

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
AUGUST 17, 2021**

The Henry County Fiscal Court met in Regular Session on August 17, 2021, at the Henry County 4-H Building 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 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 except Esq. Fisher who absent due to a family illness.

**RE: APPROVAL OF THE JULY 20<sup>TH</sup> REGULAR MEETING MINUTES**

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to approve the minutes from the July 20<sup>th</sup> Regular Meeting.

Motion carried unanimously

**RE: APPROVAL OF THE AUGUST 3<sup>RD</sup> SPECIAL MEETING MINUTES**

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to approve the minutes from the August 3<sup>rd</sup> Special Meeting.

Motion carried unanimously

## **RE: UNFINISHED BUSINESS**

Judge Brent stated there were no items of unfinished business from the previous meeting.

## **RE: NEW BUSINESS**

### **RE: ROADS**

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

Road Supervisor Kenny Tindle reported that the crew was down to 4 full-time employees since the part-time staff had returned to school. The bushwhacker is currently being repaired which will be costly. In-house patching in the Pendleton area is completed, and they will be moving to the eastern part of the County. Esq. Hartlage noted that the work completed in his district was a good job.

#### **2. Road Committee Report - Esq. Beasley**

Esq. Beasley stated that the Committee did not meet.

#### **3. 2021 County Road Aid Cooperative Agreement**

Judge Brent explained that the Court must adopt and approve the contract with the State to accept all roads and streets and authorize the revenue resulting from motor fuel taxes be used for the construction, reconstruction, and maintenance of County roads and bridges. This year's apportionment is \$933,089.04 to be received in 3 payments during the year. Judge Brent read the resolution authorizing the execution of this contract.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered by the Court to approve the resolution thereby authorizing the contract with the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid to accept \$933,089.04 for the construction, reconstruction, and maintenance of County roads for the fiscal year beginning July 1, 2021.

Motion carried unanimously

#### **4. Driveway Culvert Pricing Adjustment**

Supervisor Tindle expressed his concerns about at the current cost of culverts that his department installs for property owners. The present charge to property owners is \$550 which includes the pipe, a load of gravel, and the labor to install them. The current price to purchase a 15-inch, 28-foot pipe is \$989. He recommended that the County raise the charge to \$1,000 which would really only cover the cost of the purchase of the pipe. Discussion included options for cheaper ways to procure them and the plan to review this charge when the costs drop.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to set the price for driveway culverts for property owners at \$1,000 which includes a load of gravel and installation by the County Road Department.

Motion carried unanimously

## **RE: EMS TAXING DISTRICT REPORT**

### **1. EMS Board Report - Esq. Smith**

Esq. Smith reported that the EMS Board met Monday evening that services are going well. There is still a shortage of staff, but they are able to cover all shifts. The finances were reviewed along with the continuing need to replace an ambulance when funds are available. All ambulances are currently operating.

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

### **1. Update**

P & Z Administrator Amanda Ricketts' written report noted that 19 building permits and 22 electrical permits have been issued. The P & Z Commission did not have a meeting in August, but one is scheduled for September. The Board of Adjustments is not scheduled for an August meeting.

## **RE: PARKS & FAIRGROUNDS**

Travis Buchanan, Parks & Fairgrounds Supervisor, reported that the crew continues to be very busy. The church softball league is still going, football has started, Little League is beginning this week, and youth soccer is scheduled for next week. The Buchanan Splash Pad has slowed a little with school beginning, but it will remain operating until Labor Day.

## **RE: COURTHOUSE SUPERINTENDENT'S REPORT**

Mr. Buchanan informed the Court that progress is being made on the Courthouse with approximately 98 percent completion. There are some remaining punch list items, but Wehr Constructors intends to turn over the building over to the State following a meeting on Thursday. Final security installations can begin at that point and the remaining outside work will continue. The move in date is set for September 20.

## **RE: ANIMAL SERVICES**

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

Director of Animal Services, Dan Flinkfelt, reported that the Animal Shelter operations are going well. He commended Travis Buchanan for assisting with mower repair. There are some repairs needed at the Shelter including drainage and fencing issues. He has spoken with Trimble County and they have agreed to share in the costs which will make significant improvements for the animals and staff. Judge Brent stated that there should be funds already in the budget that would support this work, but suggested that the Court approve this request as is typical for work not specifically itemized. Director Flinkfelt requested that the Animal Services Committee be authorized to oversee these expenditures.

Upon motion by Esq. Stanley and second by Esq. Smith, it is approved by the Court to authorize the Animal Services Committee to expend up to \$2,500 for repairs to the drainage and fencing at the Shelter with an equal match from Trimble County.

Motion carried unanimously

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

The Animal Services Committee is scheduled to meet following the Fiscal Court session.

## **RE: ABC ADMINISTRATOR'S QUARTERLY REPORT**

Ed Nelson, ABC Administrator, reported that all regulatory fees have been paid. Revenue is up over \$9,000 over the last quarter, and yearly comparisons show an increase of \$11,039 over the previous year. Currently 14 of the 17 business licenses are selling retail, and there is 1 package license available which has never been issued.

## **RE: SHERIFF'S MONTHLY REPORT**

Sheriff Keith Perry reported the following activities for the month of July: 250 KSP dispatch calls, 145 Sheriff's office calls, 128 citations/criminal summons, 46 criminal arrests, 34 warrant arrests, 177 court processes, 2 fugitive transports, 1 MIW transport, 2 special details, 65 vehicle inspections, 12 carry conceal licenses, 1 DUI arrest, and 27 drug charge arrests.

## **RE: SHERIFF'S DEPARTMENT TAX SETTLEMENT**

Sheriff Keith Perry presented the Sheriff's Settlement for the period ended May 31, 2021. The document showed the total due of \$9,628,664.07 and \$9,628,663.92 paid. The 15 cent difference results from rounding of numbers.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered by the Court to approve the Sheriff's Department Tax Settlement for the period ended May 31, 2021.

Motion carried unanimously

## **RE: PROPOSED PURCHASE OF THE SHERIFF'S OFFICE BUILDING**

### **1. Discussion and Action Requested**

Judge Brent explained that he had approached the Henry County Health Department about purchasing their previous office which is now occupied by the Sheriff's Department. Their board approved selling it to the County for \$135,000. The payments would be roughly \$1,000 per month which is approximately the rent amount. Sheriff Perry recommended that Fiscal Court pay for this building cost and his office assume expenses for their vehicles.

Upon motion by Esq. Stanley and second by Esq. Bates, it is ordered by the Court to approve the purchase of the Sheriff's Office building from the Henry County Health Department for \$135,000 with funding through the sale of revenue bonds.

Motion carried unanimously

### **2. Resolution Approving the KACO Interlocal Agreement**

The Kentucky Association of Counties has provided guidance on the process necessary to make this purchase. The procedure would include the approval of a resolution and the passage of an ordinance to sell bonds which would require advertisement and an additional reading after tonight. A special meeting will be held at 5 p.m. on September 1, 2021, at the 4-H Building for the 2<sup>nd</sup> Reading of the ordinance.

Upon motion by Esq. Smith and second by Esq. Bates, it is ordered by the Court to authorize Judge Brent to sign the Interlocal Cooperation Agreement with the Commonwealth of Kentucky relating to the Kentucky Association of Counties Finance Corporation to purchase the Sheriff's Office Building from the Henry County Health Department.

Motion carried unanimously

### **3. Ordinance Pertaining to the KACO Lease – 1<sup>st</sup> Reading**

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered to approve the 1<sup>st</sup> Reading of the ordinance approving a lease for the financing of a project, providing for the payment and security of the lease, creating a sinking fund, and authorizing the execution of various documents related to such lease for the purchase of the Sheriff's Department Building from the Henry County Health Department contingent on review by the County Attorney.

Motion carried unanimously

## **RE: ACKNOWLEDGEMENT OF HEALTH DEPARTMENT TAXING DISTRICT RATE**

Judge Brent informed the Court that the Henry County Health Department Taxing District has set their rate for 2021/2022 at 4 cents per \$100, and they require that it be officially acknowledged by the Fiscal Court.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered to acknowledge the 4 cents per \$100 tax rate for the Henry County Health Department Taxing District for 2021/2022.

Motion carried unanimously

## **RE: TAX RATE FOR 2021/2022 – 2<sup>ND</sup> READING**

Judge Brent stated that the 1<sup>st</sup> Reading for setting the tax rates for 2021/2022 was held at the July meeting. The rates proposed were the same as the previous year at the following levels: real property – 12.1 cents; tangible property – 15.9 cents; and water and motor vehicles – 11.9 cents per \$100 of assessed value.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to approve the 2<sup>nd</sup> Reading of the proposed tax rates for 2021/2022 at the following amounts which are the same as last year: real property – 12.1 cents; tangible property – 15.9 cents; and water and motor vehicles – 11.9 cents.

Motion carried unanimously

## **RE: UPDATED COUNTY COVID-19 POLICY RECOMMENDATION**

Esq. Bates, Chair of the Personnel Committee, presented a policy prepared by the Committee allowing for 40 hours (5 days) of paid leave for full-time employees. Accessing these days requires a verified diagnosis or mandatory quarantine for employees or their immediate family members and the submission of documentation from a health care provider or other appropriate office upon their return to work. The time cannot be saved or donated to other employees and is for one time only. The policy does not exempt employees from any other personnel policies that are in place. The proposal would be effective immediately and made retroactive to July 15 remaining in place for 6 months.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to approve the COVID-19 Leave of Absence Policy allowing for up to 40 hours of paid leave in cases of verified and documented illness or quarantine for full-time employees or their immediate family members effective July 15, 2021, through February 17, 2022.

**RE: OPIOID LAWSUIT UPDATE**

Deputy Judge Denise Perry informed the Court that the County Attorney and Judge/Executive’s Offices are receiving multiple notifications from the Opioid Multi-District Litigation in which we are involved. Settlements appear to be proceeding with many of the individual companies who were sued. Most of them require our agreement and affirmative vote with the leadership team to remain in the process or we would be shifted to individual litigation. She stated that they are randomly timed and most include short turnarounds. She requested that Judge Brent be authorized to sign the documents as they are presented to insure our continued participation.

Upon motion by Esq. Smith and second by Esq. Bates, it is ordered to authorize Judge Brent to act on behalf of Fiscal Court and sign the required documents related to the County’s on-going participation in the Opioid Multi-District Lawsuit.

Motion carried unanimously

**RE: CLAIMS & TRANSFERS**

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

General Fund	\$175,605.85
Road & Bridge Fund	257,425.97
Jail Fund	34,436.44
LGEA	836.84
CARES Act	0.00
Litter	808.69
911 Fund	229.01
ABC	4,387.94
Fair Fund	<u>2,280.82</u>
	\$476,011.56

Motion carried unanimously

**RE: PUBLIC COMMENTS**

Judge Brent opened the floor for public comments, and there were none.

**RE: COURT COMMENTS**

There were no additional Court comments.

**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

**S/ Denise Perry**  
**DENISE PERRY**  
**FISCAL COURT CLERK**

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

Date Approved: **September 21, 2021**