

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
OCTOBER 19, 2021**

The Henry County Fiscal Court met in Regular Session on October 19, 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 SEPTEMBER 21ST 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 September 21st 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 the bushwhacker is back in operation; blacktopping is finished until the spring; and they continue to ditch, lay culverts, and cold patch. There have been issues with 1 dump truck, and the cost for repair will be \$6,000 to \$7,000; and they have purchased a salt box from state surplus to have ready for winter weather.

2. Road Committee Report - Esq. Beasley

Esq. Beasley stated that the Committee did meet, but there is no report beyond the information shared by Mr. Tindle.

3. 80/20 Bridge Project – Rural Secondary Resolution

Judge Brent stated that the County must adopt a resolution with the Kentucky Transportation Cabinet authorizing the proposed 80/20 bridge project for Long Branch Road. He read the resolution accepting all roads and streets referred to as being part of the County Road System. Judge Brent added that he and staff members have researched companies capable of completing this project and is hopeful that several bids will be submitted.

Upon motion by Esq. Smith and second by Esq. Stanley, it is ordered to authorize Judge Brent to sign the Rural Secondary Program Agreement with the Department of Rural and Municipal Aid for the replacement of the bridge on Long Branch Fork.

Motion carried unanimously

4. Request for Committee to Approve the 80/20 Bridge Bid

Judge Brent explained that the Rural Secondary Program Agreement must be filed with the County Clerk and submitted to the State; however, advertising for bids may be completed prior to this submission. The request for proposals has been completed, and bids are due next Tuesday. He requested that the Court authorize the Road Committee to approve the winning bid to expedite the project.

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered to authorize the Road Committee to open the bids and approve the winning bid for the Long Branch Road Bridge Project.

Motion carried unanimously

5. Approval of Road Department Hires

Judge Brent stated that Supervisor Tindle has recommended the hiring of Jake Noel and Tim Brewer to full-time positions and Jonathan Snider to a part-time one with the Road Department.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to authorize the hiring of Jake Noel and Tim Brewer as full-time employees and Jonathan Snider to a part-time position.

Motion carried unanimously

RE: EMS TAXING DISTRICT REPORT

1. EMS Board Report - Esq. Smith

Esq. Smith reported that the Board met last evening and discussed the difficulty in hiring employees; however, they have been able to cover all shifts. They are continuing the search for an ambulance to purchase. Fiscal Court will have to bid the project and make the purchase. There is an upcoming meeting with Baptist Health LaGrange and the County to discuss finances.

RE: P & Z/SOLID WASTE

1. Update

P & Z Administrator Amanda Ricketts was unable to attend and present an update due to a family illness.

2. Report on Annual Roadside Clean-up

Judge Brent stated that the annual roadside clean-up will be held on the first Saturday in November. Groups have agreed to participate and trash will be picked up from approximately 200 miles of roads on November 6. Based on citizen inquiries, they are trying to find options for fluorescent bulbs and E-scrap on that day also.

3. Text Amendment Pertaining to Alternative Energy Sources – 2nd Reading

Judge Brent stated that the 1st Reading of the text amendment recommended by the Planning and Zoning Commission which requires public utility facilities pertaining to solar, hydro, and wind power capable of operating at an aggregate capacity of 50 kilowatts or more be located in an industrial zone was held at the September meeting.

Esq. Bates stated that this amendment is designed to protect neighbors from merchant operations which can be placed anywhere currently. The Public Service Commission regulates public energy companies, but the regulation of merchant power is different. Planning and Zoning and Fiscal Court will be able to apply stipulations on these operations.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to approve the 2nd Reading of the text amendment pertaining to alternative energy sources.

Motion carried unanimously

RE: PARKS & FAIRGROUNDS

Travis Buchanan, Parks & Fairgrounds Supervisor, reported that fall sports are all winding down within the next 2 weeks. The Buchanan Splash Pad has been partially winterized and the features will be taken down next week. The Trail or Treat will be held this Friday, October 22, from 5-7 p.m. Over 50 groups will be present dispensing treats and a large crowd is expected.

Esq. Smith complimented the Parks & Fairgrounds staff for the condition of the facilities. He has had visitors acknowledge how well cared for the parks are.

RE: COURTHOUSE SUPERINTENDENT'S REPORT

Mr. Buchanan stated that the Courthouse has been open for 3 weeks and things are running smoothly with only minor issues. The new brick sidewalks have been completed, and they are still waiting on the benches for the upstairs circuit courtroom. The grand opening has been pushed back with the date to be announced.

RE: ANIMAL SERVICES

1. Director's Report

Director of Animal Services, Dan Flinkfelt, had a family issue and could not attend. Judge Brent reported that they continue to be busy with animals that were adopted, but are now being surrendered.

Committee Report – Esq. Fisher

The Animal Services Committee did meet and everything seems to be going well. They are still getting bids improvements to the concrete pads at the Shelter.

RE: SHERIFF’S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of September: 353 KSP dispatch calls, 127 Sheriff’s office calls, 119 citations/criminal summons, 44 criminal arrests, 40 warrant arrests, 214 court processes, 1 MIW transport, 45 vehicle inspections, 21 carry conceal licenses, 1 DUI arrest, and 6 drug charge arrests.

RE: SHERIFF’S BUDGET AMENDMENT

Sheriff Perry explained that they have had additional revenues from ARPA funds and increased tax receipts. He requested that the Sheriff’s Budget for FY 2022 be amended to increase expenditures from \$689,251.83 to \$905,205.97.

Upon motion by Esq. Bates and second by Esq. Stanley, it is ordered to amend the Sheriff’s Department budget increasing the expenditures to \$905,205.97.

RE: SPECTRUM BROADBAND GRANT APPLICATION & REQUEST FOR ARPA FUNDS

Judge Brent stated that Ben U’Sellis, Senior Manager of Government Affairs with Charter Communications, met with staff in his office sharing information about broadband services for the County. Federal funds amounting to approximately \$2.8 million have already been expended to run fiber cable to 685 homes in the most rural part of the County; and his company is currently in the process of submitting grants to access ARPA funds to reach 2,400 more households. This opportunity would provide at least 200 Mbps service to homes that currently cannot obtain high-speed service. The funds are part of a \$50 million competitive 50/50 match of Ky. Broadband Deployment Funds. Charter would provide the match, but needs the County to partner on the grant application to support them and the likelihood of receiving the funds. Scoring points for the grant are boosted by the County’s participation.

Upon motion by Esq. Fisher and second by Esq. Stanley, it is ordered to approve the commitment of \$25,000 from ARPA funds to support the Charter Communications application to bring fiber broadband services to approximately 2,400 homes in Henry County through the Ky. Broadband Deployment Fund’s 50/50 match grant.

Motion carried on vote
Yes - Esqs. Bates, Beasley,
Fisher, Smith, and Stanley
No - Esq. Hartlage

RE: CLAIMS & TRANSFERS

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

General Fund	\$232,110.84
Road & Bridge Fund	352,017.81
Jail Fund	53,040.49
LGEA	778.41
CARES Act	0.00
Litter	1,476.57
911 Fund	4,554.54
ABC	5,672.88
Fair Fund	<u>1,135.01</u>
	\$650,786.55

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments.

Hugh McBurney inquired if the issue he had mentioned in September had been addressed. Mr. Tindle responded that it has been looked at and the gravel runoff problem could not be solved without replacing and turning the pipe around and then replacing the concrete. It would be budgeted for and placed on the projects to be completed next year. Judge Brent responded to a question about the operations for EMS and how the funding coordinates between the County and the EMS Taxing District.

Steve Warnersmith expressed his dissatisfaction with the appearance of businesses near his home in District 2. He again requested that Tatum Road be blacktopped at the County's expense. Judge Brent and several magistrates responded to his questions about the County's road operations and ability to mandate how owners maintain their property. He requested a revised list of all gravel roads in the County prioritized by the number of homes served by them.

RE: COURT COMMENTS

There were no additional Court comments.

RE: ADJOURNMENT

Upon motion by Esq. Beasley and second by Esq. Bates, 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: **November 16, 2021**