

Marshall County Fiscal Court
February 4, 2014

The Marshall County Fiscal Court met in regular session on Tuesday, February 4, 2014 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson & Misti Drew; County Attorney Jeff Edwards & Assistant County Attorney Jason Darnall were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Danny Sholar addressed the Court regarding two issues:

1. He expressed concern about the possible closure of the Calvert City Clinic. Judge Miller explained that when the building was purchased it was a joint effort between the Court, Health Department, and Marshall County Hospital. It was originally used as a satellite health department. However, due to lack of use, the satellite office was closed and has since been rented by Dr. Waller. The health department board and hospital board have voted to sell the building but the court has not. Judge Miller added that the court does not want Calvert City to be without health care.
2. Mr. Sholar presented pictures of the area near his driveway. He placed a 6" sewer under his driveway and the water does not drain through the pipe. He said that the larger culverts in the area are causing the pipe to fill up and asked if the county could place chip & seal in that area to create a low water ford so the water would run over his driveway. Judge Miller said he and County Road Superintendent Russell York have viewed the area and said the problem is that the driveway culvert is too small and if Mr. Sholar would buy a larger pipe, the county would install it. Mr. York said that the upper end of the pipe is 5' off of the county's right-of-way and there are 450 more miles of county roads that also need to be taken care of. Com. Gold asked what needs to be done to fix the problem to which Mr. Sholar replied to either place blacktop or chip & seal to make a low water ford at his driveway. No formal action was taken.

B. Joyce Bowman had asked to address the Court but was not present.

C. Mrs. James O'Bryan had asked to address the Court but was not present.

D. Judge Miller recognized Randy Newcomb, Marshall County Tourism Director, who spoke to the Court about a proposed cut to the tourism portion of the Governor's Budget and the effects it would have on Marshall County. If the cut is made, Marshall County will lose between 11% & 12% of the state money received for tourism which is roughly \$46,000. Mr. Newcomb urged the Court members to contact their state legislators to ask that the tourism portion remain in the budget. Mr. Newcomb also informed that he will be attending the Calvert City Council meeting next week in support of Branding Marshall County.

E. Sheriff Kevin Byars submitted the Annual Fee Settlement for 2013. He also submitted a check for excess fees in the amount of \$203,063.65. He requested that some of the excess fees be used to purchase and equip four vehicles, at a cost of \$125,000.

- A motion was made by Com. Anderson and seconded by Com. Gold to accept the Sheriff's Fee Settlement. All voted aye. Motion carried.
- A motion was made by Com. Anderson and seconded by Com. Gold to allow the Sheriff to use \$125,000 of the excess fees to purchase & equip four vehicles. All voted aye. Motion carried.

Sheriff Byars also presented the 2013 Annual Report.

F. Com. Gold asked to vary from the agenda and discuss the D.A.R.E. books. Due to state auditor findings, the Sheriff's Office is no longer allowed to purchase the books, which are distributed to elementary school children throughout the county. Some of the schools have received the books, but there are roughly 200 needed. A motion was made by Com. Gold and seconded by Com. Anderson that the Court purchase 200 books in order to continue this program. All voted aye. Motion carried. Com. Gold recommended that funding for purchasing the books be included in future budgets.

G. County Attorney Jeff Edwards said he received a call from one of the Sheriff's Detectives who asked if he was missing a trailer. He was not aware that he was, but in Graves County, they recovered his trailer and two four-wheelers that had also been stolen from Benton. He complimented the Detective Don Tidwell and Deputy Samantha Mighell for a job well done.

H. Bobby Gifford, Director of Water Vision 2020, informed that he had made application with KIA on behalf of Sanitation District #1, but the money was to be funneled through the court. That request was ready to go before the board for approval but since Congress passed new legislation, there is money available now – 40% of which will be grant funds and 60% will be a loan from Rural Development. He asked for the Court's permission to continue with this project by applying through Rural Development. A motion was made by Com. Drew and seconded by Com. Gold to allow Mr. Gifford to proceed with the Rural Development application. All voted aye. Motion carried.

I. Judge Miller asked Property Valuation Administrator Tony Henson to address the proposal by the PVA Association that excess fees from Special Taxing Districts be used to help with the operating costs of PVA Offices across the state. Judge Miller distributed the information to the Commissioners as provided by PVA Association Executive Director Mack Bushart. Mr. Henson briefed the Court on the effort and added

that school districts, water & sewer districts would exempt. Judge Miller asked Mr. Henson to keep the Court informed.

II. CORRESPONDENCE:

A. The 2014 Kentucky State Shoot for Bowfishing is scheduled for April 2nd and the 2014 Bowfishing Association of America World Championship is scheduled for July 19th & 20th. Both tournaments will have their weighins at the Aurora Jonathan Visitor Center.

B. Lee Grassley, Senior Manager of Government Relations with Mediacom, informed that beginning February 22nd, the following rates will be implemented:

	Current Fee	New Fee
Service installation fee for single service	N/A	\$49.99
Service installation fee for two services	N/A	\$74.99
Service installation fee for three services	N/A	\$99.99

In addition, Mediacom will begin to charge all new customers an activation fee of \$10.00 to help offset back office and provisioning costs associated with setting up a new customer in their system.

III. OLD BUSINESS:

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

B. Judge Miller announced that the contract with TVA for improvements to the day use parks has been signed. Larry Whitt, Director of Parks, asked for court approval to continue with the projects. A motion was made by Com. Anderson and seconded by Com. Gold to continue with the projects. All voted aye. Motion carried.

C. Andy Lepisto gave an update on the county website. He met with all department heads and will put together and organize the information. He added that hopefully within a couple of weeks, he will have a demo for the Court's review.

D. Judge Miller has spoken with Carl Boyd with the East Marshall Fire Protection District and he recommended that Richard Bay be appointed to fill the remainder of the term of the late Jim Cothran (term to expire 6/30/2014). A motion was made by Com. Anderson and seconded by Com. Drew to appoint Richard Bay as recommended. All voted aye. Motion carried.

E. A bid opening was held for mowing & weed-eating 33 properties owned by the Marshall County Fiscal Court. Advertisement for bids was published in the January 14th edition of the Tribune Courier. Two bids were received and are as follows:

1. Adam Miller - \$17,500.00
2. A & C Lawn Care - \$21,000.00

Park Director Larry Whitt said that both of the bidders have done mowing for the county in the past and both are reputable.

A motion was made by Com. Anderson and seconded by Com. Gold to accept the low bid from Adam Miller. All voted aye. Motion carried.

III. NEW BUSINESS:

A. Henry Rogalinski has resigned as the firefighter representative on the Fairdealing-Olive Fire Protection District Board. Fire Chief Tommy Dobbs called and requested that Jason Acord, 3268 US Hwy. 641 N., Benton, be appointed to fill the remainder of Mr. Rogalinski's term (term to expire 6/30/2015). A motion was made by Com. Anderson and seconded by Com. Gold to appoint Mr. Acord. All voted aye. Motion carried. Discussion was held about Mr. Acord's address and if his house is located within the boundaries of the district. This will be researched and the findings reported back to the Court.

B. County Treasurer Emily Martin asked for authorization to open a new bank account to strictly deal the FEBCO payments. A motion was made by Com. Drew and seconded by Com. Gold to authorize the bank account as requested. All voted aye. Motion carried.

C. The cost of living increase for elected officials for 2014 is 1.5016% as supplied from the Department for Local Government. Judge Miller recommended that county employees be given a 3% increase. Com. Drew asked what that amount would equate to, to which Mrs. Martin replied around \$200,000. Discussion was held about the closing of USEC and the affect it will have on the TVA in-lieu-of tax payments & KACo insurance premiums for the next fiscal year – which should remain about the same as this year. A motion was made by Com. Anderson and seconded by Com. Gold to approve the elected official's salary increase of 1.5016%. All voted aye. Motion carried.

D. Radios for the Animal Control Officers were discussed. Mike Green submitted a quote for two XPR6100 MotoTurbo VHF portable radios, including programming, in the amount of \$1,100.00. Mr. Green had another quote for \$800.00 each, but he wanted to look at doing something to the radios the Animal Control Officers have now. Jeff Edwards said they are looking at putting repeaters in the vehicles that

will work with the current radios. Mr. Green will report back to the Court.

E. The Palma Briensburg Fire Protection District Audit Report was submitted. A motion was made by Com. Anderson and seconded by Com. Drew to accept the Audit Report. All voted aye. Motion carried.

F. Judge Miller informed that there were 55 one-room schools in Marshall County at one time and an effort is underway to place signage at each site. The signs can be made at the Road Department. Road Superintendent Russell York informed that Justin Lamb, who is working on the project, will be contacting the school board to see if they would contribute money for this project.

G. Jeff Edwards requested an executive session to discuss personnel & property acquisition. A motion was made by Com. Anderson and seconded by Com. Gold to go into executive session. All voted aye. Motion carried.

H. Judge Miller called Court back into regular session and informed that discussion was held during executive session about possible property acquisition near the county park and setting a salary for Frank Murphy, incoming Director of Emergency Management. A motion was made by Com. Drew and seconded by Com. Anderson to set Mr. Murphy's salary at \$35,000.00 per year. All voted aye. Motion carried.

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

J. Judge Miller informed that a call has been received from the Animal Shelter and the parking lot is a solid sheet of ice. The Shelter will be closing at noon to the public, but the staff will work as scheduled.

K. Judge Miller informed that the amount of road salt is extremely low and they have been in contact with North American Salt Company and there is no salt available. Judge Miller has spoken with representatives from KACo to see if they had any suggestions. Following discussion, a motion was made by Com. Gold and seconded by Com. Drew to authorize Judge Miller to locate and purchase salt, through the emergency clause. All voted aye. Motion carried.

L. A motion was made by Com. Drew and seconded by Com. Gold to recess for a scheduled public hearing regarding Kentucky Lake Motor Speedway. All voted aye. Motion carried.

M. Judge Miller declared Court back in regular session.

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N. Due to a budget workshop at the Purchase Area Development District on February 18th, which is the next regularly scheduled Court day, the Court members concurred to move the next meeting to Wednesday, February 19th at 9:30 a.m.

O. Following discussion regarding a pay increase for the Animal Control Officers, a motion was made by Com. Anderson and seconded by Com. Gold to give both a \$500.00 per month increase, making their salary \$1,500.00 each. All voted aye. Motion carried.

P. 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