

**HENRY COUNTY FISCAL COURT  
REGULAR MEETING  
AUGUST 20, 2024**

The Henry County Fiscal Court met in Regular Session on August 20, 2024, at the Henry County Extension Office in New Castle, Kentucky, due to the construction project at the 4-H Building with the following in attendance:

Scott Bates, Judge/Executive  
Kassidy Dees, County Attorney  
Esquire Brad Fisher  
Esquire Ed Frederick  
Esquire Roger Hartlage  
Esquire Kevin McManis  
Esquire Carl Tingle

**RE: PLEDGE OF ALLEGIANCE**

Judge Bates led the Court in the Pledge of Allegiance to the Flag.

**RE: PRAYER & PREPARATION**

Judge Bates introduced Bro. Mike Sawalich who offered the evening's prayer.

**RE: CALL TO ORDER**

Judge Bates called the meeting to order at 6:08 p.m. He noted that all magistrates were in attendance with the exception of Esq. Danny Shain who was absent due to a family illness.

**RE: APPROVAL OF THE JULY 16, 2024, REGULAR MEETING MINUTES**

Upon motion by Esq. McManis and second by Esq. Tingle, it is ordered to approve the minutes of the July 16, 2024, regular meeting.

Motion carried unanimously

## **RE: UNFINISHED BUSINESS**

There was no unfinished business.

## **RE: NEW BUSINESS**

## **RE: ROADS**

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

Judge Bates stated that he is acting as the Road Department Supervisor. Any calls can be directed to his office. He is working to fill the position, but it takes time. There is currently an emergency repair needed on Mill Creek where a hole in the blacktop has occurred where the pylons were installed. They will be repairing the culvert there tomorrow. They continue to mow and repair some base failures. They have paved one day and will get back as soon as possible. He stated that the promised work in the Pendleton area will be completed this year.

### **2. Road Committee Report**

Esq. Fisher reported that the Committee met and discussed issues with equipment. The tank for the backhoe should be back this week. The cost for the windshield is \$2,500 and we will hold on that. The side window for the tractor is \$2,100 and it must be replaced. Updating of maintenance records still is needed to keep accurate track of all work done on equipment. They now have extra filters and supplies on hand for work. They will get the loader and backhoe ready before snow season.

### **3. KYTC District 5 – Rural Secondary Program Recommendations**

Judge Bates introduced Tom Hall, Planning Section Supervisor, of the Kentucky Transportation Cabinet. He identified the team of DOT employees in attendance at the meeting. Mr. Hall stated that they come seeking local input and concurrence with the Rural Secondary Program recommendations for 2024-2025. He explained that the State road system is composed of 3 types of roadways: primary roads (interstates), state secondary roads (big state roads), and rural secondary roads which are considered connector or farm-to-market roads.

Henry County's total allotment for 2024-2025 is \$1,227,753. From this \$673,000 will be used for maintenance such as needed repairs and snow removal on secondary roads. The County has elected to use \$112,165 for local road projects. With the remaining \$442,588 funds, KY DOT is recommending the resurfacing of 3.871 miles of Franklinton Road from KY 22 to Bullitt Hill Road and 1.909 miles of Smithfield Road from KY 22 to KY 322. Judge Bates read the resolution approving the District 5 projects recommended for 2024-2025 through the Rural Secondary Program.

Upon motion by Esq. Fisher and second by Esq. Tingle, it is ordered to adopt the resolution approving the projects recommended by KYTC for the 2024-2025 Rural Secondary Program for the resurfacing of 3.871 miles of Franklinton Road from KY 22 to Bullitt Hill Road and 1.909 miles of Smithfield Road from KY 22 to KY 322.

Motion carried unanimously

## **RE: PLANNING & ZONING**

### **1. Administrator's Monthly Report**

P & Z/Solid Waste Administrator Jason Stanley reported that 22 electrical and 31 building permits were issued during the last month. The Board of Adjustments will meet at 7 p.m. on September 23, and the P & Z Commission will meet at 7 p.m. on September 11. Both meetings will be held at the Henry County Extension Office due to remodeling work at the 4-H Building.

### **2. Board of Adjustments Appointee**

Judge Bates stated that Steve Woods will begin a term as a new appointee to the Board of Adjustments representing the County after Richard Riddell has stepped down. He added that Mr. Woods expertise and talents made him a great person for this role. Esq. Hartlage inquired about how individuals would know about these opportunities to serve on boards for the County. Jason Stanley stated that any open seats are announced at the meeting and interested persons can attend to learn about them.

Upon motion by Esq. Fisher and second by Esq. Frederick, it is ordered to approve the appointment of Steve Woods to a 4-year term on the Board of Adjustments.

Motion carried unanimously

## **RE: PARKS & FAIRGROUNDS**

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

Parks Director Toby Berry reported that the Parks Department is staying busy with mowing and weed eating. Church league softball and fall sports have started. The VFD box for the Buchanan Splash Pad is in and it has resumed operation following a lightning surge during a storm. It will operate through Monday, September 2. The new fencing system is installed to keep balls from hitting cars. They will begin to paint the buildings and shelters when other work lessens.

## **2. Parks & Fairgrounds Committee Report**

Committee Chair Carl Tingle stated that the Committee met at the fairgrounds with representatives of the groups who use the site. They are looking at tearing down old buildings and upgrading others. Judge Bates added that the lighting improvements this year were provided by a grant obtained by the Lions' Club and another one should be available.

## **3. Permission to Advertise 4-H Building Construction**

Judge Bates stated that the roof has been replaced on the 4-H Building and the ceiling has been torn out. Two individuals have been contacted to offer estimates for the HVAC work. It will be expensive with possible options for installation that will improve air flow. The units there currently are old and there is not a clear plan yet. They will also have electricians look at the lighting options. Insulation will be installed after the other work is completed. Judge Bates requested authorization for the Parks Committee to be allowed to advertise and accept bids for this work to speed up the timetable for completion before election time. The project and funds have been approved, and allowing the Parks Committee to take these steps will keep the work from taking months if each step requires Court action.

Upon motion by Esq. Fisher and second by Esq. Frederick, it is ordered to authorize the Parks & Fairgrounds Committee to advertise for and accept bids for the remaining remodeling work on the 4-H Building.

Motion carried unanimously

## **RE: ANIMAL SERVICES**

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

Danielle Ashcraft presented the July report with 9 adoptions totaling \$1,700, \$200 for rescues, \$100 in reclaim fees, 1 license at \$25, \$230 for citation fines, cash donations of \$25, and \$1,000 in food and supplies for a total of \$3,280. Donations for the fence project have reached \$15,000 which was the goal. Judge Bates congratulated Ms. Ashcraft for her work in raising these funds.

Ms. Ashcraft requested permission to offer a part-time Animal Control employee position to Jordan McGuire. Interviews have been conducted from the persons who applied and she feels that Ms. McGuire is the best candidate.

Upon motion by Esq. Hartlage and second by Esq. McManis, it is ordered to approve the hiring of Jordan McGuire as a part-time Animal Control Officer.

Motion carried unanimously

## **2. Committee Report**

Esq. Hartlage stated that the Committee did not meet.

## **3. Permission to Advertise for Fence Bids**

Judge Bates stated that Henry and Trimble Counties have both agreed to allocate \$15,000 for the fencing project. With the donated funds, there is a total of \$45,000 to do perimeter fencing and create dog running yards. Trimble County has agreed for us to complete the bidding process. Deputy Judge Travis Buchanan read the resolution authorizing the bidding process to build fencing at the Henry/Trimble Animal Shelter.

Upon motion by Esq. Hartlage and second by Esq. Tingle, it is ordered to approve the resolution authorizing the request for proposals to build fencing at the Henry/Trimble Animal Shelter.

Motion carried unanimously

## **RE: ECONOMIC DEVELOPMENT COMMITTEE REPORT**

Esq. Hartlage stated the Economic Development Committee did not meet this month, but the Economic Development Council met prior to the meeting tonight. They went over housekeeping things and the businesses coming into the County. He reminded everyone that it is a public meeting for anyone who wants to attend and usually held prior to the Fiscal Court meeting.

## **RE: HENRY COUNTY WATER DISTRICT BOARD MEMBER APPOINTMENT**

Judge Bates announced that the term of Denise Coombs on the Henry County Water Board Commission has expired. He read the letter from Keith Morris, CEO, recommending that she be reappointed to a 4-year term.

Upon motion by Judge Bates and second by Esq. Fisher, it is ordered to approve the appointment of Denise Coombs to an additional 4-year term beginning today on the Henry County Water District Board.

Esq. Hartlage expressed his opinion that there are qualified individuals in the County who do not know about board openings in which they have talents and interest. He stated that when he became aware of this opening, he drafted a letter to Mr. Morris requesting that a civil engineer who lives in his district, Phillip Gambrell, be appointed. He stated this is an extremely quality individual and feels it is in the best interest of the committee. He added that he will vote against the motion because he feels the process is not proper and more people who come to the County should be allowed on the boards.

Keith Morris responded to a question that the commissioners are paid \$300 per month. The Water District operations are regulated by the Public Service Commission. The members and 4-year terms are posted on their website.

The vote on the motion to approve the appointment of Denise Coombs to an additional 4-year term beginning today on the Henry County Water District Board was taken with the following result:

Motion passed on 3-2 vote  
(Aye: Esqs. Fisher, Frederick,  
& McManis  
No: Esqs. Hartlage & Tingle)

### **RE: HENRY COUNTY EMS TAXING DISTRICT BOARD APPOINTMENT**

Judge Bates announced with the placement of Steve Woods to the Board of Adjustments, there is an opening for his seat on the EMS Taxing District Board. He recommended that Steve Douglas be appointed to a 4-year term.

Upon motion by Esq. Fisher and second by Esq. Frederick, it is ordered to approve the appointment of Steve Douglas to the EMS Taxing District Board for a 4-year term.

Motion carried on 4-0 vote  
(Aye: Esqs. Fisher, Frederick,  
McManis & Tingle  
Abstain: Esq. Hartlage)

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

Sheriff Keith Perry reported the following activities for the month of July: 259 KSP dispatch calls, 109 Sheriff's office calls, 52 citations/criminal summons, 23 criminal arrests, 25 warrant arrests, 98 all court paper service, 2 special events, 65 vehicle inspections, and 9 carry conceal licenses.

### **RE: 2023 PROPERTY TAX SETTLEMENT**

Sheriff Perry presented the Sheriff's Department Settlement for the period ending April 30, 2024. The report shows \$11,515,223.04 due from the Sheriff and \$11,515,223.04 as the total paid by the Sheriff. Franchise tax bills totaled \$1,273,470.26.

Upon motion by Esq. McManis and second by Esq. Hartlage, it is ordered to accept the Sheriff's Department Annual Settlement for the period ending April 30, 2024, in the amount of \$11,515.223.04.

Motion carried unanimously

**RE: 2024 ANNUAL SETTLEMENT**

Judge Bates stated that the Budget Committee met with Treasurer Amanda Ricketts on Monday and reviewed the 2023 Henry County Fiscal Court Settlement. The Committee approved the documentation of funds and it is presented for acceptance by the Fiscal Court.

Upon motion by Esq. Frederick and second by Esq. McManis, it is ordered to accept the Fiscal Court Tax Settlement for FY 2024.

Motion carried unanimously

**RE: ACCEPTANCE OF GARBAGE COLLECTION & DISPOSAL FRANCHISE BID**

Deputy Judge Buchanan informed the Court that 2 bids were received in response to the request for residential solid waste and recycling services. The 2 companies submitting proposals for the franchise were Rumpke and Republic. He cited the proposed monthly contract prices:

	<u>Rumpke</u>	<u>Republic</u>
Solid Waste Collection, Year 1	\$26.50	\$21.50
Solid Waste Collection, Year 2	\$27.56	\$22.58
Solid Waste Collection, Year 3	\$28.66	\$23.71
Solid Waste Collection, Year 4	\$29.81	\$24.90
Additional Trash Cart	\$3.50	\$5 (+5% annual increase)

The Court discussed the differences in the services offered. Rumpke would continue to do manual pickup, and Republic’s service is an automated one which requires that all trash is contained in the cart. The automated pickup can be problematic for areas that are not level and if trash has blown over. There are currently 35-40 households getting backdoor pickup and both companies stated that would be possible. Republic does not offer any recycling services. Rumpke is currently providing 5 recycling bins at the County Road Barn and at each school that are emptied each Monday morning. Judge Bates offered citizens the opportunity to ask a question or make comments.

Upon motion by Esq. Fisher and second by Esq. McManis. it is ordered to accept the bid from for Rumpke for Residential Solid Waste and Recycling and enter into a 4-year contract for their franchise service.

Motion carried unanimously

**RE: 2024-2025 COUNTY TAX RATE**

Judge Bates presented the County tax rates for 2023-2024 and his recommendations for the 2024-2025 year. He stated that the acceptance of the compensating rate would result in lower rates as follows:

	<u>2023-2024</u>	<u>2024-2025</u>
Real Property	10.5%	10.3%
Personal Property	13.1%	10.7%
Motor Vehicles	11.9%	11.9%

If the Fiscal Court chooses this compensating rate, only one reading is required and these rates would become official as of this reading.

Upon motion by Esq. Frederick and second by Esq. Fisher. it is ordered to approve this reading of the 2024-2025 Tax Rates setting them at 10.3% for real property, 10.7% for personal property, and 11.9% for motor vehicles.

Motion carried unanimously

**RE: APPROVAL OF COUNTY ADMINISTRATIVE CODE POLICY**

Judge Bates stated that the Personnel Committee met and revised the Henry County Administrative Code. Esq. Frederick stated that some antiquated language was removed and the threshold for requiring bids was raised from \$10,000 to \$20,000.

Upon motion by Esq. Frederick and second by Esq. McManis. it is ordered to adopt the revised Henry County Administrative Code.

Motion carried unanimously

**RE: ETHICS BOARD APPOINTMENTS**

Judge Bates announced that the Henry County Ethics Board has been established. The citizens who have agreed to serve are Danney Chisholm, Jr., Sein Davis, and Virginia Harrod.

Upon motion by Esq. Fisher and second by Esq. Frederick. it is ordered to approve the Henry County Ethics Board with members Danny Chisholm, Jr., Sein Davis, and Virginia Harrod.

Motion carried unanimously

**RE: SB 90 PRESENTATION**

County Attorney Cassidy Dees introduced Stephanie Reio, Statewide Operations Supervisor, from the KY Administrative Office of the Courts who shared information on the Senate Bill 90 program. Pretrial Services has been operating pilot programs in 11 counties and it has been expanded into Henry since we share court districts. Through the program defendants charged with certain non-violent, non-sexual misdemeanors and Class D felonies are diverted away from jail and into treatment for substance use disorders and mental=health issues. She reviewed the criteria and specific services and protocols. Funding is through current health insurance and the Opioid Abatement Trust Fund.



County Attorney Dees stated that the program began at the beginning of August and already court personnel have already enrolled 3 individuals. She is excited to see it taking off and feels that it will help individuals and families, the court system, and save the County money on jail expenses.

### **RE: CHANGE ORDER APPROVAL FOR ANGEL'S ENVY SEWER PROJECT**

Deputy Judge Travis Buchanan presented a change order presented by Abbie Jones Consulting for work completed on the Angel's Envy Sewer Project due to unforeseen conditions occurring as the original design work was completed in 2021. He explained that some driveways were now paved and additional depths and other adjustments were necessary resulting in \$991,285 in increased costs. There is also an additional \$40,000 to Abbie Jones Consulting for required incurred costs. The cost for this additional expense will be paid by Angel's Envy as was agreed in the MOU. They have provided "seed money" to the County for this type of situation since invoices must be paid and then reimbursements from the grant agencies are processed. Angel's Envy is aware of this change order and have agreed to it.

Upon motion by Esq. Frederick and second by Esq. Fisher. it is ordered to accept the Engineer's recommendation for Change Order 2 to the Angel's Envy Sewer Project in the amounts of \$91,285 for construction and \$40,000 for inspections with Angel's Envy/Louisville Distilling to pay for this change order from the "seed money."

Motion carried unanimously

### **RE: COUNTY PROPERTY DISCUSSION – EMS BUILDING IN CAMPBELLSBURG**

Judge Bates stated that the City of Campbellsburg has asked about the possibility of purchasing the EMS Building that is owned by the County. Court members discussed the fact that the County no longer houses an ambulance in the building, and there appears to be no need to retain it. County Attorney Dees stated that procedure for the County's sale of property including appraisal is cited in statute.

Upon motion by Esq. Fisher and second by Esq. Frederick. it is ordered to proceed with the statutory process for the sale of the EMS Building located in Campbellsburg to the city of Campbellsburg.

Motion carried unanimously

### **RE: CLAIMS & TRANSFERS**

Upon motion by Esq. McManis and second by Esq. Tingle, it is ordered to approve the following claims with the addition of \$40,000 to Abbie Jones Engineering:

General Fund	\$455,148.69
Road & Bridge Fund	348,404.69
Jail Fund	46,889.05
LGEA	17,594.79
Solid Waste	4,575.00
ABC	14,086.93
Fair Fund	3,329.27
E-911	4,708.60
Angel's Envy Sewer Project	<u>147,060.00</u>
<b>Total</b>	<b>\$1,041,797.02</b>

Motion Carried Unanimously

## RE: PUBLIC COMMENTS

Judge Bates opened the floor for public comments.

Judge Bates stated that we have received a list from Spectrum identifying those areas where the service is available. The magistrates have in their materials a color-coded map showing active, in building process, and future build areas. The process is slow due to Spectrum being granted pole access from Kentucky Utilities. We have had a phone conference call with all the players and hope that this helps to speed the process. Steve Woods shared that he started an email campaign with legislators and the companies involved to get things moving. Although millions of dollars have been spent there is no service until the infrastructure is in place.

Amy Charles asked about the status of the KIPDA Comprehensive Plan. She added that appointments would be a good thing for the County to have something in place to have it put on the County's website and posted for transparency and to allow people to be involved.

Joyce Meyer expressed her opinion that vacancies, qualifications, and who to contact for openings be posted. She would like for people to use their talent on committees.

Olivia Herrell was told that the date for Trail or Treat this year is October 18 from 5-7 p.m. The rain date is October 25.

Hugh McBurney inquired about why the EMS Taxing District does not report at Fiscal Court meetings. Judge Bates explained that the Court does not operate the service and none of the other taxing districts report. Any questions or concerns need to be addressed at their respective meetings.

Jakob Beckley spoke on behalf of the Harvest Showcase thanking the Parks Department and Toby Berry for their help. He stated that they appreciated all the County's support. He reminded everyone that it is completely non-profit with no one being charged for any part of the event.

Jennifer Rankin inquired if barrel taxes on stored bourbon are being collected. Deeanne West of the Sheriff's Office stated that they are with their distribution proportional to each taxing entity.

**RE: COURT COMMENTS**

There were no additional Court comments.

**RE: ADJOURNMENT**

Upon motion by Esq. Hartlage and second by Esq. Frederick, 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/ Scott Bates  
**SCOTT BATES**  
**JUDGE/EXECUTIVE**

Date Approved: **September 17, 2024**