

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
FEBRUARY 15, 2022**

The Henry County Fiscal Court met in Regular Session on February 15, 2022, 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 Mike Fisher  
Esquire Roger Hartlage  
Esquire Chuck Smith

**RE: PLEDGE OF ALLEGIANCE**

Judge 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. Stanley and County Attorney Harrod.

**RE: APPROVAL OF THE JANUARY 18<sup>TH</sup> 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 January 18<sup>th</sup> 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**

Road Supervisor Kenny Tindle reported that the Road Department had a rough time with the snows. They have used about \$40,000 of salt to this point. One truck axle went out, but has been repaired. The crew has been working on potholes, cutting trees from the roadways due to ice, and bushwhacking when they could. He is trying to rent a hot box to be able to patch roads.

Esq. Hartlage asked for clarification on the status of Lake Jericho Road. Mr. Tindle stated that it is not a County road and they are funded through their rentals. However, the Department pushes snow from the highway to the dam, but does not go further back. Lake Jericho blacktopped the road from the dam to the guard gate a few years ago thus acknowledging their ownership of that portion of the road.

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

Esq. Beasley stated that the Committee did not meet, but have discussed purchasing teeth for the road grader to repair potholes on gravel roads.

#### **3. Flex Funds**

Judge Brent informed the Court that he has just received the documents from the State regarding the Flex Funds. These funds are a set aside part of the allocation of Rural Secondary Funds which can be used for County roadways or returned for State road maintenance. The amount this year is approximately \$139,050.

Upon motion by Esq. Smith and second by Esq. Beasley, it is ordered to accept the 2022-2023 Rural Secondary Program Flex Funds Allocation of approximately \$139,050 for maintenance of County roadways.

Motion carried unanimously

## **RE: EMS TAXING DISTRICT REPORT – ESQ. SMITH**

Esq. Smith reported that the EMS Taxing District Board meets on the third Monday so they have not had a February meeting. He has spoken with the acting director and has the invoice for the purchase of the new ambulance for \$160,127. It should be ready for delivery by February 21. Baptist Health has continued offering extra pay so staffing remains good. They continue to interview for the replacement for the director position.

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

P & Z Administrator Amanda Ricketts reported that 13 building permits and 15 electrical permits have been issued. There is not a P & Z Commission or Board of Adjustments meeting scheduled for February.

## **RE: PARKS & FAIRGROUNDS / COURTHOUSE SUPERINTENDENT'S REPORT**

Travis Buchanan, Supervisor, stated that snow and ice removal around the Courthouse and County buildings and cleaning up limbs throughout the parks has taken a great amount of time. They have waxed floors and been painting at the 4-H Building. Little League and soccer have both had signups and should begin practicing soon for their seasons which begin in mid-April. They will recommence the 4-H Small Engines Class which will be held on 4 Wednesdays in March.

Mr. Buchanan reported the company has finished installing the pews in the courtrooms. All inside construction work at the Courthouse is complete. He has placed a warning sign on the uneven floor upstairs outside the elevator entrance in the Courthouse.

Mr. Buchanan reported that he had gotten a price quote from the local John Deere dealership for a 72-inch mower for \$14,784 with the government discount. Fiscal Court last month approved up to \$12,500 for the purchase. He had previously gotten quotes from 2 out-of-county dealers for comparable Polaris and Scag mowers. In response to questions, he stated that he has been satisfied with the service received from Wayne's Polaris on the currently owned Grasshopper mower. The quoted one is the exact same and would be available in 2 weeks.

Esq. Smith stated that he understands that the John Deere mower is more expensive, but he would like to keep the business in the County.

Upon motion by Esq. Hartlage and second by Esq. Bates, it is ordered to purchase the 72-inch Grasshopper mower from Wayne's Polaris for \$12,500.

Motion carried on vote

Yes - Esqs. Bates, Beasley, Fisher & Hartlage

No - Esq. Smith

## **RE: ANIMAL SERVICES**

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

Director of Animal Services, Dan Flinkfelt, was ill and submitted a written patrol and receipts to the Shelter report to the Court.

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

The Animal Services Committee did not meet.

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

Sheriff Keith Perry reported the following activities for the month of January: 230 KSP dispatch calls, 127 Sheriff's office calls, 64 citations/criminal summons, 19 criminal arrests, 11 warrant arrests, 107 court processes, 42 vehicle inspections, 22 carry conceal licenses, 1 DUI arrest, and 3 drug charge arrests.

### **RE: SHERIFF'S EXCESS FEES FOR 2021**

Sheriff Keith Perry presented a check to Fiscal Court for \$54,320.56 in excess fees for 2021. He stated that in August his office overpaid \$1,978.60 in KLEFPF payments. To avoid a refund from Fiscal Court, the report will show that amount added to the check amount making a total excess fees from his office of \$56,299.16 for 2021.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to accept the Sheriff's 2021 excess fees in the amount of \$56,299.16.

Motion carried unanimously

Sheriff Perry explained to the Court that he had spent \$135,654.98 on radio equipment to upgrade and update the current system which does not work well or in all areas of the County. He received \$129,925.24 in CARES Act funds all of which was used for this project which includes 4 repeaters and other equipment to improve the radio system function.

### **RE: CLERK'S EXCESS FEES FOR 2021**

County Clerk Shanda Archer presented a check to Fiscal Court in the amount of \$283,841.52 in excess fees for 2021 and the 4<sup>th</sup> quarter report for her office.

Upon motion by Esq. Bates and second by Esq. Smith, it is ordered to accept the Clerk's 2021 excess fees in the amount of \$283,841.52 and approve the 4<sup>th</sup> quarter report.

Motion carried unanimously

Judge Brent stated that Fiscal Court funds the health insurance, retirement, workers comp, and other insurance for these County offices. These amounts in excess fees in total will almost cover all those expenses that the Court funds for employees.

### **RE: REQUEST FOR APPROVAL TO APPLY FOR FUNDING FOR VOTING MACHINES**

Clerk Archer explained that Kentucky is allocating \$44,000 to \$46,000 for new voting machines for Henry County this year which will not be adequate for our needs. Accepting these funds

requires that Fiscal Court commit to the purchase, and that they be used in the November general election. There is no statute that we must purchase new equipment, but the handicapped accessible machines that we currently have do not possess the required paper trail capability in the event of a recount. The decision to reduce voting precincts is a major factor in this discussion. The original quote to outfit 14 precincts totals \$219,455. If the

number of polling locations is reduced to 9, the cost is \$161,677 saving \$57,778 on this purchase plus additional funds for staffing. Options for voting now include 3 days of in-person early voting at the Henry County Fairgrounds and mailed ballots. Ms. Archer stated there are some extra funds from the renovation project to her office. If the state offer and these funds were used, only \$104,467 of additional funds would be required to purchase adequate machines for 9 polling places.

Ms. Archer reiterated that the decision to accept the funds must be made now. The Court discussed the timelines for purchasing the machines to have them in operation in November without amending the current budget. Esq. Bates stated that he was told by someone with the State Magisterial Association that there might be additional funds offered as the budget is still being negotiated. Judge Brent stated that the budgeting process for next year begins soon and the funds could be allocated and a check cut on July 1.

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered to accept the offer of funds from the State of Kentucky for voting machines and put the remaining cost in the FY 23 budget.

Motion carried unanimously

## **RE: HEALTH DEPARTMENT BUILDING PURCHASE UPDATE & DISCUSSION**

Sheriff Perry informed the Court that he made the trip to Louisville and met with Mary Katherine James who was the party in question regarding the title to the property being purchased from the Henry County Health Department. County Attorney Virginia Harrod was on the phone during the conversation where Ms. James stated that she has no interest in the property. Assistant County Attorney Dees stated that an affidavit has been sent to her and once it is signed and returned, a clear title can be certified.

Upon motion by Esq. Bates and second by Esq. Fisher, it is ordered to approve the purchase of the current Sheriff's Office from the Henry County Health Department for \$135,000 pending the clear title certification from the County Attorney's Office.

Motion carried unanimously

## **RE: HAZARDOUS MITIGATION RESOLUTION**

Judge Brent explained that the Kentuckiana Regional Planning and Development Agency has facilitated the development of a multi-jurisdictional Hazard Mitigation Plan including Henry County. He read the resolution and recommended the adoption of the it.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to adopt the resolution of the Regional Hazard Mitigation Plan developed by KIPDA.

Motion carried unanimously

## **RE: INDUSTRIAL PARK DEVELOPMENT / LAND OPTION**

Judge Brent informed the Court that he has learned that \$250,000,000 are available statewide for economic development, and that Governor Beshear has directed that the money be put into industrial parks. He feels this might be a great opportunity for Henry County and has a meeting scheduled on March 3 to present a proposal on a property that is already listed with the regional economic development group. There is a 28-acre site that adjoins the Commerce Park in Campbellsburg priced at \$850,000. Esq. Stanley has worked on this and spoken with the owner who is willing to give us an option on the property. Judge Brent is preparing a funding request that includes the purchase price, along with roads and utilities and will request \$1,250,000 for the site. Assistant County Attorney Dees has drafted an 18-month option with the owner to hold the property for \$100. This proposal offers the County the chance to go after these funds and would cost only \$100 if it is not successful.

Upon motion by Esq. Beasley and second by Esq. Smith, it is ordered to adopt the option agreement with Tim Simmons for the purchase of the 28-acre site for \$850,000 for the purpose of applying for the economic development grant with the State.

Motion carried unanimously

## **RE: PERSONNEL / BUDGET COMMITTEE UPDATE**

### **1. Employee COVID-19 Policy**

Esq. Bates, Chair of the Personnel / Budget Committee, explained that last year the Court adopted a policy that offered up to 40 hours of paid leave for employees who experienced COVID. That policy has expired and with the improvement in conditions and the ever-changing CDC guidelines, he recommends that employees who are ill stay home and use their own time.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered to approve the recommendation that employees use their own time when ill and away from the workplace.

Motion carried unanimously

### **2. Set Cost of Living for Elected Officials**

Esq. Bates explained that cost-of-living adjustments for magistrates, the jailer, and the coroner are set by the State of Kentucky. This year that amount is a 7% increase. County employees were given 1.5 to 2% increases, and this would result in higher raises for these individuals. He stated that it would cost \$9,000 and feels it would be unfair.

Upon motion by Esq. Bates and second by Esq. Beasley, it is ordered that Fiscal Court refuse the cost-of-living increases for all other elected officials whose salaries are not set by the State.

Motion carried unanimously

### **3. Policy on Benefits for Sheriff & Deputies Once Retired**

Judge Brent stated that Sheriff Perry is hiring a previously retired officer and taking a part-time position to full-time. Sheriff Perry has funds in his budget for this hire and has agreed to pay any benefits associated with moving this position from part-time to full-time and to replace the position with another retired officer should a vacancy occur.

### **RE: ECONOMIC DEVELOPMENT BOARD UPDATE**

Mike Ray, Chair of the Economic Development Board, addressed the Court and explained that the Board has met for a number of years. It is composed of representatives of the cities, Chamber of Commerce, Fiscal Court, and others. They contact local industries and want to support those already here and maintain a strong relationship in addition to bringing new enterprises. A representative of Congressman Massie's offices informed them that grants are available that will support growth of industry as a whole as well as educational facilities such as vocational schools. There is a huge need for vocational schools for skilled trades. They have discussed the County's Work Ready Status and the needed extension application.

### **RE: SALE OF LAND AT THE INDUSTRIAL PARK**

Judge Brent stated that the remaining 1-acre lot at the Commerce Park is poor quality with woods and a steep drop off. There was a previous offer to purchase it, but the committee appointed to handle this matter declined it. Esq. Stanley contacted Kaveh Zamanian of Rabbit Hole Distillery who is already the largest property owner in the park. He has agreed to purchase the lot for \$25,000.

Upon motion by Esq. Smith and second by Esq. Fisher, it is ordered to accept the offer of Rabbit Hole Distillery to purchase the remaining plot at the Commerce Park for \$25,000.

Motion carried unanimously

### **RE: CLAIMS**

Upon motion by Esq. Bates and second by Esq. Smith, it is ordered to approve the following claims as presented with the addition of \$160,127 for the purchase of a new ambulance from the ARPA account.

General Fund	\$190,435.94
Road & Bridge Fund	70,817.12
Jail Fund	45,885.16
LGEA	1130.80
CARES Act	0.00
Litter	0.00
911 Fund	601.57
ABC	3,790.41
Fair Fund	811.85
ARPA	<u>160,127.00</u>
	\$485,280.64

Motion carried unanimously

**RE: PUBLIC COMMENTS**

Judge Brent opened the floor for public comments.

Jane Ashley Pace addressed the Court and citizens in attendance to let them know that she has returned as the publisher for the *Henry County Local*. She will be hiring a new editor and expressed her pleasure at being back in the County.

**RE: COURT COMMENTS**

Esq. Smith expressed his thanks to Supervisor Tindle and his crew for their work in clearing the roads of snow and fallen trees.

**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 15, 2022**