

## HARDIN COUNTY FISCAL COURT

**REGULAR MEETING  
APRIL 22, 2014**

Judge/Executive Harry L. Berry called the Hardin County Fiscal Court Meeting to order and requested a roll call vote. Voting: King absent, Judge Berry yes, Easter yes, Goodman yes, Williams yes, Clem yes, Wiseman yes, Thompson yes, Morgan yes.

The invocation was given by Squire Clem.

Squire Wiseman led the court in the pledge of allegiance.

Judge Berry requested that County Attorney Jenny Oldham conduct the Public Hearing on the Planning and Development Commission Zoning decision regarding Vulcan Materials expanding a 26.8 acre tract for their rock quarry on Battle Training Road.

Wesley Wright, Planning and Development, reviewed the process for the zoning change to this date. Twenty-six exhibits were provided for the hearing and minutes of previous Planning Commission Meetings pertaining to this hearing. The question being is the I-2 zone appropriate for the quarry expansion and is the conditional use permit also appropriate.

Brock Lodge, General Manager Vulcan Materials, Franklin, Tennessee, pointed out the quarry had been in operation for 60 years and that several representatives of the company were present.

Michael Pike, Attorney for Vulcan Materials, requested that the Hearing Officer allow him the last three minutes after the appellants presented.

Mr. Pike pointed out that the Planning and Commission had approved the zoning change and conditional use permit. He requests that the appeal of the Planning and Development be denied. Mr. Pike presented from a handout that each court member was provided. He alluded to the 60 year history of the quarry and the economic impact to the area as well as the taxes paid. The infrastructure of Hardin County needs the expanded quarry request.

Bernard Fenelon, Lily Road, Wisconsin, a geologist with 27 years experience testified that the geology is limestone without sinkholes. The 27 acre expansion will not have a geological impact. Existing home values will not be affected. The homes were built long after the existing quarry was in operation. It would not deter development in the area.

**Kenneth Humphries, Hopkinsville, represents Attorney Ben Humphries and property owners Frank Humphrey, James Moore and Gary Lawson. Humphries stated that the GeoEnvironmental Study handed out in court was not provided at the Planning Hearing. There is no reason to warrant a change in the zoning to provide for the quarry expansion. He also claimed the planning staff met for weeks with the quarry people prior to the hearing; giving them an advantage over the homeowners. He stated the expansion would adversely affect the value of the homes.**

**Mark Quarles, Nashville, Tennessee, reviewed the geological impact of the quarry expansion. He pointed out topography concerns, water and stream concerns, and a large cave is within 2,000 feet. U. S. Geological finds that blasting and Karst topography is dangerous. Mill Creek is 1,000 feet to the south, and endangered bats are in the area. The division of mines finds Karst land not acceptable. There is no need for expansion, since Vulcan Materials has two other quarries in the area.**

**Mr. Pike pointed out that based on the statute that the Planning Commission did not violate the law.**

**Mr. Kenneth Humphries claimed the Lord put resources in the ground for a reason. To extract these resources in an urban setting was not intended.**

**Mike Bowers, Ravens Wood, Elizabethtown, expressed his hope that the court would take into consideration his property and his neighbors.**

**Doug Shepherd and Steve Wooden presented the Hardin County Extension Service 2014/2015 Budget.**

**Morgan moved and Wiseman seconded to approve Resolution No. 2014-053 approving the Hardin County Extension 2014/2015 Budget. Voting: Judge Berry yes, Easter yes, Goodman yes, Williams yes, Clem yes, Wiseman yes, Thompson yes, Morgan yes.**

**Department/Office Reports were presented by:**

**John Clemons, Hardin County Coroner Report  
Sheriff Charlie Williams and Deputy Donna Cross Hardin Sheriff's Activity Report and Budget Report  
Kenny Tabb Hardin County Clerk Report**

**Written reports were received from EMS, E-911 Dispatch Center, Detention Center and Planning and Development Commission.**

Timothy Hinson, Sonora, Kentucky, asked the court several questions ranging from: What boards and commissions do you belong? Several questions in regards to the LaVista Subdivision sewer system in Rineyville; Hardin County Water District No. 2 receiving a 9.6 million grant; also asked the court where each member did their banking and asked them if they thought builders should be licensed by the state.

Williams moved and Goodman seconded to approve Resolution No. 2014-056 accepting the bid from Bluegrass Cellular for county cellular phone service. Voting: Easter yes, Goodman yes, Williams yes, Clem yes, Wiseman yes, Thompson yes, Morgan yes, Judge Berry yes.

Clem moved and Wiseman seconded to approve Resolution No. 2014-049 approving the Contract for Deed with Central Hardin Fire Department for County Property located at 116 Nicholas Street, Elizabethtown, Kentucky. Voting: Goodman yes, Williams yes, Clem yes, Wiseman yes, Thompson yes, Morgan yes, Judge Berry yes, Easter yes.

Thompson moved and Williams seconded to approve Resolution No. 2014-054 approving an agreement with the Commonwealth of Kentucky for the Men's Substance Abuse Program at the Detention Center. Voting: Williams yes, Clem yes, Wiseman yes, Thompson yes, Morgan yes, Judge Berry yes, Easter yes, Goodman yes.

Clem moved and Goodman seconded to approve Resolution no. 2014-057 approving an easement on Springfield Road Landfill. Voting: Clem yes, Wiseman yes, Thompson yes, Morgan yes, Judge Berry yes, Easter yes, Goodman yes, Williams yes.

Morgan moved and Wiseman seconded to approve Resolution No. 2014-058 approving an easement on Pearl Hollow Landfill. Voting: Wiseman yes, Thompson yes, Morgan yes, Judge Berry yes, Easter yes, Goodman yes, Williams yes, Clem yes.

Goodman moved and Williams seconded to approve the Consent Agenda to include approving Claims Batch No. 10-8022 and 10-8002, approve Resolution No. 2014-055 relating to financial transfers, approve Hardin County Detention Center's March 2014 report, approve Resolution No. 2014-051 relating to Animal Control personnel (Jason Smith and Theresa Priddy), approve Resolution No. 2014-052 relating to E-911 personnel (Timothy L. Myers-Angeline and Justin R. Strickland), approve Resolution No. 2014-059 approving a lease with CASA of the Heartland for temporary office space, approve Solid Waste Committee 04/14/14 minutes, approve Resources and Community Support Committee 03/25/14 and 04/15/14 minutes, approve Emergency Services Committee 04/17/14 minutes, and approve Fiscal Court Minutes dated 04/08/14. Voting: Thompson yes, Morgan yes, Judge Berry yes, Easter yes, Goodman yes, Williams yes. Clem yes, Wiseman yes.


Squire Clem announced that E-Scrap Day is Saturday, April 26<sup>th</sup> at AGC Automotive Americas Plant between the hours of 8:00 a.m. and 2:00 p.m.

Squire Thompson announced there will be a Wild Game Dinner at East Rhudes Creek Baptist Church on Saturday, April 26<sup>th</sup> between the hours of 6:00 p.m. and 8:00 p.m. He also expressed sympathy to Shirley Williams and Coleman Howlett's families and to say thanks for what they did for the community.

Squire Morgan announced the Annual Ruritan Yard Sale on Highway 86 from to Breckinridge County Line to Cecilia on Saturday, April 26<sup>th</sup>.

Judge Berry announced that the Budget would be presented at the Special Called meeting scheduled for April 29, 2014.

Court was adjourned, without objection, Judge/Executive Harry L. Berry presiding.

  
HARDIN COUNTY JUDGE/EXECUTIVE

ATTEST:

  
CLERK, HARDIN COUNTY FISCAL COURT