

**HENDERSON COUNTY FISCAL COURT—MINUTE & ORDER BOOK**Records of Minutes of Regular Meeting 05/23 20 23

Court convened for a Regular Meeting at the Courthouse, Henderson, KY, on Tuesday, May 23, 2023 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**

Reverend David Clifford of Henderson Christian Church gave the invocation

**Pledge Of Allegiance**

Judge/Executive Schneider led the Pledge of Allegiance.

**Roll Call**

Magistrate Berry	Present
Magistrate Tompkins	Present
Magistrate Starks	Present
Magistrate Puttman	Present
Magistrate Southard	Present

**Minutes May 9, 2023**

Magistrate Puttman made a motion to approve the May 9, 2023 Fiscal Court minutes as submitted. Magistrate Southard seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Tourist Commission & Friends of Audubon Presentation – Abby Dixon, Andy Rideout**

Abby & Andy presented plans for a convention center to be built at Audubon State Park. The state will be making grants available next fall for the state parks and the general feeling is that this may be a worthy project of receiving grant funds. Part of the planning stage and also to enhance the grant application is for a feasibility study be completed. Henderson Economic Development, Friends of Audubon and the Chamber of Commerce are all contributing towards completing the study. They would like both the city and the county to provide \$15,000 each towards the cost of the study.

Magistrate Puttman made a motion for the country to provide \$15,000 to the Tourist Commission for funding the study with the stipulation that the city must also approve the same. Magistrate Starks seconded the motion. A voice vote was held with all voting in favor Motion carried.

**Salvation Army Presentation – Major Stephen Story, Roy Pullum**

Major Story outlined the services the Salvation Army is currently providing and has provided the Henderson community. Because of several operational issues, they are running short of operation funding. The donations from the kettle campaign were down significantly this past Christmas season. With this decrease of revenue, he comes to the court today to respectfully request \$10,000 to aid their current operational needs. Judge Schneider pointed out the Salvation Army is not regularly funded by the court and since COVID their needs have constantly risen. He would like to recommend the court approve the \$10,000 donation. Magistrate Puttman added that he serves on the board for the Salvation Army and another problem they currently face is their box truck, which is used for the resale store, is out of commission. This limits the ability of being able to pick up donated item for resale, which again affects their income.

Magistrate Southard made a motion to donate \$10,000 to the Salvation Army to aid with their operational costs. Magistrate Tompkins seconded the motion. A voice vote was held with Magistrates Southard, Tompkins and Betty voting in favor. Judge Schneider also voted in favor. Magistrates Puttman and Starks both abstained due to serving on the Salvation Army Board. Motion carried.

**Appointment Board of Assessment Appeals – Judge Schneider**

Judge Schneider explained that because of resignation of Lennie Underwood and Richard Curby there are two positions to fill on the Board of Assessment Appeals this year. One appointment is his and one appointment is the Fiscal Courts. He is appointing Teena Weiland to fill the remainder of Lennie Underwood's term on the board. He would like to recommend to the court that Howard Moran be appointed to fill the remainder of Richard Curby's term.

Magistrate Starks made a motion to appoint Howard Moran to the Board of Assessment Appeals. Magistrate Berry seconded the motion. A voice vote was held with all voting in favor.

**Resolution #23-15 – Detention Center Video Arraignment Equipment Grant**

ADOPTION OF A RESOLUTION OF THE HENDERSON COUNTY FISCAL COURT AUTHORIZING THE FILING OF A KENTUCKY HOUSE BILL (HB) 1 JAIL ARRAIGNMENT EQUIPMENT GRANT APPLICATION FOR UP TO \$42,275.00 IN HB 1 PROJECT FUNDS WITH THE DEPARTMENT FOR LOCAL GOVERNMENT (DLG); AUTHORIZING AND DIRECTING THE HENDERSON COUNTY JUDGE/EXECUTIVE TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY DLG TO CARRY OUT THIS PROJECT; AND AUTHORIZING THE JUDGE/EXECUTIVE TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.

The Judge explained this is a no match grant and Department for Local Government will reimburse funds expended.

Magistrate Puttman made a motion to accept the resolution as read. Magistrate Tompkins seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Resolution #23-16 – Detention Center Commissary Vendor Contract**

**RESOLUTION AUTHORIZING HENDERSON COUNTY JAILER TO EXECUTE AGREEMENT WITH KELLWELL COMMISSARY, LLC FOR JAIL COMMISSARY SERVICES**

County Attorney Steve Gold stated the contract has been approved as to form and legality.

Magistrate Southard made a motion to accept the resolution as read. Magistrate Berry seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Resolution #23-17 – Detention Center Health Care Contract**

**RESOLUTION AUTHORIZING HENDERSON COUNTY JAILER TO EXECUTE AGREEMENT WITH WEST KENTUCKY CORRECTIONAL HEALTHCARE II, LLC FOR JAIL HEALTHCARE SERVICES**

County Attorney Steve Gold stated the contract has been approved as to form and legality.

Magistrate Puttman made a motion to accept the resolution as read. Magistrate Southard seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Resolution #23-18 – Detention Center Food Services Contract**

**RESOLUTION AUTHORIZING HENDERSON COUNTY JAILER TO EXECUTE AGREEMENT WITH KELLWELL FOOD MANAGEMENT, INC. FOR JAIL FOOD SERVICES**

County Attorney Steve Gold stated the contract has been approved as to form and legality.

Magistrate Southard made a motion to accept the resolution as read. Magistrate Berry seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Resolution #23-19 – Detention Center Inmate Tablets, Telephone, and Video Visitation, Contract**

**RESOLUTION AUTHORIZING COUNTY JAILER TO EXECUTE AGREEMENT WITH VIAPATH TECHNOLOGIES FOR PROVISION OF TELEPHONE, VIDEO VISITATION, AND INMATE TABLETS AT THE HENDERSON DETENTION CENTER**

County Attorney Steve Gold stated the contract has been approved as to form and legality.

Magistrate Tompkins made a motion to accept the resolution as read. Magistrate Puttman seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

**Magisterial Reapportionment Committee Compensation Rates – Judge Schneider**

Judge Schneider explain that due to an oversight, when the appointments were made during the last court meeting a compensation rate was not set. He would like to set a compensation rate of \$590 for each member and a \$200 allotment for Chris Raymer to complete GIS mapping.

Magistrate Tompkins made a motion to set the compensation rate as stated above. Magistrate Southard seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

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## Bid Recommendation – Hatchett Mill Bridge Replacement Installation – County Engineer Nick Stallings

Nick has reviewed the bids received. The bids far exceeded the planned project estimates so Nick would like to revise the bids specs and rebid the project.

Bid received were: Hazex - \$299,214.64 & Scott & Murphy - \$263,880

Magistrate Tompkins made a motion for Nick to rebid the project. Magistrate Southard seconded the motion. A voice vote was held with all voting in favor. Motion carried.

## Bid Request – County Engineer Nick Stalling

Nick asked the court's permission to advertise for bids for a Tandem Dump Truck. The current build time for a new truck is 14 – 16 months, so this would be purchased budgeted for in FY-25

Magistrate Berry made a motion to advertise for bids. Magistrate Southard seconded the motion. A voice vote was held with all voting in favor. Motion carried.

## Animal Control Reports – Humane Society President Kendra Strawn.

Kendra presented the monthly reports to the court. She thanked County Attorney Steve Gold for holding a class for the Animal Control Officers to better educate them on the laws and the process. She thank the Road Department crews for helping to clean up brush and old trees at the shelter. She said there is currently a surplus in the budget and this is for the purchase of a new work truck. The current vehicle is about 8 years old. Judge Schneider asked County Attorney Steve Gold if the county has a contract for Animal Control, would the vehicle purchase fall under the county procurement guidelines. This will have to further looked intor. The Judge asked Kendra to make sure and stress to the Animal Control Officers the importance of customer service when performing their duties. Magistrate Puttman brought up the problem reported to him about a pit bull always running loose in Braxton Park. Kendra said they were familiar with the situation and have spoken to the owner repeatedly. The officers have been trying to catch the dog when it is loose but to no avail.

## County Sheriff's Monthly Report - Sheriff Chip Stauffer

Sheriff Stauffer presented the monthly reports.

Magistrate Puttman made a motion to accept the Sheriff's monthly report into the record. Magistrate Berry seconded the motion. A voice vote was held, all approved, motion carried.

## County Clerk's Report – County Clerk Renesa Abner

Renesa presented the monthly reports and turned a check over to the court for \$92,316.04 in excess fees for a total of \$141,460.30 remitted to the county this month.

Magistrate Puttman made a motion to accept the County Clerk's monthly report into the record. Magistrate Southard seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

## County Attorney's Report - County Attorney Steve Gold

Steve presented a report of payments dated May 23, 2023 and turned over \$9,972.12 in various checks to the court.

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

## LGEA Public Hearing

Magistrate Puttman made a motion to go into public hearing. Magistrate Berry seconded the motion. Everyone voted in favor.

Treasurer Brenda Rider reported that in fiscal year 2023 the anticipated revenues under the LGEA fund are a total of \$739,878. These funds will be used for general health, sanitation, public safety, and social services. The main sources of revenue are Mineral Severance Tax: \$311,500 Waste Hauling Franchise Fees: \$115,000 & General Fund Transfers: \$294,977.30. Appropriations will include volunteer fire departments, 911 communication center, landfill, Canoe Creek maintenance, Humane Society, senior citizens programs, Boys & Girls Club, Human Rights, Shelter for Woman & Children and Henderson Music Preservation/ WC Handy. . Judge Schneider asked if there was anyone who had comments for or against the county's use of

these funds. No one commented. Magistrate Berry made a motion to go out of the public hearing and back into the regular meeting. Magistrate Tompkins seconded the motion. Everyone voted in favor.

#### **County Road Aid Public Hearing**

Magistrate Southard made a motion to go into public hearing. Magistrate Berry seconded the motion. Everyone voted in favor.

Treasurer Rider stated Henderson County anticipates the receipt of County Road Aid funds to be approximately \$1,430,373. These funds are primarily funded by state motor fuel taxes and are designated for construction, reconstruction and maintenance of county roads. Ms. Rider advised approximately 60% will be received in August of 2023; 30-35% will be received in January of 2024 with the remainder received in July 2024. Other sources of county road funds are from truck license distributions from the state and fund transfers from the general fund to the road fund approximately \$3,508,169.70 for FY-24. Judge Schneider asked if anyone had any public comments regarding the County Road Aid. No one commented. Magistrate Puttman made a motion to go out of public hearing and return to the regular meeting. Magistrate Tompkins seconded the motion. Everyone voted in favor.

#### **2023/2024 Fiscal Year Budget – First Reading**

County Treasurer Brenda Rider presented the proposed 2023/2024 Fiscal Year Budget for \$33,913,189.35. She broke the total budget down by department.

General Fund:	\$10,574,487.03
Road Fund:	\$5,525,756.70
Jail Fund:	\$8,663,300.58
LGEA Fund:	\$739,878.00
State Grants Fund:	\$1,240,700.00
Federal Grants Fund:	\$0
Economic Development:	\$110,000.00
Clerk SB 135/Permanent Storage	\$21,000.00
Health Insurance:	\$2,163,768.00
Opioid Settlement Fund	\$31,328.00
American Rescue Plan Act:	\$4,842,971.04

Magistrate Puttman made the motion to approve the first reading of the 2023/2024 budget. Magistrate Southard seconded the motion. Upon role call the vote stood:

#### **Roll Call**

Magistrate Berry	Aye
Magistrate Starks	Aye
Magistrate Tompkins	Aye
Magistrate Puttman	Aye
Magistrate Southard	Aye
Judge Schneider	Aye

Treasurer Rider explained the Annual Standing Orders which pre-approve monthly expenses for Payroll, Utilities, Grants, Phones, Employee Health Insurance (premiums & claims).

Magistrate Tompkins made the motion to approve the Standing Orders. Magistrate Southard seconded the motion. A voice vote was held. All voted in favor and the motion carried.

#### **Budget Amendment - Ord #23-05 Amendment #8 – 2<sup>nd</sup> Reading – Treasurer Brenda Rider**

This will amend into the budget additional receipts into the General Fund.

Magistrate Puttman made a motion to approve the budget amendment. Magistrate Starks seconded the motion. All present voted in favor and the motion carried.

#### **Fund Transfers – Treasurer Brenda Rider**

Treasurer Brenda Rider reported the transfers are to redistribute appropriations within the budget for this fiscal year.

Magistrate Puttman made a motion to approve the transfers. Magistrate Tompkins seconded the motion. A voice vote was held with all present voting in favor. The motion carried.

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## Claims – Treasurer Brenda Rider

Treasurer Brenda Rider presented the monthly claims and the bank balances after the claims are paid. She also presented the following additional claims for payment:

General Fund:   \$3,040.00 HHO Carbon Clean Systems (Carbon cleaning Sheriff's vehicles)  
                       \$50,000.00 Axon (Tasers & accessories for Sheriff's Office)  
                       \$1,293.00 Business Equipment (Sheriff's office supplies)  
                       \$1,600.00 KCCA (Clerk's conference registrations)

Jail Fund:           \$612.60 Republic Services (Waste management)

Magistrate Puttman made a motion to pay the claims. Magistrate Berry seconded the motion. A voice vote was held. All present voted in favor and the motion was approved.

## Old Business

There was an error made on the Planning Commission reappointment made at the last Fiscal Court Meeting. The correct name for reappointment is Kevin Richard and not David Williams.

Magistrate Starks made a motion to reflect the correction, seconded by Magistrate Tompkins. All voted in favor and motion carried.

## Good of the County

**County Engineer Nick Stallings** – reported that the haul road crossings are just about completed.

**County Attorney Steve Gold** – reported the Child Support Office would be moving to their new location on Klutey Park Plaza next week.

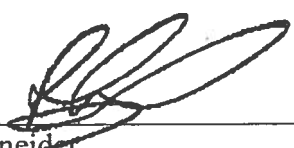
**Judge Schneider** - would like to discuss at the next Fiscal Court meeting, the request from Boys & Girls Club for funding.

## Executive Session


Judge Schneider asked for a motion to go into an Executive Session per KRS 61.810(1)(g), discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal was needed. Motion was made by Magistrate Southard, seconded by Magistrate Tompkins. A voice vote was held all voted in favor.

After approximately 40 minutes Magistrate Tompkins made a motion to return to the regular court session. Magistrate Berry seconded the motion. A voice vote was held and all voted in favor of returning to the regular session.

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

  
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 Brad Schneider  
 County Judge Executive

ATTEST:

  
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 Kurt Wiesen  
 Fiscal Court Clerk