

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JULY 20, 2021**

The Henry County Fiscal Court met in Regular Session on July 20, 2021, 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 JUNE 15TH REGULAR MEETING MINUTES

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered by the Court to approve the minutes from the June 15th Regular 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 bushhogging, bushwhacking, and repairing washouts was keeping the crew busy. The rock bill for the month is \$26,000 showing how much has been required to make all the repairs. Mago will begin paving tomorrow with the plan to get New Cut Road, the Pendleton area, and finally the eastern area roads. He complimented Esq. Hartlage for repairing the gate at the fairgrounds.

Road Committee Report - Esq. Beasley

Esq. Beasley stated that the Committee did not meet.

2. Paving Update

Judge Brent explained that Mago Construction was contacted to authorize the go-ahead on all road paving except Orem Lane. The Flex Funds MOU for \$140,000 from the State on Orem Lane has not been received and work cannot begin before it is completed. Hopefully it will be received soon allowing Mago to do that road in September or October.

3. Grader Bid Opening

Judge Brent informed the Court that a proposal was written for the purchase of a used grader with a trade-in of our current one. He opened the sole bid received from Clark Heavy Equipment which was for a 2000 Caterpillar Model 120 grader with 140 horsepower and equipped with a 12-foot blade. The price is \$50,000 after the trade-in.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to approve the purchase of the grader from Clark Heavy Equipment for \$50,000 with the trade-in.

Motion carried unanimously

RE: EMS TAXING DISTRICT REPORT

1. EMS Board Report - Esq. Smith

Esq. Smith reported that the EMS Board met last evening and discussed that the service is going well. New PRN EMTs have been hired, and Amanda Ricketts is going a great job with the books. Surplus items are being disposed of with some things discarded and some put on the .gov site to be sold. The need for a new ambulance is still an issue.

Esq. Bates stated that the new director is Abby Bailey and she will be attending a Court meeting following her vacation. He reiterated the need to purchase a new safe ambulance which would cost approximately \$150,000. If funds can be obtained to purchase a new ambulance now while they are still getting firmly established, the Taxing Board would be on able to institute an on-going 3-year cycle to replace them.

Steve Woods, Vice Chair of the Board, addressed the Court with the request that pandemic relief funds issued to the County be used for the purchase of the ambulance. He stated that collections are just getting established and the Board must repay seed money to Fiscal Court. The discussion continued regarding the allowability of expenditures from those funds which are to be used for infrastructure needs. He feels that the Taxing Board and service are running professionally and the services being provided are very good. There is a 6-month lead time for delivery of an ambulance, and the costs continue to rise.

Judge Brent and members of the Court stated that two-thirds of the funds are already earmarked for sewer construction at Campbellsburg and Pendleton. The language on the ARPA funds specifically identifies sewer, water, and broadband improvements. The consensus was that some of the additional money can be used for an ambulance if a clear answer can be obtained that it would be allowed. The Court does not have \$150,000 in the budget if it were not approved. Additional research will continue and the issue will be on the agenda for the August meeting.

RE: P & Z/SOLID WASTE

1. Update

P & Z Administrator Amanda Ricketts reported that 18 building permits and 16 electrical permits have been issued. The P & Z Commission did not meet in July, and currently has no applications for an August meeting which has a July 26 deadline. They will resume their work on finishing the Comprehensive Plan. The Board of Adjustments met on July 12, 2021, regarding an event venue located on Lacie Road in Turners Station which was not approved. A variance was approved for zero- (0) foot road frontage, and a conditional use permit was approved for a child care facility located on Campbellsburg Road adjacent to the John Deere dealership.

RE: PARKS & FAIRGROUNDS

Travis Buchanan, Parks & Fairgrounds Supervisor, reported that the Parks Department is very busy, and the crew is doing a great job. One mower is down, but should be repaired by the end of the week. The Splash Pad is getting a huge amount of use. Church league softball is playing at Harry Hill twice a week, and fall league sign-ups for soccer and baseball are ready to begin.

The Harvest Showcase will be held at the fairgrounds on July 31. They have been busy with 4 consecutive weeks including 2 weeks each of fair and livestock activities. They have painted the concession stand and have plans to get the announcer's stand soon. Mr. Buchanan stated that he has not received any news on the grant application for the Harry Hill Park improvements.

RE: COURTHOUSE SUPERINTENDENT'S REPORT

Mr. Buchanan informed the Court completion of the work at the courthouse appears to be the end of July or first of August although there are many loose ends left to finish. He will attend the owner's training on Friday to learn all the systems. The schedule is for the move into the building to begin on September 20, and court will probably cease during that time period. Judge Brent noted that the move will take several weeks, and currently a grand opening for the public is planned for the end of October.

RE: ANIMAL SERVICES

1. Director's Report

Director of Animal Services, Dan Flinkfelt, reported that the Animal Shelter has been extremely busy. He expressed his appreciation to Travis Buchanan for his repair of the mower and Kenny Tindle for helping with the vehicles. He prepared an annual report showing \$8,300 received for fines, fees, and cash donations; \$5,000 in food donations; and \$10,000 in grant monies already received for spay/neutering with an additional \$9,000 requested.

2. Committee Report – Esq. Fisher

Esq. Fisher stated that the Committee has not met.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of June: 285 KSP dispatch calls, 153 Sheriff's office calls, 166 citations/criminal summons, 32 criminal arrests, 31 warrant arrests, 217 court processes, 2 juvenile transports, 1 special detail, 55 vehicle inspections, 24 carry conceal licenses, 4 DUI arrests, and 15 drug charge arrests.

RE: EMERGENCY MANAGEMENT DIRECTOR'S MID-YEAR REPORT

A mid-year written report prepared by the new Emergency Management Director, Rick Baker, was presented. Judge Brent stated that he has been extremely pleased with Mr. Baker. He has worked diligently on getting the warning sirens all operational and revising the Operations Plan.

RE: ABC ORDINANCE AMENDMENT – 2ND READING

Ed Nelson, ABC Administrator, reviewed the proposed ABC Ordinance amendment which had its 1st Reading at the June meeting. The proposal would add different categories for retail alcohol sales and align with the Kentucky ABC. These changes identify non-quota type 1 drink licenses and add additional venues for type 2 and 3 licenses. The recommended modifications would add different categories for future needs of the County and make our ordinance parallel with the State ABC revisions.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to approve the 2nd Reading of the ABC Ordinance amendment aligning the categories for retail alcohol sales with Kentucky ABC.

Motion carried on 5-0 vote
(Esq. Smith abstained)

RE: TAX RATE FOR 2021/2022 – 1ST READING

Judge Brent stated that the tax rates for 2020/2021 were set 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. Smith, it is ordered to approve the 1st 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: CLAIMS & TRANSFERS

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered to approve the following claims which include \$32,000 to Clark Heavy Equipment for the purchase of a grader approved at this meeting:

General Fund	\$227,788.61
Road & Bridge Fund	91,094.80
Jail Fund	35,874.44
LGEA	387.79
CARES Act	0.00
Litter	1,078.50
911 Fund	642.08
ABC	21,134.75
Fair Fund	<u>2,413.13</u>
	\$380,414.10

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments.

Robbie Malin of Turners Station addressed the Court expressing his displeasure with the action of the Board of Adjustments regarding his proposed family farm and red barn venue in Lacie. He and others attended the Economic Development Council meeting and remained for the Fiscal Court meeting to state how they felt that he was not given support by its members whose mission it is to promote the County and agribusiness endeavors here. Other citizens cited their support for the application and the business that the Malins have proposed and shared their opinions on the need for local ventures such as this one. The question was raised whether the Chair of the Economic Development Committee should oppose such a venture in a public meeting.

RE: COURT COMMENTS

Deputy Judge/Executive Denise Perry provided an update on the status of the multi-district litigation against manufacturers and dispensers of opioids. Henry County became part of the lawsuits when Fiscal Court passed a resolution in August, 2017, to join other counties and municipalities. It appears that the Purdue Chapter 11 bankruptcy and cases against other various parties are nearing resolution, but nothing has been finalized. Henry County is in line to receive a portion of Kentucky's share when final settlement is reached. The money will be designated for treatment and prevention of opioid addictions.

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: **August 17, 2021**