The Marshall County Fiscal Court met in regular session on Tuesday, December 21, 2010 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Com. Bob Gold, Com. Terry Anderson, Com. Misti Drew, County Attorney Jeff Edwards, and Assistant County Attorney Jason Darnall were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. County Clerk Tim York submitted the budget in the amount of $7,765,000 for Calendar Year 2011. A motion was made by Com. Gold and seconded by Com. Drew to approve the budget as submitted. All voted aye. Motion carried.

B. Mr. York also submitted the Annual Order Setting the Maximum Amount for Deputies and Assistants for Calendar Year 2011 in the amount of $560,000 for deputies, assistants and other employees. A motion was made by Com. Anderson and seconded by Com. Drew to approve the Deputy Hire as submitted. All voted aye. Motion carried.

C. Bobby Gifford, Director of Water Vision 2020 informed that he received approval on December 22, 2010 on the plans for the Brewers and Oak Level tanks. He will have the agreements at the next meeting.

D. Mr. Gifford presented a drawdown request for WX21157046 in the amount of $4,675.00 for Paul Cloud Engineering. A motion was made by Com. Gold and seconded by Com. Anderson to approve the drawdown request as submitted. All voted aye. Motion carried.

E. Becky Cornwell, Director of Marshall County Caring Needline expressed her appreciation to the Fiscal Court, the county employees and all the volunteers for helping with the Lights in the Park again this year. Because of the generous people driving through the park, this year’s totals were 29,764 food items and $54,764, which is approximately $9,000 over last year’s donations. In addition since the end of the light show, approximately $12,000 has been donated. During a robbery in December, approximately $5,000 cash was stolen from the Needline office. Judge Miller added that law enforcement is investigating the break in.

II. CORRESPONDENCE:

A. Ross, Sinclaire & Associates sent a letter of appreciation for the Court’s support and assistance in the transfer of the county’s Recovery Zone Economic Development Bond allocation.
B The Special Olympics Polar Bear Plunge will be Saturday, February 19th at Kentucky Dam Village State Resort Park. Registration is from 9:00 to 11:00, the opening ceremony and costume contest begins at 11:00 and the Plunge begins at 11:30. Judge Miller added that he volunteered the Court members to act as Judges for the contest.

C. Judge Miller informed that the Litter Abatement has been received. This year’s allotment is $47,380.58. This money will be used to clean up open dumps located in the county.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the December 21, 2010 meeting. All voted aye. Motion carried.

B. Discussion has been held regarding the right-of-way to Palmer Cemetery. Apparently the County Surveyor has begun work on determining the proper right-of-way.

C. Action on the request for signs indicating “Slow, Horses & Riders” on Curd Road was tabled during the last meeting. Judge Miller asked if the County Attorney and Assistant County Attorney had had time to research the liability issue for the county if signs were posted. Following discussion, a motion was made by Com. Anderson and seconded by Com. Drew to place the signs as requested on Curd Road. Com. Anderson asked that it be noted that he doesn’t think the signs will be effective. Com. Drew asked what the cost per sign would be. Gary Atkins replied that each sign would be $75.00. All voted aye. Motion carried.

D. Action on requests for permission from two of the Constables to add blue lights and signage to their personal vehicles was tabled during the last meeting. A motion was made by Com. Anderson to inform the Constables that granting their requests will be considered only after they meet the requirements of the Professional Standards Act of 1998. He added that he sees no choice because the liability would fall back on the court. Following discussion, Com. Anderson withdrew his motion. Judge Miller will contact the Constables and explain the requirements as set forth prior to authorizing blue lights and signage.

IV. NEW BUSINESS:

A. Following the first reading of the summary of Ordinance #2011-01 (Flood Prevention), a motion was made by Com. Drew and seconded by Com. Anderson to
approve the first reading. All voted aye. Motion carried.

B. Upon recommendation of Judge Miller, a motion was made by Com. Anderson and seconded by Com. Gold to officially hire Emily Martin as Marshall County Treasurer and set her salary at $52,000 per year. All voted aye. Motion carried.

C. Mrs. Martin presented a list of budget appropriation transfers for the Court’s consideration. A motion was made by Com. Gold and seconded by Com. Drew to approve the appropriation transfers as submitted. All voted aye. Motion carried.

D. Mrs. Martin informed that State Treasurer Todd Hollenbach and staff will be in the Courthouse on January 11th between 10:00 and 2:00 regarding Treasure Finders, which is an effort by his office to find people throughout Kentucky who are owed money and attempt to locate those to whom the money belongs. For whatever reason, whether it’s from a forgotten insurance policy or possibly money that belonged to a relative, it ended up in the State Treasurer’s Office.

E. Judge Miller informed that 90% of the cost for advertisement for the new van used by the VFW to transport veterans can be recouped through the Purchase Area Development District. The advertisement in the Paducah Sun was $213.75 and in the Tribune Courier was $115.50. A motion was made by Com. Gold and seconded by Com. Drew to submit the bills to the Purchase Area Development District for reimbursement. All voted aye. Motion carried.

F. Com. Drew suggested the Court hold a planning session. The meeting was set for 1:00 p.m. January 18, 2010.

G. Judge Miller informed that he received an open records request from Pat Houser for information pertaining to the Marshall County Animal Shelter. The information was sent, but to date, no payment for the copies has been received.

H. A list of active Marshall County Fiscal Court employees as of January 1, 2011 was distributed. Larry Witt will be added to the park employees and William Strader will be added to the Sheriff’s Office. A motion was made by Com. Gold and seconded by Com. Drew to reappoint the active employees as of January 1, 2011. All voted aye. Motion carried.

I. Com. Drew informed that 14 year old Joseph Brown of Benton will be receiving a Congressional Citation for stopping and rendering aid to a car accident victim who was trapped in the vehicle. Also the Possum Trot Sharpe Fire Department will be
receiving one as well for helping a Tennessee family after a wreck, find a family pet after looking for several days.

J. Gary Atkins informed that KACERS, the state organization of County Engineers, will be meeting in the county in April. Once before the meeting was held in the county and the Court provided lunch for the group, and Mr. Atkins recommended that the Court again provide lunch. A motion was made by Com. Gold and seconded by Com. Anderson to pay for lunch for the KACERS meeting as recommended. All voted aye. Motion carried.

K. A motion was made by Com. Anderson and seconded by Com. Gold to approve payment of the bills. All voted aye. Motion carried.

L. Emily Martin informed that there has been a change in billing from the Commonwealth Office of Technology regarding payment for the county’s internet. Andy Lepisto explained that with the proposed change, there is a possibility of a $165,000 increase per year. The Office of Technology has been petitioned for a review and he added that other options for internet are also being explored.

M. A motion was made by Com. Anderson and seconded by Com. Gold to adjourn. All voted aye. Motion carried.

Respectfully submitted by:

Melonie Chambers
Fiscal Court Clerk