

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
JULY 16, 2024**

The Henry County Fiscal Court met in Regular Session on July 16, 2024, at the Henry County 4-H Building in New Castle, Kentucky, 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 Danny Shain
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 offered the evening's prayer. He added his comments about the division and politics within the nation asking that individuals pray for the country and its leaders.

RE: CALL TO ORDER

Judge Bates called the meeting to order at 6:03 p.m. He noted that all magistrates were in attendance.

RE: APPROVAL OF THE JUNE 18, 2024, REGULAR MEETING MINUTES

Upon motion by Esq. Tingle and second by Esq. McManis, it is ordered to approve the minutes of the June 18, 2024, regular meeting.

Motion carried unanimously

RE: UNFINISHED BUSINESS

There was no unfinished business.

RE: NEW BUSINESS

RE: ROADS

1. Director's Monthly Report

Road Supervisor Kenny Tindle stated that they have finished the cleanup begun in the fall at L'Esprit today. Mago will be providing blacktop for patching the next day that it doesn't rain. Complaints about gravel roads have been made, but there is no one to operate the grader right now. The crew will begin digging out the bad spots soon. They hauled approximately 15 loads of dirt and trees from the L'Esprit cleanup.

2. Road Committee Report

Esq. Fisher reported that the Committee met and discussed several things including the amount of equipment that is down at one time that was not reported so repairs could be started. They discussed the possibility of taking bids for mowing the right-of-way once per year since the crew is shorthanded. This option would give the road crew more time to work on roads instead of just bush hogging. County Attorney Dees stated that any such bid would require a detailed resolution that would include information on liability insurance and equipment among other needed details. Attorney Dees will check on the possibility. Court members and staff shared ideas and concerns about the feasibility and the difficulties. There are 280 miles of County roads so the cost would likely be too great.

3. Adoption of County Road

Judge Bates announced that we have received a request from Mark Suna to adopt a new County road in the subdivision he put in past the pavilion in L'Esprit. Road Supervisor Tindle has inspected Kelly Drive and Fannie Way and found all the requirements to become part of the County road system have been met. Kelly Drive is 1,451 feet, and Fannie Way is 928 feet; and they are paved. Judge Bates read the resolution. County Attorney Dees informed the Court that the resolution must be posted for 35 days at the courthouse and at the road location to allow for any appeals. If no appeals are filed within the 35 days, the resolution takes effect at that time.

Upon motion by Esq. Shain and second by Esq. Frederick, it is ordered to adopt the resolution and add Kelly Drive and Fannie Way into the County road system.

Motion carried unanimously

4. Resolution for 80/20 Bridge Project

Judge Bates stated that the paperwork has been submitted again for the 80/20 bridge project on Carpenter Lane that was previously approved. At that time, the State Department of Transportation had expended all their funds for the program for the fiscal year. This project requires the passage of a resolution adopting and approving the execution of an agreement with the Transportation Cabinet. The project cannot begin until all documents are submitted to them. The contractor wants to start on August 5, and he feels the turnaround time will allow for that. Judge Bates read the resolution authorizing the project.

Upon motion by Esq. McManis and second by Esq. Frederick, it is ordered to approve the resolution authorizing the execution of a Rural Secondary Program Agreement between Fiscal Court and the Department of Rural and Municipal Aid for the completion of an 80/20 Program Bridge Project on Carpenter Lane.

Motion carried unanimously

RE: PLANNING & ZONING

1. Administrator's Monthly Report

P & Z/Solid Waste Administrator Jason Stanley reported that 16 electrical and 21 building permits were issued during the last month. The Board of Adjustments will meet at 7 p.m. on July 22 at the 4-H Building. The P & Z Commission will meet at 7 p.m. on August 14 at the Henry County Extension Office due to remodeling work at the 4-H Building.

RE: PARKS & FAIRGROUNDS

1. Director's Monthly Report

Parks Director Toby Berry reported that the Parks Department has been weed eating. Church league softball has begun at Harry Hill. During the last round of storms, the Buchanan Splash Pad was down for a few days after it took a hit causing the loss of the monitor screen and the VFD control box. Travis Buchanan was able to troubleshoot, and the screen has been replaced. He was able to bypass the VFD, and it is currently operating by manual control. It will have to be closed again for the installation of the additional parts when they arrive. They will be focusing on the fairgrounds to get ready for the Harvest Showcase on July 27.

Judge Bates thanked Tommy Wurtsmith and his crew for their work the night before the fair. They agreed to what was expected to be a 20-minute job, but the problem was much worse requiring the lines to all be dug up and replaced. The job lasted from 8:30 a.m. until 12:30 a.m. the next morning. He commended them and Toby Berry for their willingness to get the fairgrounds ready for the fair stating that it is good to have these types of local guys.

RE: ANIMAL SERVICES

1. Director's Monthly Report

Danielle Ashcraft presented her June report with 4 adoptions totaling \$800, \$100 in return-to-owner fees, 1 license at \$25, cash donations of \$200 and food and supplies of \$2,850, for a total of \$4,900. They are working on the fence project and appreciate the support from the community and businesses. To date, they have received \$9,630, and Ms. Ashcraft thanked those who have donated.

2. Committee Report

Esq. Hartlage stated that the Committee did not meet.

RE: ECONOMIC DEVELOPMENT COMMITTEE REPORT

Esq. Hartlage stated the Economic Development Council group met this evening prior to the Court meeting. They discussed what is going on in the different areas, and there continues to be interest in the County. The Pendleton Sewer Project is still moving forward.

Judge Bates added that he had spoken with Rob Campbell at the Water Council meeting last week. He feels that we can get funding to push the project forward and hope to get it started soon. The line placement will need to be shifted, and they continue to work on the details.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of June: 254 KSP dispatch calls, 110 Sheriff's office calls, 47 citations/criminal summons, 17 criminal arrests, 12 warrant arrests, 85 all court paper service, 1 fugitive transport, 1 special event, 56 vehicle inspections, 11 carry conceal licenses, and 3 drug charge arrests.

RE: ASSIGNMENT OF INTEREST FOR EXIT 34 SEWER EXTENSION PROJECT

Judge Bates advised that we were contacted by Carrollton Utilities who need an Assignment of Interest signed by all parties as the Exit 34 Sewer Extension Project is put into service. Both the city of Campbellsburg and Henry County Fiscal Court who received the grant funding need to assign any and all interests to Carrollton Utilities who will operate and maintain the lines, pumps, and appurtenances of the system. Judge Bates read the document which was reviewed by County Attorney Dees.

Upon motion by Esq. Frederick and second by Esq. Tingle, it is ordered to authorize Judge Bates to sign the Assignment of Interest for the Exit 34 Sewer Extension Project to Carrollton Utilities.

Motion carried unanimously

RE: RESOLUTION FOR VOTING BOOTH REIMBURSEMENT

Judge Bates stated that County Clerk Shanda Archer desires to submit an application through the Help America Vote Act (HAVA) – Election Security with the Kentucky State Board of Elections. The HAVA application would be for up to \$8,300 to purchase voter privacy booths. Judge Bates read the resolution authorizing him to submit the application for the project.

Upon motion by Esq. Shain and second by Esq. McManis, it is ordered to approve the resolution authorizing of the filing of the FY 2025 Physical Security, Help America Vote Act application with the Kentucky State Board of Elections for up to \$8,300 for the purchase of voter privacy booths.

Motion carried unanimously

RE: RESOLUTION FOR THE SALE OF A FRANCHISE FOR TRASH COLLECTION

Judge Bates informed the Court that his office has prepared a resolution to specify the bidding process of the franchise for the curbside pickup of trash and debris. The details needed for the potential franchisees are included along with the advertising and bid opening requirements. The bids will be due on August 19, and the results presented at the August Court meeting. County Attorney Dees read the resolution in its entirety. Judge Bates stated that the resolution includes a franchise fee of 8% which is the rate currently in effect. This franchise fee resulted in \$19,712.29 for the quarter.

Upon motion by Esq. Tingle and second by Esq. Shain, it is ordered to approve the resolution authorizing of sale of the franchise for the business of the collection and disposal of garbage, trash, and debris within Henry County.

Motion carried unanimously

Judge Bates announced that the Personnel Committee composed of Esqs. Shain, Frederick, and McManis needs to meet to review the Administrative Code which must be amended during July. There are 2 particular items which need to be reviewed per our auditors. The minimum expenditure bid amount requirement needs to be increased as the state has done, and the requirement for purchase orders needs to be determined so that staff can make small purchases. Esq. Shain will schedule a meeting as soon as possible.

RE: CLAIMS & TRANSFERS

Upon motion by Esq. McManis and second by Esq. Fisher, it is ordered to approve the following claims and transfers:

General Fund	\$805,148.78
Road & Bridge Fund	199,335.82
Jail Fund	32,381.72
LGEA	26,880.94
ABC	5,762.50
Fair Fund	5,175.64
E-911	34,029.90
Angel's Envy Sewer Project	<u>62,343.75</u>
Total	\$1,171,059.05

From: 014909 (Transfer Out General) \$150,000.00
To: 034910 (Transfer In Jail) \$150,000.00

From: 024909 (Transfer Out Road) \$216,400.22
To: 014910 (Transfer In General) \$216,400.22

From: 014909 (Transfer Out General) \$15,450.00
To: 034910 (Transfer In Fair) \$15,450.00

Motion Carried Unanimously

RE: PUBLIC COMMENTS

Judge Bates opened the floor for public comments.

Amy Charles inquired if there was any movement on the Ethics Committee nominations.

Mike Ray stated that KIPDA has information on grants for restoring power for water or sewer districts in the event of emergencies.

Richard Hayes thanked those who have contributed to the picnic for veterans and first responders discussed at the May meeting. There is still time if anyone wishes to donate.

Robb Adams announced to the crowd that he is a candidate for the 47th District House of Representatives seat. He is the current mayor of Carrollton and shared his desire to represent Henry County in the State House.

RE: COURT COMMENTS

Esq. Tingle expressed that he has heard concerns about folks doing fireworks for about 3 weeks to celebrate the 4th of July. The problem is particularly upsetting to pets and military personnel. He asked if we could put any ordinance in place to prevent the prolonged disruption. County Attorney Dees stated that any ordinance would have to be specific and would require the Sheriff's office to enforce it. Sheriff Perry stated that it is difficult since the fireworks have stopped by the time they can respond when called. Attorney Dees stated that this problem could be written into the nuisance ordinance and advised, however, that the penalty for violations is a fine only.

RE: ADJOURNMENT

Upon motion by Esq. Frederick and second by Esq. Shain, 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: **August 20, 2024**