

**HENRY COUNTY FISCAL COURT
REGULAR MEETING
OCTOBER 20, 2020**

The Henry County Fiscal Court met in Regular Session on October 20, 2020, 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/Executive John L. 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. The meeting was conducted in accordance with social distancing guidelines and with attendees encouraged to wear face masks due to the COVID-19 pandemic.

RE: APPROVAL OF THE SEPTEMBER 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 September 15th Regular Meeting.

Motion carried unanimously

RE: APPROVAL OF THE SEPTEMBER 23RD SPECIAL MEETING MINUTES

Upon motion by Esq. Beasley and second by Esq. Bates, it is ordered by the Court to approve the minutes from the September 23rd Regular Meeting.

Motion carried unanimously

RE: UNFINISHED BUSINESS

Judge Brent explained that the 1st Reading for a budget amendment to increase the County's budget by \$549,029 to accommodate potential CARES Act funds that have been requested was held on September 15. We have received \$145,096.31 which was allocated for the Sheriff's office and the County. Although we are not guaranteed to receive the total amount, this amendment would provide for that possibility.

Upon motion by Esq. Beasley and second by Esq. Smith, it is ordered by the Court to approve the 2nd Reading of the amendment increasing the budget by \$549,029 to allow for the receipt and expenditure of CARES Act funds.

Motion carried unanimously

Megan Wilson, County Treasurer, presented information at the request of the Budget Committee who had discussed expenditures from the CARES Act funds. She explained that the County must have new software to run payroll, accounts payable, and accounts receivable that is integrated and updated. The County needs the capability to operate remotely in the wake of the pandemic. New options that are compatible with Department of Local Government programs will require direct deposit which will further support protocols for social distancing. This change would also require new infrastructure, a firewall, and network. Clint Vaughn of Step CG can provide the switch and network creation; and Knights Technology who works with other county governments can do the computers, interfacing, and setup for a one-time charge of \$10,000. Eagle Software for accounting, accounts payable, accounts receivable, and budget will be purchased, and CenterPoint will be used for payroll operations. The total cost of the project including hardware, software, networking, and Chromebooks would be approximately \$41,000, all of which should be CARES Act reimbursable.

Upon motion by Esq. Bates and second by Esq. Smith, it is ordered by the Court to approve the expenditure of \$41,000 for the purchase of new integrated computer software programs and needed systems to support remote accounting operations.

Motion carried unanimously

RE: NEW BUSINESS

RE: ROADS

1. Supervisor's Report

Road Supervisor Kenny Tindle reported that the blacktopping on Giltner Road, Baugh Lane, and Herron Creek Road has been completed. They continue to do in-house blacktopping and patching and are wrapping up the bush hogging and bush whacking this week. New signs were delivered today which have been approved and permitted by the State through its Wayfinding program. They will be installed directing folks to local attractions.

2. Road Committee Report - Esq. Beasley

Esq. Beasley stated that the Committee had no report.

RE: EMS TAXING DISTRICT REPORT

1. EMS Board Report - Esq. Smith & Esq. Bates

Esq. Bates reported that the Taxing District Board met last night. Amanda Ricketts has been working on the financial side and has all the books balanced with Baptist Health LaGrange.

RE: P & Z/SOLID WASTE

1. Update

P & Z Administrator Amanda Ricketts reported that 16 electrical permits and 29 building permits have been issued during the month. The Planning Commission met on October 14, 2020, and approved an A-1/A-3 to I-1 zone change application for Jericho Farmhouse for manufacturing and distribution of dairy products. The Board of Adjustments will meet on October 26, 20, to review applications for a road frontage variance for an agricultural sell off, a conditional use application for a repair shop on River Road, and an administrative appeal. There will be a meeting with KIPDA this Friday to review the zone maps for the updated Comprehensive Plan.

2. Upcoming Solid Waste Events

Administrator Ricketts stated that the tire amnesty program will be October 29-31 at the Henry County Road Barn on South Property Road. It is available to us only every four years.

The annual Countywide Trash Pick-Up is scheduled for Saturday, November 7. Group leaders who previously participated have been contacted and plans are underway to get all assignments made. The roads have been checked to see which are in the worst condition; however, safety of the students is considered in determining ones that will be appropriate.

3. Updated Nuisance Ordinance – 1st Reading – County Attorney Harrod

County Attorney Virginia Harrod explained that the previous nuisance ordinance was unenforceable in court as a portion of KRS Chapter 68 on which it was based was stricken down at the state level and has been repealed. She determined that it seemed best to redraft the ordinance rather than amend it in a piecemeal manner. Ms. Harrod commended Mike Sawalich for his assistance in researching ordinances from other counties. This ordinance addresses only what Henry County needs and contains sections delineating definitions, standards and procedures, and penalties. She assured the Fiscal Court that provisions allow for individuals to correct any violations prior to prosecution. The ordinance would cover the entire County, but cities would enforce it within their jurisdictions. Criminal prosecution or a lien on the property could result; however, the goal is to abate the source of the nuisance and not interfere with individuals who maintain their properties.

Upon motion by Esq. Hartlage and second by Esq. Stanley, it is ordered by the Court to approve the 1st Reading of the Nuisance Ordinance.

Motion carried on vote

Yes - (Esqs. Fisher, Hartlage, Smith
& Stanley)

No - (Esq. Bates, Beasley)

RE: PARKS & FAIRGROUNDS

Travis Buchanan, Parks & Fairgrounds Supervisor, reported that grass growth has finally slowed. Youth soccer will continue through October and football will conclude in mid-November. The Splash Pad has been winterized and all the features removed except 3 that will be returned to the manufacturer in Canada for paint work. The parks are usually winterized around the first of November, but he will try to extend that based on the weather to accommodate the later football season.

RE: ANIMAL SERVICES

1. Director's Report

Director of Animal Services, Dan Flinkfelt, stated that operations at the Animal Shelter are going well. There have been a total of 69 dogs in the last 6 months under pandemic conditions and all were adopted, placed, or returned to owners. There have been no dogs euthanized during this period. They received a donation of fencing, and he will have a play yard constructed by

Thursday. The Spay and Neuter Grant for last year was awarded and spent, and Henry and Trimble Counties should be receiving \$10,000 for 2020.

2. Committee Report – Esq. Fisher

Esq. Fisher reported that the Animal Services Committee did not meet. He commended Mr. Flinkfelt for the great job he is doing in caring for the animals and in procuring the grants and donations.

RE: SHERIFF'S MONTHLY REPORT

Sheriff Keith Perry reported the following activities for the month of September: 151 KSP dispatch calls, 83 Sheriff's office calls, 87 citations/criminal summons, 34 criminal arrests, 9 warrant arrests, 145 all papers served, 1 fugitive transport, 4 special events/details, 61 vehicle inspections, 28 carry conceal licenses, 6 DUI arrests, and 18 drug charge arrests.

RE: ANGEL'S ENVY / KIPDA / FISCAL COURT GRANT PARTICIPATION

Judge Brent introduced Kyle Henderson of Angel's Envy who shared that the company was formed in downtown Louisville in 2010 by his grandfather and father. It is now a subsidiary of Bacardi and has grown by 40 percent annually since its inception. He presented information regarding the current status of the Angel's Envy operations in Henry County and the plans for additional growth on their property. The first 22,500 rickhouse will be at capacity next week, and construction on the second 45,000-barrel palletized warehouse will be completed within days. Foundation work has begun on a third rickhouse.

The Louisville location is too small to support the current growth, and the plan is to begin bottling and production here with a desire to expand to distilling operations by approximately 2027. Angel's Envy reports that their current plans would amount to \$130 million invested in Henry County. The projected project cost is \$60 million. When bottling operations are begun, the facility would employ an estimated workforce of 57 full-time employees whose annual salaries would range from \$66,000 to \$103,000. An additional 23 jobs would be added when the distillery opens. The company also uses local businesses to supply their security, housekeeping, and landscaping requirements.

In order to accommodate the company's plans, infrastructure needs must be addressed. For Phase I, sanitary sewers and electrical upgrades will be required. Carrollton Utilities appears to be the only option for sewers providing secondary treatment. The cost to connect to the existing line in Campbellsburg is around \$2 million, and the electrical upgrade would run \$1 million. For Phase II operations, Henry County Water District can supply the demand, and the natural gas needs are currently being evaluated.

Danielle Story of KIPDA offered a funding strategy to raise the requisite dollars for the planned expansion of Angel’s Envy in Henry County. She recommends a combination of grant applications and a loan to cover the costs. A low-interest loan through the Kentucky Infrastructure Authority can be sought. Henry County Fiscal Court and Carrollton Utilities can apply for funds through the Economic Development Administration (EDA) grant for up to \$1.5 million; and HCFC can apply for a Community Development Block Grant (CDBG) for up to \$600,000. KIPDA will oversee the efforts to obtain these funds and complete the necessary applications and leg work. Ms. Story explained that these grant opportunities are tied directly to the jobs and economic impact that Angel’s Envy will have on our area.

The request before the Fiscal Court is to agree to be a co-applicant for the EDA Grant and sole applicant for the CDBG Grant. No County funds are included in this plan. The funding sources will have criteria for Angel’s Envy requiring them to hire lower income workers, and federal hiring and wage restrictions will be in effect. Mr. Henderson reiterated his company’s commitment to the County and its citizens.

Upon motion by Esq. Smith and second by Esq. Stanley, it is ordered by the Court to authorize the Fiscal Court’s application for a Community Development Block Grant and co-application with Carrollton Utilities for an Economic Development Administration Grant to fund infrastructure improvements to support the expansion of the Angel’s Envy operations in Henry County.

Motion carried unanimously

RE: CLAIMS & TRANSFERS

Upon motion by Esq. Beasley and second by Esq. Stanley, it is ordered to approve the following claims with the addition of \$103,221.06 in CARES Act funding for the Sheriff’s Office:

General Fund	\$237,905.46
Road & Bridge Fund	203,592.25
Jail Fund	37,573.29
LGEA	2,137.07
Litter	45.00
911 Fund	1,390.02
ABC	5,260.66
Fair Fund	<u>1,093.33</u>
Total Expenditures	\$488,997.08

Motion carried unanimously

RE: PUBLIC COMMENTS

Judge Brent opened the floor for public comments. Richard Vonnahme of Herron Creek Road expressed his thanks to Kenny Tindle for his professional and helpful work on the project. Mr. Tindle thanked Mr. Vonnahme for his generous donation to blacktop the road.

RE: COURT COMMENTS

There were no additional court comments.

RE: ADJOURNMENT

Upon motion by Esq. Smith and second by Esq. Stanley, 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/ John L. Brent
JOHN L. BRENT
JUDGE/EXECUTIVE

Date Approved: **November 17, 2020**