

HENDERSON COUNTY FISCAL COURT—MINUTE & ORDER BOOK

Regular

10/26

21

Records of Minutes of _____ Meeting _____ 20 _____

Court convened for a Regular Meeting at the Courthouse, Henderson, KY, on Tuesday, October 26, 2021 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 Reverend Charles Johnson

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 October 12, 2021 Regular meeting

Magistrate Moran made a motion to approve the October 12, 2021 fiscal court minutes as submitted. Magistrate Berry seconded the motion. A voice vote was held. All present voted in favor and the motion carried.

County Advocate Award – KACo – Jim Henderson – KACo Executive Director & Shellie Hampton – KACo Director of Government Affairs

On behalf of KACo Jim Henderson presented the County Advocate Award to Senator Robbie Mills for all the strong support he has shown the counties and their issues in the state Senate this past year. Senator Mills thanked KACo for the award and their strong advocacy for the counties and also to the county officials for their willingness to serve.

Judge's Scholars – Zaylen Sanners – Bend Gate Elementary School

A proclamation was read and presented to Zaylen Sanners who was named the Bend Gate Elementary School Judge's Scholar.

Ordinance- Chapter 112 - Curfew – 2nd Reading

COMMONWEALTH OF KENTUCKY COUNTY OF HENDERSON

ORDINANCE NUMBER 21-09

*** **

ORDINANCE AMENDING §112 OF THE HENDERSON COUNTY CODE OF ORDINANCES WITH REGARD TO CURFEWS FOR MINORS

WHEREAS, the Fiscal Court held a special meeting on August 16, 2021 to review its ordinances and determine necessary changes; and,

WHEREAS, during said special meeting, the Fiscal Court discussed changes to Chapter 112 of the Henderson County Code of Ordinances regarding Curfews; and,

WHEREAS, the Fiscal Court has determined it necessary to amend Chapter 112 to update the regulation of regarding curfew for minors and to provide harmony between the ordinances of the City of Henderson and Henderson County.

NOW, THEREFORE, BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, as follows:

- Chapter 112 is hereby repealed in its entirety and shall be replaced as follows:
 - § 112-1 Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) Minor. Any person under the age of eighteen (18), or, as may be otherwise phrased, any person of the age of seventeen (17) or under;

(2) Parent. Any person having legal custody of a minor: (a) as a natural or adoptive parent, (b) as a legal guardian, (c) as a person who stands "in loco parentis" or a "person exercising custodial control" as that term is defined in the Kentucky Unified Juvenile Code, or (d) as a person whom legal custody has been given by order of court;

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(3) Remain. To stay behind, to tarry, or to linger upon or in any public place;

(4) Allow. Either permit or neglect to prevent. It requires actual or constructive knowledge on the part of the parent or guardian, that is, the parent or guardian must actually know about the minor violating this article, or the circumstances must be such that a reasonably prudent parent or guardian should have known that the minor was violating this article;

(5) Emergency. Means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, or automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life;

(6) Public place. Means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, alleyways and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, shops, stores, restaurants, and other similar commercial establishments.

B. §112-2 Hours of curfew: exceptions.

(1) It shall be unlawful for any person under the age of eighteen (18) to be or remain in or upon any public place in the county between the hours of 1:00 a.m. and 5:00 a.m. during any day of the week.

(2) It shall be unlawful for any parent or guardian having legal custody of a minor to allow such minor to be or remain in or upon a public place in the county under circumstances not constituting an exception as enumerated in section (3) during the time periods contained in subsection (1) above.

(3) In the following exceptional cases a minor in or upon a public place in the county during the nocturnal hours provided for in subsection (1) shall not be considered in violation of this article:

(a) When the minor is accompanied by his or her parent or guardian;

(b) When accompanied by an adult authorized by a parent or guardian of such minor;

(c) When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly;

(d) When in the case of reasonable necessity but only after such minor's parent or guardian has communicated to the Sheriff's Department the facts establishing such reasonable necessity;

(e) When the minor is on the sidewalk of the place where such minor resides, or on the sidewalk of the minor's next-door neighbor who has not communicated an objection to a law enforcement officer or the Sheriff's Department;

(f) When attending an official school, religious, or other recreational activity supervised by adults and sponsored by the county, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the county, a civic organization, or another similar entity that takes responsibility for the minor;

(g) When authorized by regulation issued by the County Judge Executive in cases of reasonable necessity involving more minors than may reasonably be dealt with on an individual basis. Such regulation should be issued sufficiently in advance to permit publicity through news media and through other agencies such as the schools. The regulation shall define the activity, the scope of the use of the public place permitted, and the period of time involved not to extend more than one hour beyond the time for termination of the activity, and the reason for finding that such regulation is reasonably necessary. The County Judge Executive shall notify the sheriff's department of said information;

(h) When engaged in a business or occupation which the laws of Kentucky authorize a person under eighteen (18) years of age to perform;

(i) When the minor, with parental consent, is in a motor vehicle with a lawfully authorized driver;

(j) When the minor, who is a duly authorized and licensed driver, is operating a motor vehicle within the county for the purpose of passing through, by direct route, from one location to another either within or out of the county, including all minors that may also be within the vehicle;

(k) When involved in an emergency;

(l) When the minor is a married person.

C. §112-3 Citation; penalty.

(1) A law enforcement officer upon finding or being notified of any minor in or upon a public place whose parent or guardian is believed to be in violation of this article may stop and question such minor and request such information as his or her name and age and the name and address of his or her parent, guardian, or person having legal custody.

(2) If the law enforcement officer determines or has reasonable cause to believe that a curfew violation has occurred, the law enforcement officer may obtain from the minor the information necessary to issue a citation to the minor's parent, guardian, or person having legal custody and then either take the minor to his or her home or direct the minor to proceed immediately to his or her home.

D. §112-4 Penalty.

Any parent, guardian, or person having legal custody who shall allow a minor to violate §112-2 shall be guilty of a violation and shall be subject to a fine of up to fifty dollars (\$50.00) for the first offense, up to one hundred dollars (\$100.00) for the second offense, and up to two hundred fifty dollars (\$250.00) for all subsequent offenses.

- 2. All or parts of Ordinances in conflict herein are repealed to the extent of such conflict.
- 3. This Ordinance shall become effective immediately upon passage and advertisement according to law.

On first reading of the foregoing Ordinance, it was moved by Magistrate Puttman, seconded by Magistrate McCollom, that the Ordinance be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its first reading and ordered that the same be published in summary form and presented for second reading on October 26, 2021, at the regular meeting of Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate McCollom, seconded by Magistrate Puttman, that the Ordinance be adopted.

WHEREUPON, the vote was called.


Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its second reading, affixed his signature and the date thereto and declared that the same be recorded.

ADOPTED this the 26th day of October, 2021.

ATTEST:


 Kurt Wiesen
 Henderson Fiscal Court Clerk


 Brad Schneider
 Henderson County Judge-Executive

Ordinance- Chapter 122 – Drugs & Drug Products – 2nd Reading

COMMONWEALTH OF KENTUCKY
COUNTY OF HENDERSON

ORDINANCE NUMBER 21-10

*** **

ORDINANCE AMENDING §122 OF THE HENDERSON COUNTY CODE OF ORDINANCES WITH REGARD TO DRUGS AND DRUG PRODUCTS

WHEREAS, the Fiscal Court held a special meeting on August 16, 2021 to review its ordinances and determine necessary changes; and,

WHEREAS, during said special meeting, the Fiscal Court discussed changes to Chapter 122 of the Henderson County Code of Ordinances regarding Drugs and Drug Products; and,

WHEREAS, the Fiscal Court has determined that Chapter 122 of the Henderson County Code of Ordinances with regard to Drugs and Drug Products can be repealed because state law has now adequately regulated these substances.

NOW, THEREFORE, BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, as follows:

- 1. Chapter 122 regarding Drugs and Drug Products is hereby repealed in its entirety.
- 2. All or parts of Ordinances in conflict herein are repealed to the extent of such conflict.
- 3. This Ordinance shall become effective immediately upon passage and advertisement according to law.

On first reading of the foregoing Ordinance, it was moved by Magistrate McCollom, seconded by Magistrate Berry, that the Ordinance be adopted on its first reading.

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WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its first reading and ordered that the same be published in summary form and presented for second reading on October 26, 2021, at the regular meeting of Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate McCollom, seconded by Magistrate Puttman, that the Ordinance be adopted.

WHEREUPON, the vote was called.


Upon roll call the vote stood:


Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its second reading, affixed his signature and the date thereto and declared that the same be recorded.

ADOPTED this the 26th day of October, 2021.

ATTEST:


 Kurt Wiesen
 Henderson Fiscal Court Clerk


 Brad Schneider
 Henderson County Judge-Executive

Ordinance- Chapter 182 – Parks & Recreation Areas – 2nd Reading

COMMONWEALTH OF KENTUCKY
COUNTY OF HENDERSON

ORDINANCE NUMBER 21-11

*** **

ORDINANCE AMENDING §182 OF THE HENDERSON COUNTY CODE OF ORDINANCES WITH REGARD TO REPEAL OF PARKS AND RECREATION BOARD

WHEREAS, the Fiscal Court held a special meeting on September 13, 2021 to review its ordinances and determine necessary changes; and,

WHEREAS, during said special meeting, the Fiscal Court discussed changes to Chapter 182 of the Henderson County Code of Ordinances regarding the lack of necessity of the Parks and Recreation Board; and,

WHEREAS, the Fiscal Court has determined it necessary to amend Chapter 182 to repeal the Parks and Recreation Board.

NOW, THEREFORE, BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, as follows:

- Chapter 182, Article II, of the Henderson County Code of Ordinances is hereby repealed in its entirety. §182-1 and §182-2 shall remain in force and are unaffected by this ordinance.
- All ordinances or parts of ordinances in conflict herein are repealed to the extent of such conflict.
- This ordinance shall become effective immediately upon passage and advertisement according to law.

On first reading of the foregoing Ordinance, it was moved by Magistrate Southard, seconded by Magistrate Moran, that the Ordinance be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its first reading and ordered that the same be published in summary form and presented for second reading on October 26, 2021, at the regular meeting of Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate McCollom, seconded by Magistrate Berry, that the Ordinance be adopted.

WHEREUPON, the vote was called.

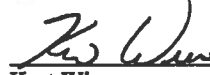
Upon roll call the vote stood:


Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its second reading, affixed his signature and the date thereto and declared that the same be recorded.

ADOPTED this the 26th day of October, 2021.

ATTEST:


 Kurt Wiesen
 Henderson Fiscal Court Clerk


 Brad Schneider
 Henderson County Judge-Executive

Ordinance- Chapter 205 – Sewers – 2nd Reading

Due to the length of the changes to this ordinance the clerk read the synopsis to the court.

COMMONWEALTH OF KENTUCKY
COUNTY OF HENDERSON

ORDINANCE NUMBER #21-12

*** **

ORDINANCE AMENDING §205 OF THE HENDERSON COUNTY CODE OF ORDINANCES WITH REGARD TO SEWERS, INCLUDING INSTALLATION OF WATER METERS; PROHIBITIONS OF CROSS-CONNECTIONS; INSTALLATION OF BACKFLOW PREVENTION DEVICES; REQUIRING NEW PREMISES TO PROVIDE CONNECTION WHERE SEWER SERVICE AVAILABLE; REQUIRING CHECK VALVES FOR PRIVATE SEWERS CONNECTIG WITH SYSTEM; ESTABLISHING CHARGES AND DEPOSITS; ESTABLISHING CHARGES OUTSIDE THE CITY LIMITS; ESTABLISHING PENALTIES; CREATING SEWER USE REGULATIONS THAT REGULATE THE USE OF PUBLIC SEWERS; ESTABLISHING INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES; PROVIDING FOR THE MONITORING OF DISCHARGES; REGULATING PRIVATE WASTEWATER DISPOSAL AND BUILDING SEWERS AND CONNECTIONS TO SANITARY SEWERS; ESTABLISHING POLLUTANT DISCHARGE LIMITS; PROVIDING FOR PRETREATMENT PROGRAM ADMINISTRATION INCLUDING FEES AND POWERS AND AUTHORITY OF INSPECTORS; PROVIDING FOR ENFORCEMENT, PENALTIES AND ADOPTING ENFORCEMENT RESPONSE PLANS; PROVIDING FOR DECLARATION OF WATER SUPPLY SHORTAGE AND RATIONING IN AN EMERGENCY SITUATION

WHEREAS, the Fiscal Court held a special meeting on September 7, 2021 to review its ordinances and determine necessary changes; and,

WHEREAS, during said special meeting, the Fiscal Court discussed changes to Chapter 205 of the Henderson County Code of Ordinances regarding Sewers and received input from Henderson Water Utilities staff; and,

WHEREAS, the Fiscal Court has determined that Chapter 205 of the Henderson County Code of Ordinances with regard to Sewers needs to be updated.

NOW, THEREFORE, BE IT ORDAINED and ENACTED by the Fiscal Court of the County of Henderson, of the Commonwealth of Kentucky, as follows:

- Chapter 205 regarding Sewers is hereby repealed in its entirety and replaced with the attached language:
- All or parts of Ordinances in conflict herein are repealed to the extent of such conflict.
- This Ordinance shall become effective immediately upon passage and advertisement according to law.

On first reading of the foregoing Ordinance, it was moved by Magistrate Moran, seconded by Magistrate Berry, that the Ordinance be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its first reading and ordered that the same be published in summary form and presented for second reading on October 26, 2021, at the regular meeting of Fiscal Court.

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On second reading of the foregoing Ordinance, it was moved by Magistrate Puttman, seconded by Magistrate Southard, that the Ordinance be adopted. WHEREUPON, the vote was called.

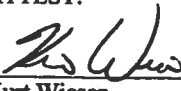
Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Moran	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its second reading, affixed his signature and the date thereto and declared that the same be recorded.

ADOPTED this the 26th day of October, 2021.

ATTEST:


Kurt Wiesen
Henderson Fiscal Court Clerk


Brad Schneider
Henderson County Judge-Executive

Bid Request - Road Department Parking Shed – Bill Hubiak

Bill requested to advertise for bids for a parking shed for the Road Department equipment. This is a budgeted request. The new shed will allow all the Road Department equipment to be stored out of the weather under cover.

Motion was made by Magistrate McCollom to advertise for bids for the parking shed. Motion was seconded by Magistrate Berry. A voice vote was held, all voted in favor.

Bid Request – Courthouse Step Repair – Bill Hubiak

Bill explained that when the original bids for the courthouse step repairs were solicited it was not made clear to the bidders that Henderson County would supply any concrete or aggregate materials needed. Because of this issue and some other misinformation that was supplied to the bidders, Bill would like to rebid this repair job.

Motion was made by Magistrate McCollom to rebid the courthouse step repair. Motion was seconded by Magistrate Berry. A voice vote was held, all voted in favor.

Resolution – County Attorney Personnel – County Attorney Steve Gold

**HENDERSON FISCAL COURT
Resolution Number 21-45**

**A RESOLUTION REGARDING PERSONNEL ACTIONS IN THE HENDERSON
COUNTY ATTORNEY’S OFFICE**

WHEREAS, the Henderson County Fiscal Court supports the efforts of the Henderson County Attorney’s Office to collect and enforce child support for the children of Henderson County;

WHEREAS, the Henderson County Fiscal Court appropriates funds to the County Attorney’s Office to support said efforts, which are reimbursed at a rate of two-thirds by state or federal government reimbursement methods.

WHEREAS, the Henderson County Attorney’s Office has experienced the resignation of its Child Support Attorney/Supervisor due to an employment opportunity in the private sector;

WHEREAS, the Henderson County Attorney has promoted one of its existing employees to the new supervisor to fill the aforementioned vacancy;

WHEREAS, the Henderson Fiscal Court deems it in the best interest of Henderson County to maintain adequate staffing levels in the Henderson County Attorney’s Office; and

WHEREAS, pursuant to KRS 67.710(7), the approval of the Fiscal Court is necessary for the appointment of county employees; and

WHEREAS, pursuant to KRS 64.530, the Fiscal Court must fix the reasonable compensation of every county officer and employee except those named in KRS 64.535;

NOW, THEREFORE, BE IT RESOLVED by the Fiscal Court, County of Henderson, Kentucky, as follows:

- (1) Pursuant to KRS 67.710(7) and KRS 64.530, the County Judge Executive and the Henderson Fiscal Court hereby approves the County Attorney’s appointment of Patricia Alvey as the full-time Child Support Supervisor.
- (2) The reasonable compensation for Patricia Alvey shall be twenty dollars (\$20.00) per hour effective October 24, 2021.

(3) The Henderson County Treasurer shall transfer budgeted appropriations from Account 01-5005-106 ("Assistant County Attorney") to Account 01-5005-165 ("Secretary to Co. Attorney") in an amount appropriate to effectuate this resolution.

(4) Since Ms. Alvey is an existing employee of the County Attorney's Office and receives County benefits, this transition to being county-paid shall not have any effect on her County benefits.

On reading of the foregoing Resolution, it was moved by Magistrate Puttman, seconded by Magistrate Southard, that the above Resolution be adopted.

WHEREUPON, the vote was called.


Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>	Magistrate Moran	<u>AYE</u>
Magistrate Southard	<u>AYE</u>	Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>		

APPROVED by the Henderson Fiscal Court at its regular meeting on October 26, 2021.

ATTEST:


 Kurt Wiesen
 Fiscal Court Clerk


 Brad Schneider
 County Judge-Executive

Resolution – County Surplus Property

**Henderson Fiscal Court
Resolution Number 21-43**

**A RESOLUTION DECLARING CERTAIN COUNTY PROPERTY TO BE SURPLUS
AND PROVIDING FOR THE DISPOSITION THEREOF**

WHEREAS, the Henderson County Jailer is in possession of property that is no longer of use to the Henderson County Detention Center, or by any other departments within Henderson County;

WHEREAS, the Fiscal Court has reviewed the list of property submitted by the Jailer setting forth the item's description, original purpose, and reason for disposition.

WHEREAS, pursuant to KRS 67.0802, the Fiscal Court finds that it is in the best interest of the County to deem the property as surplus and provide for the disposition thereof. As such, the Henderson Fiscal Court wishes to offer said personal property to be sold by public auction or, by selling for scrap or disposing of as garbage; and,

NOW, THEREFORE, BE IT RESOLVED by the Fiscal Court, County of Henderson, Kentucky, as follows:

Pursuant to KRS 67.0802, the personal property of the Henderson County Detention Center listed on Exhibit A, which is attached hereto and incorporated herein, is hereby declared to be surplus. If Exhibit A designates the personal property to be offered for sale at an online auction, it shall be sold using a duly-advertised online auction pursuant to all applicable laws at such time and in such manner as shall be arranged by the County Judge Executive. If Exhibit A designates the personal property to be sold for scrap or disposed of as garbage, the Henderson County Jailer shall make suitable arrangements for the disposition thereof and shall forward the proceeds, if any, to the Henderson County Treasurer to be transferred to the General Fund pursuant to KRS 67.0802(6).


On reading of the foregoing Resolution, it was moved by Magistrate McCollom, seconded by Magistrate Moran, that the above Resolution be adopted.

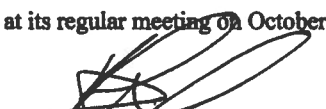
WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Southard:	<u>AYE</u>	Magistrate Moran:	<u>AYE</u>
Magistrate Puttman:	<u>AYE</u>	Magistrate Berry:	<u>AYE</u>
Magistrate McCollom:	<u>AYE</u>		

APPROVED by the Henderson Fiscal Court at its regular meeting on October 26, 2021.

ATTEST:

 Kurt Wiesen
 Fiscal Court Clerk


 Brad Schneider
 County Judge-Executive

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Henderson County Surplus Property 2021						
<u>ITEM</u>	<u>Quantity</u>	<u>SERIAL NO. / VIN</u>	<u>Model</u>	<u>ORIGINAL PURPOSE</u>	<u>WHY NO LONGER NEEDED</u>	<u>DISPOSAL METHOD (ONLINE OR PUBLIC AUCTION)</u>
Black Towel Dispensers	28	N/A	N/A	Bathrooms	Outdated	Online Auction
Assorted Chairs	11	N/A	N/A	Office	Outdated	Online Auction

Resolution – HCDC Surplus Property – Jailer Brady

**Henderson Fiscal Court
Resolution Number 21-44**

A RESOLUTION DECLARING CERTAIN COUNTY PROPERTY TO BE SURPLUS AND PROVIDING FOR THE DISPOSITION THEREOF

WHEREAS, the Henderson Fiscal Court is the owner of certain personal property that is no longer of use to the County;

WHEREAS, pursuant to KRS 67.0802, the Fiscal Court finds that it is in the best interest of the county to deem the property as surplus and provide for the disposition thereof;

WHEREAS, the Henderson Fiscal Court wishes to offer the said personal property to be sold by public auction in accordance with the law, at the discretion of the Henderson County Judge-Executive;

NOW, THEREFORE, BE IT RESOLVED by the Fiscal Court, County of Henderson, Kentucky, as follows:

Pursuant to KRS 67.0802, the personal property on the lists attached hereto and incorporated herein is hereby declared to be surplus.

It shall be sold at a duly-advertised public or online auction pursuant to all applicable laws at such time and place and in such manner as shall be arranged by the County Judge Executive. The County Judge- Executive, or his designee, is hereby authorized to make said arrangements.

On reading of the foregoing Resolution, it was moved by Magistrate Puttman, seconded by Magistrate Berry, that the above Resolution be adopted.

WHEREUPON, the vote was called.


Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>	Magistrate Moran	<u>AYE</u>
Magistrate Southard	<u>AYE</u>	Magistrate Puttman	<u>AYE</u>
Magistrate McCollom	<u>AYE</u>		

APPROVED by the Henderson Fiscal Court at its regular meeting on October 26, 2021.

ATTEST:


Kurt Wiesen
Fiscal Court Clerk


Brad Schneider
County Judge-Executive

SURPLUS COUNTY PROPERTY OCTOBER 2021

<u>ITEM</u>	<u>SERIAL NUMBER</u>	<u>WHY NO LONGER NEEDED</u>	<u>DISPOSAL METHOD</u>
2014 E350 FORD VAN	1FBSS3BL8EDA59295	OFF LINE	AUCTION
		188,200 MILES	ONLINE

Animal Control Reports – Sarah Shearer – Humane Society Director

Sarah introduced herself as the new shelter director and a presented the monthly reports. She reported that they had an animal control officer resign this weekend. She is in the process of hiring another and has gotten sworn in herself as an ACO to help with the workload.

Detention Center Reports – Jailer Amy Brady

Jailer Brady presented the Quarterly Report ending September 30, 2021. She reported that recruiting applicants and hiring deputies continues to be a struggle.

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Magistrate Southard made a motion to accept the Detention Center Quarterly Report into the record. Magistrate Moran seconded the motion. A voice vote was held. All voted in favor and the motion carried.

To: Henderson County Judge Executive
Fiscal Court

Date: 10/10/2021

RE: QUARTERLY REPORT FISCAL YEAR: 2021-2022

1st Quarter July 1 - September 30

3rd Quarter January 1 - March 31

2nd Quarter October 1 - December 31

4th Quarter April 1 - June 30

I PHYSICAL CONDITION OF FACILITY

A. List any mechanical in need of repair and describe the problem (i.e. plumbing, locks, lights):

- 1 Dehumidifiers need to be added to HVAC units to help humidity issues throughout main jail
- 2 HVAC extended into vestibules at the end of A & B halls
- 3 HVAC unit on A Hall needs extensive repairs or replacing

B. List any structural problems with facility (i.e. cracks in walls, leaks in roof):

- 1 Numerous structural cracks (not security issues at this date)
- 2 Floors need to be stripped of all tile & resurfaced with epoxy flooring or clearcoat

C. List any building components lacking, needing repair or replacement (i.e. windows, doors):

- 1 Cameras installed in additional areas for monitoring & security
- 2 Main entrance door & frame, A Hall exterior door & landing have dropped
- 3 1 interior and 2 exterior doors are deteriorated beyond repair & need to be replaced (not a security issue)
- 4 Renovation of booking areas & main entrance to accommodate body scanners
- 5 8 Cell windows need replacing (not a security issue)
- 6 Replace rusted tables in cells

D. List any life-safety components needing repair or replacement (i.e. alarms, indicator panels):

- 1 Emergency lighting on halls

E. List any items kitchen or medical is lacking, needing repaired or replaced (i.e. storage, carts):

- 1 1 large tray cart
- 2 Replace tilt skillet with other large kettle type appliance.

II PERSONNEL

A. CURRENT STAFF	FULL-TIME	PART-TIME	CONTRACT
Deputy Jailer Male			
Deputy Jailer Female			
SAP Civilian			
Admin Civilian			

PERSONNEL ROSTER ATTACHED

B. STAFF NEEDED	FULL-TIME	PART-TIME	CONTRACT
Deputy Jailer Male			
Deputy Jailer Female			
SAP Civilian			
Admin Civilian			

C. Needs of Personnel (i.e., working hours, wages, uniforms):

- 1 Gym on HCDC property for both mental and physical health of employees

III POPULATION SUMMARY

A. KY DOC Rated Capacity: 566 Avg Daily Population: 493
Highest Daily Population: 530

B. Is Facility housing more inmates than KY DOC rated capacity? [] Yes [X] No

C. If YES, list measures taken in an effort to alleviate overcrowding:

D. List any population concerns:

- 1 Lack of a local long term mental health evaluation & treatment center
- 2 Unable to open CSC due to lack of experienced staff

IV OPERATIONAL & ADMINISTRATIVE CONCERNS

A. List operational supplies/materials needed (i.e. mattresses, sheets, hygiene items):

- 1 Body scanners (3) to enhance the safety & security of the jail
- 2 3 new transport vans

B. Identify any problems anticipated with the current budget:

- 1 Extensive medical claims (extended hospitalizations & acute medical issues)
- 2 Numerous employee vacancies (OT being pay for required coverage)
- 3 Low state and federal inmate population due to extended COVID lockdown

C. Name, agency/title, & date of Visitors / Inspection:

- 1 Beth Moran Magistrate 7/21/2021
- 2
- 3

D. Overall Needs of Facility:

- 1 Renovation of several main facility areas for safety/security & to meet the daily needs of facility and Add wing onto facility to accommodate 160 beds that are currently direct supervision (requiring additional staffing)

Amy Brady
Jailer

HENDERSON COUNTY FISCAL COURT—MINUTE & ORDER BOOK

Records of Minutes of Regular Meeting 10/26 2021

HENDERSON COUNTY DETENTION CENTER
October 21, 2021
PERSONNEL ROSTER

1 JAILER:	Amy Brack	
1N ADMINISTRATION & FINANCE SUPERVISOR:	Lori Quarles	
2N AR/AP & PAYROLL:	Shelly Vaughn	
3N INMATE ACCOUNTS & VISITATION	Vacant	
ADMIS DIVISION		
2 CHIEF DEPUTY OF ADMINISTRATION:	COL. Hendricks, Richard (W, T)	
3 PROCLERK:	OFC. Todd, Bruce	
4	DEP. Vacant	
5 MAINTENANCE SUPERVISOR:	OFC. Snodgrass, David	
6	DEP. David Cox	
7 TRAINING & GRANTS:	CPT Vaughn, Eddie (W, T)	
8 TRANSPORT:	SGT Vowels, Karyssa (W, T) SUPERVISOR	
9	DEP. Brickner, Andrew (W, T)	
10	DEP. Starkey, Nicholas (W, T)	
11	DEP. Childers, John (W, T)	
12	DEP. Bonham, Hailey (W, T)	
13	DEP. Boyd, Jimmy (W)	
14	DEP. Bowman, Quincy (W, T)	
15	DEP. Vacant	
16	DEP. Vacant	
17	DEP. Vacant	
18	DEP. Vacant	
19 CLASS D COORDINATOR:	OFC. Oldham, Tyler (W, T)	
20 CLASS D ASST ARCHIVE RECORDS:	OFC. Griffin, Ryan (W, T)	
21 RECORDS & VIDEO COOR:	L.T. Grillon, Christina (T) SUPERVISOR	
22	DEP. Conner, Kenneth TERM EMP 11/1/21	
23	DEP. Varvel, Byron	
24	DEP. Rowan, Felicia (T)	
25	DEP. Angevine, Miesha	
26	DEP. Vacant	
OPERATIONS DIVISION		
27 CHIEF DEPUTY OF OPERATIONS PREA:	COL. Gibson, Leslie	
28 GUARD COMMANDER:	MAJ Payne, William (W, T)	
29 GUARD COMMANDER ASST:	DEP. Vacant	
30 INMATE SERVICES BRANCH:	CPT McElfresh, Megan (W, T)	
31 INMATE SERVICES BRANCH ASST:	DEP. Vacant	
32 MAIL CLERK:	OFC Hunt, Lironda (T)	
33 PROPERTY PREA:	OFC Shumate, Lora	
1C SUBSTANCE ABUSE PROGRAM:	Harris, Jeff- Administrator (PT)	
2C	Risley, Douglas - Counselor	
3C	Vacant- Counselor	
4C	Vacant- Counselor	
5C	Knight, Jane	
COMMUNITY SERVICE		
34	CPT. Duncan, Joe - Supervisor	
35	OFC Harris, Josee (W)	
36	OFC Gray, Kevin (W)	
37	DEP. Vacant	
38	DEP. Vacant (PT)	
39	DEP. Vacant (PT)	
KYTC		
6C	DEP. Vacant	
CONTRACTS		
GOOD NEWS JAIL & PRISON MINISTRY:		
	Kenny Noblett - Chaplain	
	Kim Groves - Chaplain	
ARAMARK COMMISSARY		
	Crystal Halstead - Manager	
	Cathy Sowders	
	Loren Pale	
	Megan Pirie	
KELLWELL KITCHEN:		
	Sabrina Hoyt- Manager	
	Stacey Wright	
	Debbie Sauer	
	Leslie Obryan	
OCC. MEDICAL		
	Dr. Troost- MD	
	Dr. Smith - DMD	
	Regional - Tabatha Dougherty	
	STLeader- Tracy Davis-RN	
	Mental Health - Jeff Harris	
	Administrator- Mitzi Weber	
	Administrative Clerk- Caitlin Taravella	
	RN- Susan Ndoye	
	LPN- Monica Chapman	
	LPN- Robin Julian	
	LPN- Kelly Lovell	
	Medical Asst. Pharmacy Ryan Ferrell	
	Medical Asst. Pharmacy Malayla Biggs	
	RN- Brandy Johannes PRN	
	LPN- Susan Newcom PRN	
	PRN- Med Tech Shannon Dowell	
1st SHIFT		
1	LT. Vacant	
2	SGT Wilburn, Ron (W, T)	
3	DEP. Willett, Tim (W, T)	
4	DEP. Gregory, Justin	
5	DEP. Pate, Daniel (W, T)	
6	DEP. Obuse, Josee	
7	DEP. Obuse, Leanna	
8	DEP. Reach, Taylor	
9	DEP. Vacant	
10	DEP. Vacant	
11	DEP. Vacant	
12	DEP. Vacant	
13	DEP. Vacant	
14	DEP. Vacant	
2nd SHIFT		
1	LT. Vacant	
2	SGT Lanham, Dylan (T)	
3	OFC Rice, Jarrod (W, T)	
4	DEP. Fove, Kahreana	
5	DEP. Whitaker, Justin	
6	DEP. Kramal, April	
7	DEP. Johnson, Lisa	
8	DEP. Vacant	
9	DEP. Vacant	
10	DEP. Vacant	
11	DEP. Vacant	
12	DEP. Vacant	
13	DEP. Vacant	
14	DEP. Vacant	
3rd SHIFT		
1	LT. Jay, Rickey (T)	
2	SGT. McCuiston, Chance (T)	
3	DEP. Barre, Alyssa	
4	DEP. Cleveland, Johna	
5	DEP. Jones, Amy	
6	DEP. Miller, Caleb	
7	DEP. Vacant	
8	DEP. Vacant	
9	DEP. Vacant	
10	DEP. Vacant	
11	DEP. Vacant	
12	DEP. Vacant	
13	DEP. Vacant	
14	DEP. Vacant	

The Jailer also reported that KYTC will be done this week to look at the possibility at converting the CSC building into the Regional Drivers Licensing Office instead of adding on to the training building. This conversion should be a cost savings over adding on to an existing building.

County Clerk's Report: - Renesa Abner

Renesa presented the monthly and quarterly reports.

Clerk of Henderson County

PAYMENTS TO HENDERSON COUNTY TREASURER
FOR THE MONTH OF

September	2021	
ADVALOREM TAX	\$	<u>21,875.57</u>
DELINQUENT TAX - REAL ESTATE	\$	<u>1,497.70</u>
DELINQUENT PERSONAL PROPERTY TAX	\$	<u>935.52</u>
DEED TRANSFER TAX	\$	<u>18,344.50</u>
EXCESS FEES FOR MONTH	\$	<u>121,861.85</u>
Interest from Usage Acct-YTD 2021	\$	<u>-</u>
TOTAL AMOUNT REMITTED TO COUNTY		
TOTAL TAX & LICENSE	\$	<u>42,653.29</u>

Clerk of Henderson County

MONTHLY FINANCIAL REPORT

REPORTING PERIOD
September 2021

MOTOR VEHICLE RECEIPTS

Registration Fees	\$ 104,929.39
Usage Tax	\$ 411,215.72
Advalorem Tax	\$ 375,227.25
Lien Fees-Atax Penalties	\$ 1,980.00
Overpayments	\$ 1,130.63
Over/Short	\$ 16.00
NSF Collected	\$ 1,195.20
Web Renewal Direct Deposit	\$ 18,153.77
Special Deposits	\$ -
Postage	\$ 461.66
Financing Statements	\$ 9,670.00
Library/Archives	\$ 448.00
Returned Check Fees	\$ 200.00
Lien Releases-Out of County	\$ 198.00
Notary	\$ 249.00
Less Web Renewals	\$ (16,613.16)
Less Dealer Charges	\$ (149,189.36)
Dealer Payoffs	\$ 146,107.64
Handicap Placards	\$ 300.00
TOTAL MOTOR VEHICLE	\$ 905,679.74

RECORDING RECEIPTS

Deeds	\$ 7,041.00
Deed Transfer Tax	\$ 19,310.00
Real Estate Mortgages	\$ 24,882.00
Fixture Filings	\$ 30.00
Bail Bonds	\$ -
Oil & Gas Leases	\$ 168.00
Power of Attorneys	\$ 402.00
Marriage Licenses	\$ 2,106.00
Delinquent Taxes	\$ 31,643.12
State Payments	\$ -
County Payments	\$ 3,290.05
Clerk Fees	\$ 2,354.00
Overpayments	\$ -
Over/Short	\$ -
Election Filings	\$ -
Copies(MVL & Recording)	\$ 1,631.00
Affordable Housing	\$ 4,986.00
Library/Archives	\$ 513.00
Storage/Doc Fees	\$ 8,940.00
E-Recording Direct Deposits	\$ 7,324.00
Less E-Recording	\$ (8,283.50)
TOTAL RECORDINGS	\$ 106,336.67

MOTOR VEHICLE DISBURSMENTS

Registration Fees-State	\$ 71,877.89
Registration Refunds	\$ 25.00
Usage Tax-State	\$ 398,879.24
Usage Tax Refunds	\$ -
Advalorem Tax	\$ 360,218.16
Advalorem Tax Refunds	\$ -
Lien Fee Penalty Refunds	\$ -
Overpayment Refunds	\$ 1,174.51
NSF Checks	\$ 1,612.21
Handicap Placards	\$ 240.00
TOTAL	\$ 834,027.01

RECORDING DISBURSMENTS

Legal Process-State	\$ 4,188.50
Delinquent Taxes	\$ 29,100.94
Deed Transfer Tax-County	\$ 18,344.50
Refunds	\$ -
Overpayment Refunds	\$ -
Affordable Housing(quarterly)	\$ 14,790.00

TOTAL RECORDING DISBURSMENTS

\$ 66,423.94

OFFICE EXPENSES

Postage/Miscellaneous	\$ 30.00
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TOTAL EXPENSES

\$ 30.00

INTEREST EARNED

\$ 522.39

TOTAL RECEIPTS

\$ 1,012,538.80

TOTAL DISBURSMENTS

\$ 900,480.95

NET RECEIPTS

\$ 112,057.85

LAST MONTH BANK BALANCE

\$ 9,804.00

PLUS NET RECEIPTS

\$ 112,057.85

BALANCE PER BANKBOOK

\$ 121,861.85

LESS EXCESS FEES

\$ 121,861.85

BANKBOOK ENDING BALANCE

\$ (0.00)

WORKING FUND

\$ 2,000.00

TOTAL

\$ 2,000.00

Renesa Abner 10/20/21
Renesa Abner, Henderson Co.Clerk /Date

I certify this report is true and correct to the best of my knowledge

Clerk of Henderson County

QUARTERLY FINANCIAL REPORT

REPORTING PERIOD
Jul-Sept-2021

MOTOR VEHICLE RECEIPTS

Registration Fees	\$ 329,921.30
Usage Tax	\$ 1,291,109.42
Advalorem Tax	\$ 1,207,151.06
Lien Fees-Atax Penalties	\$ 6,420.00
Overpayments	\$ 4,075.20
Over/Short	\$ 4.27
NSF Collected	\$ 1,493.19
Web Renewal Direct Deposit	\$ 60,239.39
Special Deposits	\$ -
Postage	\$ 1,504.83
Financing Statements	\$ 29,263.00
Library/Archives	\$ 1,365.00
Returned Check Fees	\$ 250.00
Lien Releases-Out of County	\$ 858.00
Notary	\$ 751.00
Less Web Renewals	\$ (59,934.48)
Less Dealer Charges	\$ (459,213.38)
Dealer Payoffs	\$ 461,177.87
Handicap Placards	\$ 820.00
TOTAL MOTOR VEHICLE	\$ 2,877,255.67

RECORDING RECEIPTS

Deeds	\$ 20,148.00
Deed Transfer Tax	\$ 60,077.00
Real Estate Mortgages	\$ 68,406.00
Fixture Filings	\$ 312.00
Bail Bonds	\$ -
Oil & Gas Leases	\$ 570.00
Power of Attorneys	\$ 1,998.00
Marriage Licenses	\$ 4,680.00
Delinquent Taxes	\$ 341,024.80
State Payments	\$ -
County Payments	\$ 3,474.55
Clerk Fees	\$ 18,072.00
Overpayments	\$ -
Over/Short	\$ -
Election Filings	\$ -
Copies(MVL & Recording)	\$ 3,753.00
Affordable Housing	\$ 14,790.00
Library/Archives	\$ 1,400.00
Storage/Doc Fees	\$ 25,420.00
E-Recording Direct Deposits	\$ 26,548.00
Less E-Recording	\$ (27,553.50)
TOTAL RECORDINGS	\$ 563,119.85

MOTOR VEHICLE DISBURSMENTS

Registration Fees-State	\$ 223,706.30
Registration Refunds	\$ 25.00
Usage Tax-State	\$ 1,252,376.14
Usage Tax Refunds	\$ -
Advalorem Tax	\$ 1,158,661.68
Advalorem Tax Refunds	\$ 211.81
Lien Fee Penalty Refunds	\$ 2.00
Overpayment Refunds	\$ 4,075.20
NSF Checks	\$ 2,548.30
Handicap Placards	\$ 656.00
TOTAL	\$ 2,642,262.43

RECORDING DISBURSMENTS

Legal Process-State	\$ 11,825.25
Delinquent Taxes	\$ 310,904.66
Deed Transfer Tax-County	\$ 57,073.14
Refunds	\$ 2,263.28
Overpayment Refunds	\$ -
Affordable Housing(quarterly)	\$ 14,790.00

TOTAL RECORDING DISBURSMENTS

\$ 396,856.33

OFFICE EXPENSES

Postage/Miscellaneous	\$ 254.64
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TOTAL EXPENSES

\$ 254.64

INTEREST EARNED

\$ 1,766.44

TOTAL RECEIPTS

\$ 3,442,141.96

TOTAL DISBURSMENTS

\$ 3,039,373.40

NET RECEIPTS

\$ 402,768.56

BANK BALANCE LAST QTR

\$ -

LESS EXCESS FEES

\$ 402,768.56

BANK BALANCE

\$ -

WORKING FUND

\$ 2,000.00

TOTAL

\$ 2,000.00

Renesa Abner 10/20/21
Renesa Abner, Henderson Co.Clerk /Date

I certify this report is true and correct to the best of my knowledge

HENDERSON COUNTY FISCAL COURT—MINUTE & ORDER BOOK

Records of Minutes of Regular Meeting 10/26 2021

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

County Attorney Report: - Steve Gold

County Attorney Steve Gold presented a report of payments dated October 26, 2021.

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

REPORT OF PAYMENTS FROM HENDERSON COUNTY ATTORNEY

<u>October 26, 2021</u>		<u>FY TOTAL</u>
	<u>TODAY'S TOTAL</u>	<u>TO PRESENT DATE</u>
<u>I. FEDERAL LOCAL MATCH -CHILD SUPPORT</u>		
<u>COUNTY BUDGET EMPLOYEES</u>		
<u>SALARIES, FICA & RETIREMENT</u>		
		39,636.85
<u>LIFE INSURANCE</u>		
		83.14
<u>HEALTH INSURANCE</u>		
		2,701.56
<u>UTILITIES, INTERNET & CLEANING</u>		
<u>II. STATE CSE REIMBURSEMENT</u>		
<u>SALARIES, FICA & RETIREMENT</u>		
Child Support County Budget Employees		19,246.27
<u>DENTAL & LIFE INSURANCE</u>		
CA Budget Employees		1,838.71
Child Support County Budget Employees		42.02
<u>HEALTH INSURANCE</u>		
CA Budget Employees		24,644.00
Child Support County Budget Employees		
<u>III. MISCELLANEOUS REIMBURSEMENT</u>		
<u>AFLAC</u>		
CA Budget Employees		467.00
<u>HRA</u>		
CA Budget Employees		
<u>SUPPLEMENT TO ASST CA'S SAL FROM CITY</u>		
		1,374.99
<u>JAIL FEES COLLECTED</u>		
		1,092.75
<u>INTEREST</u>		
	670.45	943.47
<u>FUNDS IN CHECK COLLECTION ACCT FY 20-21</u>		
		3,181.63
TOTAL REMITTED TO COUNTY	670.45	95,252.39

Fund Transfers – Brenda Rider –

Treasurer Brenda Rider reported there were 2 cash transfers. One to correct a deposit error and the other was a budgeted transfer.

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

