct actions in some matters such as paid time off for individuals. The question of closing offices should the outbreak increase is something that would need further review of the specific circumstances. Judge Brent proposed that the Fiscal Court should be involved in decisions at this level in some manner.

Upon motion by Esq. Smith and second by Esq. Bates, it is ordered to authorize the Personnel Committee to review current situations and consult with the constitutional officers in determining appropriate responses to the pandemic and specifically if an office would be closed for more than 2 days.

Motion carried unanimously

RE: DONATED SICK TIME POLICY

Travis Buchanan of the Personnel Committee explained that a policy was added that allowed employees to donate sick time to individuals who meet dictated criteria. After implementation, it appears that there should be revisions including a provision that time revert back to donors proportionally if unused or an involuntary termination occurs and the receipt of hours in blocks of time not to exceed 160 hours.

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered to amend the Donated Sick Time Policy to include the provision that donated time revert back to donors in proportion to what they donated if it is unused and that time be received in blocks not to exceed 160 hours.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$227,291.36
Road & Bridge Fund	208,396.20
Jail Fund	26,448.57
LGEA	4,801.61
Litter	0.00
911 Fund	1,126.41
ABC	17,707.31
Fair Fund	<u>570.33</u>
Total Expenditures	\$486,341.79

From: Road Allocation	\$233,870.00
To: General Fund	\$233,870.00

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments and responded to a question that the North Central Health Department would be the lead in any discussions and decisions related to public health outbreaks.

RE: COURT COMMENTS

There were no additional Court comments.

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

DENISE PERRY
FISCAL COURT CLERK

JOHN L. BRENT
JUDGE/EXECUTIVE

Date Approved: **August 21, 2020**