

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

The Henry County Fiscal Court met in Regular Session on March 15, 2022, 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 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 FEBRUARY 15TH 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 February 15th 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 crew is grading roads, repairing potholes and mailbox pull-offs, ditching, and getting ready for spring. He reminded everyone that campaign signs cannot be placed on the County right-of-way. Some signs have been picked up and are at the County Road Barn where they can be claimed. The signs will be in jeopardy of being run over when mowing begins.

2. Road Committee Report - Esq. Beasley

Esq. Beasley stated that the Committee did not meet, but did discuss the new hires.

3. Approval of New Hires

Supervisor Tindle recommended the hiring of 2 persons to the department. Ira Combs worked for the County approximately 25 years ago and wants to return part-time as an experienced grader operator. Landon Burba who previously worked for the County and left on good terms wishes to return. He will be required to sign a document that he understands that he has 6 months to obtain his CDL.

Upon motion by Esq. Beasley and second by Esq. Fisher, it is ordered to hire Ira Combs part-time and Landon Burba to a full-time position.

Motion carried unanimously

4. HWY 146 Update

Judge Brent stated that the right-of-way has been purchased and half the utilities moved. In 2020 the County received notice that the project would be let in June, but it was not funded. This session it was in the Governor's budget and is currently in both the House and Senate versions. He thanked Rep. Rabourn for her efforts to ensure that it is completed.

Rep. Felicia Rabourn addressed the Court stating that only 11 days remain in the current session with much work left to be done. She hopes that the funds will be available to complete the work as she and Sen. Adrienne Southworth both identified it as their top project for Henry County. She encouraged citizens to contact her regarding this or other matters.

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 their March meeting. Ed Whitaker has been appointed as the director for the County. The new ambulance is at the barn and waiting for radio and stretcher installation. It will be inspected on March 28 and should be ready to roll at that time.

RE: P & Z/SOLID WASTE

P & Z Administrator Amanda Ricketts reported that 8 building permits and 24 electrical permits have been issued. The P & Z Commission did not meet in March, but is scheduled for April 13; and the Board of Adjustments will meet on March 28.

Judge Brent stated that we get calls throughout the year about nuisance issues. He reminded everyone the process to successfully handle these cases takes significant time. He acknowledged Amanda Ricketts, Mike Sawalich, Ed Nelson, and Steve Heffley for their work in handling the issues.

RE: PARKS & FAIRGROUNDS / COURTHOUSE SUPERINTENDENT'S REPORT

Travis Buchanan, Supervisor, reported that the rear restrooms at the Recreational and Services Park have been opened as well as those at Harry Hill Park with no problems to date. The small engines class has begun and will continue 3 more weeks. Soccer is beginning practice this week, and Little League has increased from 15 to 20 teams this year making field availability more challenging. The new mower is in and the others are serviced and ready to roll. A light pole blew down during the storms last week and he is determining what it will cost to replace it.

The final walk-through was held at the Courthouse with the completion of the benches.

RE: ANIMAL SERVICES

1. Director's Report

Director of Animal Services, Dan Flinkfelt, stated that the Animal Shelter has been extremely busy and at full capacity much of the month. They continue to work with rescue groups, but they are full as well. He will conduct a rescue transport this weekend and continues to work on responding to calls and with KSP when a sworn officer is needed. The concrete has been poured to improve the facility, and Travis Buchanan will assist with landscaping. Trimble County has hired a new part-time employee.

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 February: 265 KSP dispatch calls, 142 Sheriff's office calls, 107 citations/criminal summons, 31 criminal arrests, 16 warrant arrests, 116 court processes, 2 special events, 51 vehicle inspections, 18 carry conceal licenses, and 9 drug charge arrests.

Sheriff Perry reported that 96.27 percent of the taxes have been collected to date with a month remaining.

RE: ABC ADMINISTRATOR'S QUARTERLY REPORT

ABC Administrator Ed Nelson reported that all 2nd Quarter fees have been paid. Sales are down for the quarter, but that is normal for off-season. Of the 18 business licenses, 16 are currently selling; and the anticipated application for the 6th package liquor license did not materialize so there remains one available. With the improvement in COVID, Mr. Nelson has been visiting businesses during the last couple of weeks and finding most things in order. He has reminded folks to be sure their STAR Certificates for training are all current and making sure that they continue to operate in compliance.

RE: 2022/23 JAILER'S BUDGET – 1ST READING

Judge Brent presented the proposed Jailer's Budget for 1st Reading. He stated that during the last 2 years housing costs have been down during the pandemic with fewer inmates detained and video conferencing and arraignments. Due to the uncertainty of how these operations will change and the rising cost of gas, he recommends budgeting comparable to 3 years ago. He commended Jailer Southworth on his ability to manage the budget. He replaced a motor on an old sheriff's vehicle instead of purchasing a new car. There is money in this proposed budget to purchase one if it is necessary. He noted that Billy Sanders has retired after serving as jailer and deputy for many years.

Upon motion by Esq. Stanley and second by Esq. Bates, it is ordered to approve the 1st Reading of the Jailer's Budget for 2022/23.

Motion carried unanimously

RE: DETACHED CATALYTIC CONVERTER ORDINANCE – 1ST READING

Esq Hartlage explained that he has recently been contacted by citizens about the theft of catalytic converters which are very costly to replace. He has reworked Louisville Metro's ordinance related to detached ones and is presenting it for a 1st Reading to help with our local problem. Sheriff Perry stated that currently there is no way to address individuals who are in possession of detached catalytic converters. Esq. Hartlage read the ordinance which makes it unlawful to be in the possession of a detached catalytic converter unless certain conditions are met. County Attorney Harrod has reviewed the ordinance and stated that it needs to include a penalty which will be added before the 2nd Reading.

Upon motion by Esq. Bates and second by Esq. Hartlage, it is ordered to approve the 1st Reading of the Possession of a Detached Catalytic Converter Ordinance.

Motion carried unanimously

RE: BOURBON BARREL TAX / LEGISLATIVE UPDATE

Judge Brent stated that there were rumors that the distiller's association have plans to present legislation to eliminate the barrel tax that they are paying on bourbon that is stored for aging. Esq. Bates addressed the Court with an update regarding information that he has been able to attain. The legislation filed is a shell bill that gets the matter out for discussion. He spoke with J. C. Young of the Kentucky Magistrates and Commissioners Association who doesn't believe it will pass this year, but leadership does feel that the tax to county governments is unfair. Esq. Bates expressed concern that taxes would have to be raised if this \$300,000 in revenue was lost.

Rep. Rabourn stated that the legislation is House Bill 674 which was introduced by Rep. Chad McCoy from Nelson County. It is only a half-page long and removes revenue for the 10-12 counties where bourbon is stored. She will continue to monitor the situation since Henry County would lose this vital funding.

Judge Brent read aloud a letter he has drafted to be signed by the Fiscal Court and mailed to each member of the legislature. The correspondence explains the importance of this funding for Henry County and pleads that the revenue that was promised when all the efforts to bring the industry here remain. All magistrates signed the letter which will be mailed this week.

RE: EXECUTIVE SESSION FOR SIMMONS FARM OPTION DISCUSSION

Upon motion by Esq. Stanley and second by Esq. Fisher, it is ordered by the Court to go into Executive Session to discuss the option for purchase of property.

Motion carried unanimously

Upon motion by Esq. Stanley and second by Esq. Smith, it is ordered by the Court to close the Executive Session.

Motion carried unanimously

Upon motion by Esq. Stanley and second by Esq. Smith, it is ordered by the Court to return to the Regular Session.

Motion carried unanimously

RE: SIMMONS FARM PURCHASE OPTION

Upon motion by Esq. Stanley and second by Esq. Smith, it is ordered to authorize Judge Brent and County Attorney Harrod to negotiate the terms for the 18-month option to purchase 28 acres adjacent to the Industrial Park in Campbellsburg.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$197,156.14
Road & Bridge Fund	48,563.48
Jail Fund	41,813.50
LGEA	13,218.07
CARES Act	0.00
Litter	0.00
911 Fund	1,195.09
ABC	3,266.41
Fair Fund	<u>2,835.87</u>
ARPA	\$308,048.56
<u>From:</u> 014909 – General	\$100,000.00
<u>To:</u> 034910 - Jail	\$100,000.00

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments. He responded to questions related to the tangible taxes on the barrels and the property taxes on the land where bourbon is stored and to the plans for resuming Fiscal Court meetings in the renovated Courthouse.

Mike Ray, Chair of the Economic Development Committee, provided an update from their meeting citing a new restaurant in Pleasureville, the reopening of an ice cream shop in Pendleton, an event barn in New Castle, an expansion in the County of a subdivision between Mulberry Pike and HWY 22, and a preliminary plat review for Quail Run. He stated that work is ongoing on the 10-year Comprehensive Plan update with maps for the County and the 5 incorporated cities. They hope to work to build a connection between local businesses and enterprises and employees.

RE: COURT COMMENTS

Esq. Bates stated that he has spoken with Road Supervisor Tindle and they both feel that the County should require random drug testing for all the Road Department employees. The current procedure includes only those with CDL certification. The Road Committee will discuss the proposal with County Attorney Harrod.

Esq. Bates added that he discussed the possible reimbursement for the purchase of voting machines with J. C. Young who feels that the \$125 million in the budget should be funded.

Judge Brent informed the Court that the Campbellsburg Sewer Project should be let this spring after receiving approval from the Division of Water. The \$600,000 will be paid with state appropriated funds, and Carrollton Utilities has stated that it will be completed by the fall.

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
DENISE PERRY
FISCAL COURT CLERK

John L. Brent
JOHN L. BRENT
JUDGE/EXECUTIVE

Date Approved: **April 19, 2022**