

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
MARCH 19, 2024**

The Henry County Fiscal Court met in Regular Session on March 19, 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 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 introduced Rev. Micah Fitzgerald of Daybreak Baptist Church who offered the evening's prayer.

RE: CALL TO ORDER

Judge Bates called the meeting to order at 6:00 p.m. He noted that all magistrates were in attendance with the exception of Esq. Kevin McManis who was on vacation.

RE: APPROVAL OF THE FEBRUARY 20, 2024, REGULAR MEETING MINUTES

Upon motion by Esq. Frederick and second by Esq. Tingle, it is ordered to approve the minutes of the February 20, 2024, regular meeting.

Motion carried unanimously

RE: UNFINISHED BUSINESS

Judge Bates stated there was no unfinished business.

RE: NEW BUSINESS

RE: ROADS

1. Director's Monthly Report

Road Supervisor Kenny Tindle is ill and unable to attend the meeting. Judge Bates stated that the crew has been busy and is getting issues handled more quickly. The paver has a cylinder being repaired and the roller is almost ready so that paving work can begin next week. The work will continue to try to clear culverts where possible so they do not have to be replaced. Work has been completed on Spann Lane, and St. Estes and Wolfpen will be blacktopped soon from current year budget funds.

2. Road Committee Report

Esq. Fisher reported that the new F550 truck has been picked up and the snow plow is being installed and will be returned in a few days. The Committee discussed equipment repairs, ditching, and the use of the track hoe.

3. Appointment of 2 Viewers for Troutman Hill Y Closure

Judge Bates stated the process for the closure of the Troutman Hill spur is progressing. Esq. Fisher has spoken with 2 individuals who would be willing to serve as the official viewers to determine any hardships associated with the closure. Andrew Sharp and Cody Raisor who live in close proximity have agreed to perform this role. Esq. Fisher stated that he has not heard any concerns. The public hearing will be held at the April Fiscal Court meeting.

4. Resolution for Equipment/Vehicle Purchase

Judge Bates announced that the Road Committee has decided instead of purchasing the dump truck and spending money out of the budget, they are proposing a 4-year lease agreement through KACO with payments made from the Road Fund. Deputy Judge Travis Buchanan read the resolution approving a lease for the financing of a project; providing for the payment and security of the lease; authorizing the executive of various documents related to such lease; and making certain designation regarding such lease.

Upon motion by Esq. Shain and second by Esq. Fisher, it is ordered to approve the resolution authorizing Judge Bates to enter into and execute a 4-year lease agreement with KACO for the purchase of a new dump truck and excavator for the Road Department.

Motion carried unanimously

RE: PLANNING & ZONING

1. Administrator's Monthly Report

P & Z/Solid Waste Administrator Jason Stanley reported that 31 building and 24 electrical permits were issued during the last month. The Board of Adjustments will meet at 7 p.m. at the Henry County Extension Office on March 25, and the P & Z Commission will not meet in April.

Esq. Hartlage inquired about how the permitting process was going after the County contracted with a state building inspector. The consensus is that the permits are being issued much more quickly and efficiently.

RE: PARKS & FAIRGROUNDS

1. Director's Monthly Report

Parks Director Toby Berry reported all restrooms at the parks have been opened and are ready to accommodate all the practices and games starting for football, soccer, and youth league softball and baseball. Base plugs have been set on the new ballfield and the backstop is being installed. The 3rd session of the small engine class will be held on Wednesday.

2. Parks & Fairgrounds Committee Report

Esq. Tingle stated that the Committee did not meet.

RE: ANIMAL SERVICES

1. Director's Monthly Report

Danielle Ashcraft is ill and not in attendance. The report included in the Court materials indicates that during February there were 6 adoptions totaling \$755, and \$975 in donations were received. Calls for the month included the following: 13 nuisances, 6 welfare, 3 bites, and 8 stray reports with 6 after-hours calls. Judge Bates added that he and the Trimble County Judge are working on issues as they arise.

2. Committee Report

Esq. Hartlage stated that the Committee met with the Trimble County committee and it seems that the Shelter is a better place. There are only 14 dogs housed there, and the staff is doing a good job in getting them moved out. The work hours are being managed; and the software, Shelter Love, needed to keep animal records is in the process of being purchased. The citation books are in, and they are looking at the use of credit card payments and options other than cash. The ditch in the back was repaired by the Trimble County Road Department. There is a need for new sally port-type fencing to keep persons from accessing the animals.

3. Animal Control Ordinance – 2nd Reading

Judge Bates announced that the 1st Reading for the Animal Control Ordinance was held at the February meeting. No changes have been suggested to the content reviewed at that time. County Attorney Dees reiterated each section of the ordinance which repeals and replaces Ordinance No. 94-8-1 and establishes a comprehensive county dog licensing and animal control ordinance. Judge Bates thanked the Animal Control Committee and Attorney Dees for all their work in getting this improved and expanded ordinance.

Upon motion by Esq. Fisher and second by Esq. Frederick, it is ordered to approve the 2nd Reading of the Comprehensive County Dog Licensing and Animal Control Ordinance.

Motion carried unanimously

RE: ECONOMIC DEVELOPMENT COMMITTEE REPORT

Esq. Hartlage stated that the Economic Development Committee did not meet this month. The Economic Development Commission met this evening and discussed the housing assessment and Henry County's needs. The new Comprehensive Plan is nearing completion, and he thanked Mike Ray for his work in getting us closer to having it.

RE: ABC QUARTERLY REPORT

ABC Administrator Ed Nelson presented the 2nd Quarter ABC report showing all quarterly fees have been collected. We have 21 approved licenses, and 17 are currently selling alcohol products. Revenue for the 2nd quarter was up \$1,400 over the same period last year. Following a question from Esq. Hartlage, Mr. Nelson responded that to this point over \$800,000 has been added to the County's funds from ABC.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of February: 310 KSP dispatch calls, 116 Sheriff's office calls, 90 citations/criminal summons, 50 criminal arrests, 34 warrant arrests, 132 court processes, 1 fugitive transport, 60 vehicle inspections, 17 carry conceal licenses, 1 DUI arrest, and 4 drug charge arrests.

RE: COUNTY CLERK'S EXCESS FEES REIMBURSEMENT

County Clerk Shanda Archer addressed the Court with information that the excess fees check was presented at the last Fiscal Court meeting, but her office received the bank statements for the end of 2023 in March. They have discovered that the November motor vehicle check for the Eminence Independent School District and the December tax disbursement to the City of New Castle were on the tax ledgers, but were not printed. The County Clerk's office owes EIS \$11,754.46 and the City of New Castle \$1,174.70. Ms. Archer requested a reimbursement from Fiscal Court for the \$12,929.16 from the \$171,288.76 in excess fees for 2023.

Upon motion by Esq. Shain and second by Esq. Frederick, it is ordered to reimburse the County Clerk's Office \$12,929.16 for tax money owed by her office.

Motion carried unanimously

RE: ORDINANCE ESTABLISHING TRANSIENT ROOM TAX – 2ND READING

Fiscal Court Clerk Denise Perry read the introductory statements of the ordinance establishing transient room tax and creation of the Henry County Tourist and Convention Commission for the 2nd Reading which was originally presented at the February meeting. Judge Bates explained that the governance of this tax would be by the Commission formed as part of the ordinance.

Upon motion by Esq. Frederick and second by Esq. Shain, it is ordered to approve the 2nd Reading of the ordinance establishing transient room tax and creation of the Henry County Tourist and Convention Commission.

Motion carried unanimously

RE: ORDINANCE ESTABLISHING SHORT TERM RENTAL PROPERTY PERMIT & LICENSING – 2ND READING

Fiscal Court Clerk Perry read the whereas statements of the ordinance establishing short term rental property, application, permit and licensing for its 2nd Reading.

Upon motion by Esq. Frederick and second by Esq. Tingle, it is ordered to approve the 2nd Reading of the Ordinance Establishing Short Term Rental Property, Application, Permit and Licensing.

Motion carried unanimously

RE: JAILER'S BUDGET PROPOSAL

Judge Bates stated the Fiscal Court must receive the proposed jail budget by April 1. There is a small change and he commended Jailer Scott Southworth on his great job in saving money. This year's proposed budget totals \$606,901 compared to last year when it totaled \$653,675.

Upon motion by Esq. Shain and second by Esq. Frederick, it is ordered to accept the 1st Reading of proposed Henry County Jailer's Budget for FY 2025.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$259,064.23
Road & Bridge Fund	138,837.49
Jail Fund	15,363.42
LGEA	22,543.60
Solid Waste	423.16
E-911	1,753.09
ABC	2,075.34
Fair Fund	<u>1,216.54</u>
Total	\$441,276.87

From: 014909 (Transfer Out General) \$75,000.00
To: 034910 (Transfer In Jail) \$75,000.00

From: 7850501060 (ABC Personnel) \$10,299.96
To: 7892009990 (ABC Reserve for Transfer) \$10,299.96

From: 7892009990 (ABC Reserve for Transfer) \$10,299.96
To: 0192009990 (Gen Reserve for Transfer) \$10,299.96

From: 0192009990 (Reserve for Transfer) \$10,299.96
To: 0150011070 (Fiscal Court Clerk) \$10,299.96

From: 0192009990 (Reserve for Transfer) \$2,467.96
To: 0150012120 (Jdg/Exec Fringe Benft Train) \$2,467.96

From: 0192009990 (Reserve for Transfer) \$2,787.64
To: 0150202100 (Coroner Expense Account) \$2,787.64

From: 0192009990 (Reserve for Transfer) \$1,925.76
To: 0150255390 (Legal Ads) \$1,925.76

From: 0192009990 (Reserve for Transfer) \$5,543.12
To: 0150255690 (Registrations, Conf & Train) \$5,543.12

From: 0192009990 (Reserve for Transfer) \$200.76
To: 0150705390 (P&Z Legal Ads) \$200.76

From: 0192009990 (Reserve for Transfer) \$859.68
To: 0150804110 (Courthouse Operations) \$859.68

From: 0192009990 (Reserve for Transfer) \$1,452.63
To: 0191005310 (Official's Bonds) \$1,452.63

From: 0192009990 (Reserve for Transfer) \$12,903.08
To: 0191005990 (General Misc Expense) \$12,903.08

From: 0292009990 (Reserve for Transfer) \$17,591.00
To: 0261057230 (Vehicle/Equip Purchase) \$17,591.00

From: 7892009990 (Reserve for Transfer) \$266.09
To: 7850504450 (ABC Supplies/Postage/Phone) \$266.09

From: 8092009990 (Reserve for Transfer) \$77.88
To: 8054014110 (Custodial Supplies) \$77.88

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Bates opened the floor for public comments.

Ed Gallrein, candidate for State Senate, addressed the Court and those in attendance introducing himself and explaining his vision for the position.

RE: COURT COMMENTS

There were no additional Court comments.

RE: ADJOURNMENT

Upon motion by Esq. Fisher 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: **April 16, 2024**