

HENRY COUNTY FISCAL COURT
REGULAR MEETING
July 15, 2025

The Henry County Fiscal Court met in Regular Session on July 15, 2025, 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 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.

RE: CALL TO ORDER

Judge Bates called the meeting to order at 6:01 p.m. noting that all magistrates were in attendance except Esq. Ed Frederick.

RE: APPROVAL OF THE JUNE 17, 2025, REGULAR MEETING MINUTES

Upon motion by Esq. McManis and second by Esq. Tingle, it is ordered to approve the minutes of the June 17, 2025, regular meeting.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Director's Monthly Report

Road Supervisor Zach Smith reported that the crew has been busy bush hogging across the County. They have a contractor, Dustin Smith, trying to get caught up with all the areas that need attention and the breakdowns. They have installed a culvert pipe on Banta Fork and a driveway pipe on Orem Lane. They finished bushwhack work on Chilton Lane and will be moving to Bates Lane. They have finished servicing paving equipment and will get the new milling machine prepared and ready for surfacing work.

Esq. Hartlage inquired about the speed limit signs on L'Esprit Parkway because of excessive speeding. Judge Bates requested that Sheriff Perry run extra patrols on the road. He has also spoken with individuals at the church which appears to be primary cause leading to the complaints from the homeowner's association.

2. Road Committee Report

Esq. Fisher stated that the Committee met and the contractor work seems to be very helpful. They would like to hire another full-time worker. Judge Bates stated that a position opening was posted on FaceBook today, and additional notices of the position will be made. Esq. Fisher asked about the possibility of 2 part-time employees to get the paving completed. Judge Bates informed the Committee that there are some applications at the office to be reviewed for possible employment. Esq. Fisher inquired about the possibility of a different hitch system for the new dump truck, and Judge Bates stated that they will determine the best way to equip it for efficient use.

3. Dump Truck Bids

Judge Bates stated that the advertisement for the dump truck will be coming out in the *Henry County Local* tomorrow. He asked that the Court approve the Committee to make the purchase so that it can get it done more quickly. There is \$175,000 in the budget, but he requested that the amount be extended to as much as \$185,000 to be sure they can match the lowest bid. We were previously quoted \$175,000, but it seems best to increase the amount if necessary since funds can be shifted within the budget to make this needed purchase.

Upon motion by Esq. Tingle and second by Esq. Fisher, it is ordered to authorize the Road Committee to make the purchase of the new dump truck at a cost of up to \$185,000.

Motion carried unanimously

RE: PLANNING & ZONING

1. Administrator's Monthly Report

Administrator Jason Stanley reported that during the previous month 24 electrical and 30 building permits were issued. The Board of Adjustments will meet at 6 p.m. on July 28, 2025, at the 4-H Building at 1106 Castle Highway, Eminence. The P & Z Commission is scheduled to meet at 6 p.m. on August 13, 2025, at the Henry County Fairgrounds. Kyle Atchison who is a County representative on the Board of Adjustments is resigning. Contact Judge Bates who is the appointing authority if you have someone you feel would represent the County well on that board. The County has 60 days to make the appointment at which time the Board of Adjustments can appoint the new member.

RE: PARKS & FAIRGROUNDS

1. Director's Monthly Report

Parks Director Toby Berry reported they have been busy with mowing and weeding caused by the heat and rain. The Buchanan Splash Pad is operating well, and Daniel Brown has been trained and can operate it now. The Henry County Fair was held, the co-ed softball league is now playing on Tuesdays, and shelter rentals continue. Youth fall sports will be having sign-ups soon. The Harvest Showcase will be July 26 and will be a focus.

Esq. Tingle asked about the possibility of lighting on Field 1 for games which go into the evening. Deputy Judge Buchanan stated that the softball games can be held on another field, but they have chosen to play on the smaller field. Judge Bates stated that we would have to justify spending \$150,000 to \$200,000 for lighting for the field when there are so many needs for the funds.

RE: ANIMAL SERVICES

1. Director's Monthly Report

Animal Services Director Danielle Ashcraft provided the following report for the month of June: 7 adoptions totaling \$1,300, 1 dog license at \$25, and donations of cash and food/supplies of \$1,384 with a total of \$2,709 in receipts. There were 9 adoptions, 2 rescues, 2 dogs returned to owner, and 7 other dispositions resulting in 21 animals out of the Shelter with 32 remaining in custody. The Community Appreciation Day is scheduled for August 2; and the Trap, Neuter, Return Program for feral cats is beginning. Contact the Animal Shelter for more details. Esq. Tingle informed the Court that there will be a car show on October 4 at Harry Hill Park to raise funds for the Animal Shelter.

RE: FY 2025 BUDGET SETTLEMENT

Judge Bates stated that the Annual Budget Settlement must be approved. Esq. Shain reported that the Budget Committee met and reviewed all the documentation. He informed everyone that it appears to all be in order; and that Amanda Ricketts, Treasurer, is doing a super good job with accounting for all the funds.

Upon motion by Esq. Shain and second by Esq. Fisher, it is ordered to approve the Fiscal Year 2024-2025 Budget Settlement.

Motion carried unanimously

RE: ECONOMIC DEVELOPMENT COMMITTEE

Esq. Hartlage stated that the Committee did not meet.

RE: KIEDA UPDATE

Jessica Moore, Executive Director of the KY I-71 Economic Development Alliance provided an update including the following activities: submitting 4 properties for an RFI for a potential heavy equipment rental company, providing project management for all sites, identifying brown fields opportunities, working with the USDA team for rural development dollars, and assessing potential KPDI funding projects. In August KIEDA will be hosting a GIS training for all the counties. Judge Bates stated that Ms. Moore has already spoken with Dr. Jim Masters regarding the old board of education building and the possibility of turning it into some affordable rental housing for teachers. Although it would take a great amount of work, it would be very beneficial. Ms. Moore added that there are some funds through KIPDA which could be available to do due diligence on projects like that, and she knows some developers who would be interested in this type of project.

RE: SHERIFF'S REPORT

Sheriff Keith Perry reported the following activities for the month of June: 184 KSP dispatch calls, 135 Sheriff's office calls, 62 citations/criminal summons, 27 criminal arrests, 17 warrant arrests, 81 all court paper service, 1 fugitive transport, 2 juvenile transports, 2 MIW transports, 1 special detail/event, 47 vehicle inspections, 13 carry conceal licenses, and 1 DUI charge arrest.

Sheriff Perry thanked the Parks Department for their landscaping at his office. He also provided an update on the new radio system that was begun 3 years ago with COVID money. It is up and running crystal clear with service to all areas in the County. He acknowledged Keith Morris with Henry County Water and the Carroll County Water District for their use of the towers. Judge Bates noted how important this improvement is for the officers and the County.

RE: OPIOID SETTLEMENT PARTICIPATION

Fiscal Court Clerk Denise Perry explained that the latest addition to the national opioid settlement is an agreement with Purdue Pharma and the Sackler Family bankruptcy. The County must decide to participate in the settlement, and the Court needs to give Judge Bates the authority to sign the opt-in documents.

Upon motion by Esq. Shain and second by Esq. Tingle, it is ordered that the County participate in the Purdue Pharma and Sackler Family opioid direct settlements and authorize Judge Bates to sign the required opt-in documents.

Motion carried unanimously

RE: HENRY COUNTY FISCAL COURT 2025-2026 TAX RATE – 1ST READING

Judge Bates stated that the 1st Reading for the new tax rate is to be considered. We received information about rates from the State yesterday. The compensating figure would lower the rate to 10.1 percent, or we could opt for a 4 percent increase which would be 10.5 percent. Anything higher than that could be put to a vote. The Court can choose which way they are leaning and have the 2nd Reading in August, but the 4 percent option would require advertising and the scheduling of a public hearing. The current rate carried forward would be 10.3 percent. The Court discussed the options.

Upon motion by Esq. Tingle and second by Esq. Shain, it is ordered to approve the 1st Reading of the 2025-2026 tax rates with the compensating rate of 10.1 percent.

Motion carried on 3-2 vote

(Aye: Esqs. McManis, Shain &
Tingle

(No: Esq. Fisher & Hartlage)

RE: COMMITTEE MEETING PROCEDURES

Judge Bates stated that the question of open meetings has been considered. He asked County Attorney Dees to address the requirements.

Attorney Dees addressed the Fiscal Court members about the memo and copy of the Open Records Act that was distributed with the meeting materials. There have been questions about why some committees are not meeting regularly or not reporting back to the Court. It has been requested that the committees meet regularly at a posted set date and time. Regularly scheduled meetings do not have to have a set agenda. Should the committee not need to meet, notice can be posted at the meeting location that it will not be held as scheduled.

Judge Bates stated that some committees do not need to meet monthly and could be held quarterly. Special called meetings can only address the items included on the agenda. Regular meetings can address any topic that comes up in the conversation and then report back to the Fiscal Court.

Esq. Fisher stated that the Road Committee will meet monthly as they currently do. Esq. Shain stated that the Budget Committee is scheduled to meet quarterly, and they will hold any special meetings as needed. Esq. Tingle added that the Parks Committee will convene quarterly. Judge Bates requested that the chair of each committee should provide information about the schedule for their respective meetings. There will be an announcement at the August meeting on the committee meeting schedule moving forward.

RE: COUNTY ADMINISTRATIVE CODE UPDATE

Judge Bates stated that the Court members received an updated copy of the County Administrative Code. He asked Fiscal Court Clerk Denise Perry to elaborate on the changes. She stated there were 2 changes. The Court previously approved a change in the sealed bidding procedure requirements to align with the State guidelines and make the process for purchases more efficient. Any purchases over \$40,000 will require sealed bids, and expenditures between \$20,000 and \$40,000 must be approved by the Budget Committee. Based on the agenda item for tonight regarding the committee meetings, the language about committee meetings being scheduled and advertised was added.

Upon motion by Esq. McManis and second by Esq. Tingle, it is ordered to approve updated County Administrative Code.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

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

General Fund	\$561,272.98
Road & Bridge Fund	386,216.49
Jail Fund	52,195.60
LGEA	2,698.77
Solid Waste	3,851.00
E-911	3,385.78
ABC	5,272.82
County Clerk Document Fund	<u>2,373.80</u>
Total	\$1,017,267.24

<u>From:</u> 031000 (General)	\$150,000.00
<u>To:</u> 011000 (Jail)	\$150,000.00

From: 011000 (Road)
To: 021000 (General)

\$230,000.00
\$230,000.00

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Bates opened the floor for public comments.

Doug Daniel addressed the Court stating that he had requested a meeting with Judge Bates and had received no response to date. He cited his concerns regarding the Malins including a comment from Judge Bates quoted in the *Henry County Local*, the multiple notices of violation from Planning & Zoning that the Malins have received, a criminal citation for the Malins having a red kangaroo without the proper permits, and the construction of a building on the Malins' property by Esq. Brad Fisher without a building permit. He requested a meeting with Judge Bates or a written response to his concerns.

County Attorney Dees responded that Mr. Daniel has been sent multiple responses by her office. Litigation is pending in district and circuit courts; and when she has been in attendance Mr. Daniel or other co-signers of the letter have not appeared at those public hearings. All information can be found in public record by request. She will re-send the letter that was sent from her office on behalf of Fiscal Court to Mr. Daniel and the other co-signers of the request. We will not be making any statements while legal matters are pending. No meetings have been denied. The offices are available, but the answer to most of those questions will be that no comments can be made. She stated that the information contained in tonight's comments appears to be skewed. The responses made concerning these requests are based on the County Attorney's office as well as consultation with attorneys that represent Fiscal Court. Mr. Daniel stated that none of the signers of the request have received a letter.

Caroline Cox addressed the Court regarding the concern about the roadway in front of the County annex government building in New Castle being blocked by school traffic. She requested a sign stating 'do not block traffic' be placed by the parking lot in the area. She requested more social media presence for zone changes, probate, and building permits. The siren in Port Royal has still not been done.

Judge Bates responded that he met with Kentucky Utilities and they are supposed to be moving the pole, but it is still not completed and he will follow up on it. Regarding the sign, he responded that the pavement and sidewalk may prevent the installation of a sign. It is a state issue and can be forwarded to Joe Mobley. We continue to work on social media, but it is challenging with staff time.

Amy Charles followed up with her previous requests for getting more information out on social media. Judge Bates stated that we are putting everything required, but will continue to work on it. She countered with the suggestion that it takes only 2 clicks to post items. County Attorney Dees responded that the Attorney General's office has explicit information on what is required by statute, and our County goes above and beyond in that regard by what they do

post. Public meetings are recorded, and everything is open to the public available pursuant to open records. Social media is an added convenience. Ms. Charles stated that she is hearing from more people who do not want to speak at or attend meetings and request that she keep asking. Ms. Charles again stated her desire that appointed positions be announced months prior to their being filled. Judge Bates stated that we have 60 days to make the open position appointment, and it was announced tonight.

RE: COURT COMMENTS

Esq. Shain questioned why hundreds of people request information from Amy Charles, but not the Court. Amy Charles countered with her statement that individuals don't trust our representatives and don't appreciate the responses that they get.

Judge Bates stated that he has spoken with Jailer Jeff Tindle from the Oldham County Jail regarding the implementation of a new medication that they will be implementing with some of their inmates. It is a patch placed behind the ear of candidates hooked on narcotics who want to get off the drugs. The cost is \$5,500, and Oldham County will be trying the treatment which could help with the repeat nature of many of the inmates. We are going to watch their success and may come back to the Court requesting the use of some of the opioid money.

Judge Bates stated that Court members are having difficulty and delays in getting their packets which are mailed. The procedure will now include an email copy to all members on Thursday before the meetings. Paper copies will be available at the office after 1 p.m. on Thursday and at the Court meetings. If anyone is interested in using a Chromebook computer to avoid printing, please contact the office.

Judge Bates announced that the Harvest Showcase is July 26, and he invited everyone to attend the great day for Henry County.

RE: ADJOURNMENT

Upon motion by Esq. Shain and second by Esq. Tingle, 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

The meeting adjourned at 6:56 p.m.

S/ Denise Perry
DENISE PERRY
FISCAL COURT CLERK

S/ Scott Bates
SCOTT BATES
JUDGE/EXECUTIVE

Date Approved: **August 19, 2025**