

HENDERSON COUNTY FISCAL COURT—MINUTE & ORDER BOOK

Records of Minutes of Regular Meeting 03/08 20 22

Fiscal Court convened for a Regular Meeting at the Courthouse, Henderson, KY, on Tuesday, March 8, 2022 at 9:30 a.m., County Judge/Executive Brad Schneider presiding.

Call To Order

County Judge/Executive Brad Schneider called the meeting to order.

Invocation

The invocation was given by Rev. Kenny Kidd of Hyland Baptist Church

Pledge Of Allegiance

Judge/Executive Schneider led the Pledge of Allegiance.

Roll Call

Magistrate Berry	Present
Magistrate McCollom	Present
Magistrate Moran	Present
Magistrate Puttman	Present
Magistrate Southard	Present

Minutes February 22, 2022 Regular & February 24 Special Fiscal Court Meeting

Magistrate Berry made a motion to approve the February 22 regular meeting and the February 24 Special Fiscal Court meeting minutes as submitted. Magistrate McCollom seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

Judge's Scholars – Mary Ellen Whitfield – Spottsville Elementary School

A proclamation was read and presented to Mary Ellen Whitfield who was named Spottsville Elementary School's Judge's Scholar for this year.

Joint Resolution Opposing HB 214 – Judge Schneider

A joint resolution with the City of Henderson was read to oppose HB 214 which could eliminate a District Court Judge in Henderson.

JOINT RESOLUTION NO. 07-22

JOINT RESOLUTION OPPOSING PASSAGE OF HOUSE BILL 214 AMENDING KRS 23A.020 TO ELIMINATE HENDERSON DISTRICT COURT, DIVISION 2 (51ST JUDICIAL DISTRICT) AND ITS NEGATIVE IMPACT ON THE CITIZENS OF THE CITY OF HENDERSON AND HENDERSON COUNTY AND THE LONG TERM NEGATIVE ECONOMIC IMPACT

WHEREAS, dense traffic already passing through Henderson County via I-69 and U.S. Highway 41 is expected to significantly increase with completion of the new I-69 segment through Henderson County and the Ohio River Crossing bridge into Indiana; and

WHEREAS, increased traffic enforcement will put additional strain on caseloads of both Henderson District Court divisions, and the burden would be compounded should it all fall to a single division to manage; and

WHEREAS, our community is on the verge of expanding as new economic development partner Pratt Industries will bring at least 320 new jobs to Henderson along with new residents and their domestic problems, and other industrial prospects have been inspired to consider locating in our vibrant community; and

WHEREAS, the General Assembly is considering House Bill 214, which would eliminate one division of District Court in the 51st Judicial District, and is simultaneously considering other bills, including Senate Bill 31, which would put more deadlines and burdens on the District Court; and

WHEREAS, there is a steadily increasing docket of Casey's law cases as the public becomes educated to the process, along with growing District Court dockets for guardianship and probate cases as the aging of the generation has stretched the workload for District Court; and

WHEREAS, Justice Palmore's words about District Court still ring true today: "It is our most important court, for the simple reason more people come before it, more people see it and hear about it, and more people know what it is. From the very beginning I have believed that the performance of this court — these judges— would be the key to the public's judgment of the whole system as a whole." Eliminating a division of Henderson District Court (51st District) will harm meaningful access to justice, as this would severely reduce efficiency and timeliness in a court that so many citizens rely on for access to justice; and

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WHEREAS, the City of Henderson and Henderson County Fiscal Court oppose the passage of House Bill 214, in that it will delay justice for the citizens for the City and County of Henderson and will cause a serious and long-term detriment to the health, safety and welfare of our citizens and our businesses.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, and Henderson County Fiscal Court, that the City of Henderson and Henderson County Fiscal Court oppose the passage of House Bill 214 amending KRS 23a.020 to eliminate Henderson District Court, Division 2 (51st Judicial District) and its negative impact on the citizens of the City of Henderson and Henderson County and the long term negative economic impact.

On reading of the foregoing Resolution, it was moved by Magistrate McCollom, seconded by Magistrate Berry that the above Resolution be adopted. Resolution was passed unanimously and subscribed below by all of the members of the Henderson County Fiscal Court.

Keith Berry
Keith Berry, Magistrate, District No. 1

Beth Moran
Beth Moran, Magistrate, District No. 2

Tim Southard
Tim Southard, Magistrate, District No. 3

Butch Puttman
Butch Puttman, Magistrate, District No. 4

Charles McCollom
Charles McCollom, Magistrate District No. 5

APPROVED by the Henderson Fiscal Court at its regular meeting on March 08, 2022.

ATTEST:
Kurt Wiesen
Kurt Wiesen
Fiscal Court Clerk

Brad Schneider
Brad Schneider
County Judge-Executive

On motion of Commissioner Staton, seconded by Commissioner Thomas, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: AYE Commissioner Pruitt: ABSENT
Commissioner Thomas: AYE Mayor Austin: AYE
Commissioner Vowels: AYE

WHEREUPON, Mayor Austin declared the Resolution adopted, affixed his signature and the date thereto and ordered that the same be recorded.

ATTEST:
Marcie Collins
Marcie Collins, CKMC, City Clerk

Steve Austin
Steve Austin, Mayor

Date: March 8, 2022

APPROVED AS TO FORM AND LEGALITY THIS 2ND DAY OF MARCH 2022.

By: Steve Gold
Steve Gold, County Attorney

Dawn S. Kelsey
Dawn S. Kelsey, City Attorney

2022 CDBG WARM Grant Binding Agreement - GRADD

A motion was made Magistrate McCollom to allow the Judge to sign the binding agreement along with other required documents for this year's WARM CDBG. Motion was seconded by Magistrate Berry. County Attorney Steve Gold added that the forms had been reviewed as to form and legality. A voice vote was held and all voted in favor.

Bid Opening – Road Department Material Bids for Bituminous Concrete – Bill Hubiak

Bill opened the three sealed bids that were received. Bids were received from J. H. Rudolph, Rogers Group and E & B Services

Bill would like to take the bids under advisement and return with his recommendations at the next Fiscal Court meeting. The court agreed.

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Bid Opening – B. F. Overfield Bridge Structure– Bill Hubiak

Bill Hubiak opened the only sealed bid that was received for supplying the bridge structure. A bid of \$82,741.00 (including delivery to the site) was received from E & H Bridge & Grating, Inc.

Bill would like to take the bid under advisement and return with his recommendations at the next Fiscal Court meeting. The court agreed.

Bid Opening – B. F. Overfield Bridge Removal & Installation – Bill Hubiak

Bill Hubiak opened the following sealed bids that had been received
 M & G Services LLC - \$89,000
 Hazex Construction - \$69,973
 Double A Services - \$76,000.

Bill would like to take the bids under advisement and return with his recommendations at the next Fiscal Court meeting. The court agreed.

Road Department Personnel – County Engineer Bill Hubiak

Bill requested the court's permission to officially hire Marcus McGuire as a CDL driver at a pay rate of \$17.50 per hour increasing to \$18.50 after a 90 day probation period. A motion was made by Magistrate Southard, seconded by Magistrate Berry to approve the hire and rate of pay. A voice vote was held; all voted in favor. Bill also said that he will be retiring at the end of June. Nick Stallings is being recommended by Bill and also Judge Schneider to become the County Engineer at a starting annual salary of \$95,000. He would begin employment on April 4. Magistrate Puttman made the motion to approve the hiring and salary of Nick Stallings. Magistrate Southard seconded the motion. A few details concerning his benefits package will still need to be worked out concerning vacation time. A voice vote was held and all voted in favor.

County Attorney Report: - Steve Gold

County Attorney Steve Gold presented a report of payments dated March 8, 2022.

Magistrate Puttman made a motion to accept the County Attorney's payments into the record. Magistrate McCollom seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

REPORT OF PAYMENTS FROM HENDERSON COUNTY ATTORNEY

March 8, 2022		
	TODAY'S TOTAL	FY TOTAL TO PRESENT DATE
I. FEDERAL LOCAL MATCH -CHILD SUPPORT		
COUNTY BUDGET EMPLOYEES		
SALARIES, FICA & RETIREMENT		39,636.85
LIFE INSURANCE		83.14
HEALTH INSURANCE		2,701.56
UTILITIES, INTERNET & CLEANING		
II. STATE CSE REIMBURSEMENT		
SALARIES, FICA & RETIREMENT		
Child Support County Budget Employees		19,246.27
DENTAL & LIFE INSURANCE		
CA Budget Employees		2,907.47
Child Support County Budget Employees		42.02
HEALTH INSURANCE		
CA Budget Employees		41,792.00
Child Support County Budget Employees		
III. MISCELLANEOUS REIMBURSEMENT		
AFLAC		
CA Budget Employees		947.98
HRA		
CA Budget Employees		
SUPPLEMENT TO ASST CA'S SAL FROM CITY		3,666.64
JAIL FEES COLLECTED		1,998.06
INTEREST	113.42	1,443.38
	22.69	
FUNDS IN CHECK COLLECTION ACCT FY 20-21		3,181.63
TOTAL REMITTED TO COUNTY	136.11	117,647.00

Budget Amendment – 1st Reading – Treasurer Brenda Rider

This will place unanticipated receipts into the current year budget.

Magistrate Puttman made a motion to approve the budget amendment. Magistrate McCollom seconded the motion. A voice vote was held. All voted in favor and the motion was approved.

Fund Transfers – Brenda Rider

Treasurer Brenda Rider reported the transfers were to redistributing appropriations within the current year budget.

Magistrate McCollom made a motion to approve the transfers. Magistrate Puttman seconded the motion. A voice vote was held. All voted in favor and the motion was approved.

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Ordinance #22-001

Amendment ##2

AN ORDINANCE RELATING TO THE ANNUAL BUDGET AND AMENDMENT THEREOF:

Whereas the County of Henderson has realized unbudgeted receipts from Road Fund, State Grants,

Be it ordained by the Fiscal Court of County of the Henderson, Commonwealth of Kentucky:

Section One: The budget for fiscal year 2021-2022 is amended to:

A. Increase the receipts of the Road Fund, State Grants, (s)

by \$349290 to include unbudgeted receipts from:

Account Code	Description Amount	
02 - 4507	Road Fund - Federal Flood Control Receipts	\$227,190.00
02 - 4514	Road Fund - Transportation Cabinet	\$120,000.00
06 - 4731	State Grants - Miscellaneous Revenues	\$2,100.00

B. Increase expenditure account(s)

Account Code	Description Amount	
02 - 6105 - 312	Road Fund - Road Maintenance - Contracted Construction - Bridges	\$200,000.00
02 - 6105 - 409	Road Fund - Road Maintenance - Crushed Stone and Gravel	\$147,190.00
06 - 5205 - 384	State Grants - Dog Control - Spay and Neuter	\$2,100.00
- - *	- - *	\$0.00

Section Two: The amounts adjusting the receipt and expenditure accounts in Section One are for Governmental purposes.

Approved by the Fiscal Court of Henderson County, Kentucky, this day, the 7 day of March, 2022.

Signed [Signature]
County Judge/Executive

Approved as to form and classification this ___ day of _____, 20__.

Signed _____
State Local Finance Officer

This budget ordinance amendment was duly adopted by the Fiscal Court of _____ County, Kentucky, this day, the ___ day of _____, 20__.

Signed _____
County Judge/Executive

Return one copy to the State Local Finance Officer within fifteen days of adoption.

HENDERSON COUNTY FISCAL COURT							
BUDGET APPROPRIATION TRANSFERS							
Tuesday, March 8, 2022							
Appropriation Number	Appropriation Name	Budgeted Amount	Expenses thru 3/7/2022	Balance Prior to Transfer	Transfer Amount	Balance After Transfer	Reasoning
GENERAL							
01-5015-314	Sheriff - Grants	\$0.00	\$0.00	\$0.00	\$8,000.00	\$8,000.00	For partial part to Penyrile Narcotic
01-5015-179	Bailiff-Salaries	\$334,700.00	\$210,093.98	\$124,606.02	(\$8,000.00)	\$118,606.02	Task Force - FY 21-22 contribution
01-5020-204	Coroner's - Life Insurance	\$200.00	\$163.84	\$36.16	\$45.00	\$81.16	Redistribute appropriation
01-5020-445	Coroner-Supplies & Expenses	\$10,000.00	\$6,091.76	\$3,908.24	(\$45.00)	\$3,923.24	for remaining FY expense
01-5020-205	Coroner - Health Insurance	\$0.00	(\$596.00)	(\$596.00)	\$4,780.00	\$4,185.00	Eligible employee has begun
01-9200-999	Contingent Appropriations	\$551,158.00	\$198,300.00	\$352,858.00	(\$4,780.00)	\$348,078.00	participating in health insurance
01-5081-411	Judicial Ctr. Bldg. Maintenance Supplies	\$16,000.00	\$14,867.48	\$1,132.52	\$10,000.00	\$11,132.52	Redistribute appropriation
01-5081-570	Judicial Ctr. Renewals & Repairs	\$120,000.00	\$52,681.68	\$67,318.32	(\$10,000.00)	\$57,318.32	for future expenses
Road							
02-6103-573	County Engineer - Telephone	\$1,000.00	\$940.74	\$59.26	\$800.00	\$859.26	Redistribute appropriation
02-6105-573	Road - Telephone	\$10,000.00	\$1,907.91	\$8,092.09	(\$800.00)	\$7,292.09	for future expenses
Cash Transfer							
	From Grants fund to Jail fund				\$18,910.00		To correct 2/18/2022 EFT TN - US Marshal Housing
Brad Schneider, Judge Executive		Date		Brenda Duncan-Rider, Treasurer		Date 3-5-2022	

Claims – Brenda Rider

Treasurer Brenda Rider presented the following claims for approval:

General Fund: \$512.71 VISA (Judge & staff training)
 \$6,000.00 Pennyrile Narcotics Task Force (Sheriff's grants appropriations)
 \$500.00 Paducah Chamber of Commerce (advertising)
 \$590.00 KMCA (Conference fees)
 \$4,679.08 Butch Puttman (training incentives)
 \$4,679.08 Tim Southard (training incentives)

Road Fund: \$771.56 Cummings Sales & Service (Generator inspections & services)

Jail Fund: \$1,173.50 Advanced Document Solutions (copier charges)
 \$1,548.98 U. S. Bank (office supplies, equipment repairs)

Magistrate McCollom made a motion to approve the claims. Magistrate Moran seconded the motion. A voice vote was held. All voted in favor and the motion was approved.

Old Business:


Judge Schneider reported that Angela Comer and Steve Gold are working on making the changes to the personnel policy that were discussed in the last special called meeting. The Admin Code and Personnel Policy should be ready to present to the Fiscal Court shortly.

Good of the County

Andrew Powell – PVA – wanted to make the court aware of HB 260 which could affect the way big box store are valued. Passage of this bill will benefit the county and allow the valuation of these stores more accurately

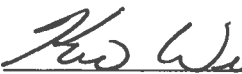
Judge Schneider – a group he mentored recently graduated from Henderson Leadership Initiative had a project to create a Juneteenth celebration here in Henderson. They are working with the Henderson Human Rights Commission to organize. The group would like a donation of \$2,500 from each the city and the county to help with expenses. Magistrate McCollom said that at this point he did not feel comfortable to approve county funding. Judge Schneider said he would bring this up at a later date once more information on the celebration is available.

There being no further business to come before the court, Magistrate Puttman made a motion to adjourn. Seconded by Magistrate Moran.



 Brad Schneider
 County Judge Executive

ATTEST:



 Kurt Wiesen
 Fiscal Court Clerk