

Marshall County Fiscal Court
February 11, 2013

The Marshall County Fiscal Court met in regular session on Tuesday, February 11, 2013 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; Assistant County Attorney Jason Darnall and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Brian Earley, with NaturChem addressed the Court regarding roadside turf treatment. Judge Miller recommended that this item be added to the list of annual bid items for consideration in April.

B. Economic Development Director Josh Tubbs addressed the Court regarding an abandoned gas station located at 16881 US Hwy. 68 E. near Aurora. The underground fuel tanks have been removed. Mr. Tubbs has been contacted by Mike Layton with Aurora Oaks about the possibility of clearing the site. Several years ago, there was a similar site near the high school that was a former battery storage facility. A phase one study was conducted through the Brownfield Development Program which identified what was at the site and what needed to be cleared. Judge Miller recommended that a phase one study be done on the former gas station site. A motion was made by Com. Anderson and seconded by Com. Gold to authorize Mr. Tubbs to proceed with securing the phase one study as recommended. All voted aye. Motion carried.

Mr. Tubbs reported on reinvestment in Marshall County through a summary of projects that have received approval or have been completed since January 31, 2009 (attached). The amount of total investment is \$390,685,652.

C. Bryan Cutsinger, Director of the Marshall County Ambulance Service addressed the Court regarding the EZ-IO, which provides easy, rapid, and safe vascular access via the intraosseous space. The EZ-IO can be used to establish stable and secure access in less than 10 seconds for adults and children instead of inserting an IV. It is ideal for patients who are diabetics, renal or dialysis patients, burn victim, obese patients, IV drug users, and others for whom regular IV access can be challenging. Mr. Cutsinger has obtained a quote, in the amount of \$3,373.80, which would allow an EZ-IO unit to be in each ambulance. He added that money is available in the Ambulance Service equipment budget. A motion was made by Com. Drew and seconded by Com. Gold to authorize Mr. Cutsinger to purchase the EZ-IO units. All voted aye. Motion carried. Com. Drew asked if Mr. Cutsinger had the authority to make the purchase without the Court's approval. Judge Miller replied that he did, but Judge Miller recommended Mr. Cutsinger make the request to the Court since the budget is so tight.

D. Com. Gold requested a short break.

E. Judge Miller called Court back into regular session.

II. CORRESPONDENCE:

A. Judge Miller outlined some of the issues before the General Assembly including pensions, special districts, tax reform, E-911 funding, Constables, and jail funding. Judge Miller added that the County Judge/Executive's Association and the Magistrates and Commissioners Association as well as the other elected officials state organizations are either supporting or opposing legislation and will be keeping their members informed.

B. Judge Miller read a Resolution supporting increasing the speed limit to 65 mph, where safe, on the 68/80 Corridor. A motion was made by Com. Drew and seconded by Com. Gold to approve the Resolution as presented. All voted aye. Motion carried.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the January 14, 2013 Special Meeting; January 15, 2013 Fiscal Court Meeting; January 15, 2013 Administrative Code Workshop; and the February 4, 2013 Special Meeting. All voted aye. Motion carried.

B. Two years ago, the Court was a Corporate Sponsor (\$2,500.00) for the Marshall County Relay for Life. However, last year the Court did not provide any money for Relay. The sponsorships range from \$100 to \$2,500. The line item in the budget for contributions has been exhausted. If money is found in the budget, it could be moved through a budget amendment. No formal action was taken.

IV. NEW BUSINESS:

A. County Clerk Tim York presented the County Clerk's Financial Settlement for Calendar Year 2012. Mr. York submitted a check, in the amount of \$260,394.91 for excess fees to the Treasurer's Office. A motion was made by Com. Anderson and seconded by Com. Gold to approve the County Clerk's Settlement as presented. All voted aye. Motion carried.

B. Mr. York asked for the Court's consideration of an increase in the payment of the Marshall County Board of Election Commissioners from \$35.00 to \$50.00; Election Precinct Workers Training per Election from \$15.00 to \$40.00; and that the Election Precinct Workers Pay per Election remain the same at \$125.00. Com. Drew asked how

often the Board of Elections met. Mr. York replied once a month. A motion was made by Com. Anderson and seconded by Com. Gold to approve the increases as requested. All voted aye. Motion carried.

C. Sheriff Kevin Byars presented the Sheriff's Settlement for Calendar Year 2012 and a check in the amount of \$180,105.77 for excess fees. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Sheriff's Settlement. All voted aye. Motion carried.

Sheriff Byars informed that three vehicles are in need of replacement and requested \$90,000 to purchase them. He added that the Crown Victoria is no longer being produced and the equipment will have to be refitted to work on the new vehicles. A motion was made by Com. Gold and seconded by Com. Anderson to provide funding to purchase the new vehicles as requested. All voted aye. Motion carried. Judge Miller informed that Carlisle County recently purchased some surplus vehicles from the Missouri State Police. They are declared surplus when they have 45,000 to 50,000 miles on them.

D. Training and funding for training for the Animal Control Officers were discussed. Wendy Baxter compiled information for Level 1 and Level 2 Training (in Baton Rouge, LA and Memphis, TN); including registration, mileage, per diem, and hotel costs for both officers and the total amount is \$5,857.75. In order to apply for the training courses, membership is required in the National Animal Control Association and the annual fee is \$125.00. Ms. Baxter added that there is a possibility of receiving a scholarship in the amount of \$525.00 for the training course. Following discussion about the officers attending training in different locations, and when they need to have the courses completed, no formal action was taken on specific training locations or dates. A motion was made by Com. Anderson and seconded by Com. Drew to pay the annual membership and join the National Animal Control Association. All voted aye. Motion carried.

Discussion was held about duty gear that may be needed by the Animal Control Officers. Sheriff Byars compiled a list of equipment for the Court's consideration. The Sheriff offered to purchase the equipment through his department, which would be reimbursed by the Court. This would allow for a 20% discount bringing the total cost to equip both officers for \$687.81. Com. Drew asked about policies and procedures for animal control. Judge Miller agreed that is something that needs to be addressed. Following discussion, it was determined that the Court needs to finish updating the Administrative Code and then move to the policies & procedures for animal control.

E. A bid opening was held for the sale of surplus property. Advertisement for bids was published in the January 23rd and 30th editions of the Tribune Courier. The Parks Department requested that the truck be transferred from the Road Department to the Parks Department. The items are:

- 1996 Ford F250 pickup truck
- Kar Krane (late 70's or early 80's model)
- battery charger
- truck tool box (22" deep x 8" wide x 18" tall)
- truck tool box (22" deep x 8" wide x 18" tall)
- Acetylene cart

The bids were as follows:

1. Greens Towing Service – Ford Pickup - \$667.69; Kar Krane - \$1,299.99
2. Kenneth Baker – Kar Krane - \$1,503.00
3. Cowboy Street – Kar Krane - \$1,000.00
4. Jacob Denfip – Ford Pickup - \$500.00; Kar Krane - \$500.00; Battery Charger - \$20.00; \$5.00 each on the two tool boxes; & Acetylene cart - \$20.00
5. Shane Watkins - Acetylene cart - \$24.93
6. Rick Castleberry – Battery charger - \$28.00; Acetylene cart - \$16.00
7. Jay Dunnigan - Ford Pickup - \$2,250.00; Kar Krane - \$2,750.00; Battery Charger - \$40.00; \$30.00 each on the two tool boxes; & Acetylene cart - \$10.00
8. Scott Martin – Ford Pickup - \$1,611.00; & the battery charger - \$5.10
9. Ty Hardin – Ford Pickup - \$510.00; & \$25.00 each on the two tool boxes

Due to the request of the Parks Department regarding the pickup truck, a motion was made by Com. Anderson and seconded by Com. Gold to reject all bids on the pickup truck. All voted aye. Motion carried.

A motion was made by Com. Anderson and seconded by Com. Gold to transfer the pickup truck from the Road Department to the Parks Department as requested. All voted aye. Motion carried.

County Road Superintendent Russell York recommended that all bids on the Kar Krane be rejected because it would bring more money if it is sold as scrap. A motion was made by Com. Drew and seconded by Com. Anderson to reject the bids as recommended.

A motion was made by Com. Drew and seconded by Com. Anderson to authorize Russell York to sell the Kar Krane as scrap metal. All voted aye. Motion carried.

The high bids on the remaining items were: Jay Dunnigan on the battery charger - \$40.00 and the two tool boxes - \$30.00 each; & Shane Watkins on the acetylene cart - \$24.93. A motion was made by Com. Anderson and seconded by Com. Gold to accept the high bids. All voted aye. Motion carried.

F. A bid opening was held for contractual services on mowing and weed-eating thirty-three (33) county owned properties. Advertisement for bids was published in the January 9, 16, 23, & 30, 2013 editions of the Tribune Courier. The bids were as follows:

1. Williams Landscaping - \$31,500.00
2. Thompson Lawn Care - \$24,270.00
3. Allen's lawn Care - \$59,995.00
4. A & C General Land Care - \$18,000.00
5. Adam Miller - \$29,200.00
6. Marshall County Lawn Service - \$38,080.00
7. Lawn Pro Property Maintenance - \$19,250.00
8. Jeff Johnston - \$24,500.00

County Attorney Jeff Edwards expressed concern over the \$40,000 spread in the bids. Larry Whitt, Director of Parks, said he would like to speak with the low bidder to make sure he is aware of the scope of work if the bid is awarded. A motion was made by Com. Drew and seconded by Com. Anderson to table action until Mr. Whitt can speak to the low bidder. All voted aye. Motion carried. Mr. Whitt said he will report to the Court during the meeting next week.

G. Judge Miller presented the listing of the Marshall County Elected Officials New Salaries for 2013, including a cost of living increase of 1.7408% (attached). The salaries of Judge/Executive, County Clerk, Sheriff, & Jailer automatically receive the cost of living increase due to state regulations. The Coroner, County Attorney, and Commissioners salaries are not automatically increased. A motion was made by Com. Drew and seconded by Com. Anderson to opt out of a salary increase for the Commissioners, due to the budget situation. All voted aye. Motion carried.

A motion was made by Com. Gold and seconded by Com. Anderson to approve the 1.7408% increase for the other elected officials. All voted aye. Motion carried.

I. A listing of active employees as of January 1, 2013 was submitted. A motion was made by Com. Drew and seconded by Com. Gold to accept the list of employees as submitted. All voted aye. Motion carried.

J. The budget appropriation transfer listing was distributed. A motion was made by Com. Gold and seconded by Com. Anderson to approve the appropriation transfers. All voted aye. Motion carried.

K. The Payroll Fund - Accounts Receivable Report as of February 11, 2013 was submitted and is as follows:

From	Amount
Marshall Co. Sheriff's Department	\$110,583.20
Marshall Co. Attorney's Office	\$
Marshall Co. Clerk's Office	\$
Total Approved	\$110,583.20

A motion was made by Com. Anderson and seconded by Com. Drew to approve the Accounts Receivable Report as submitted. All voted aye. Motion carried.

L. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Treasurer's Report, subject to audit. All voted aye. Motion carried.

M. The Kentucky Association of Counties is recommending that counties and cities use Facility Dude, which is a computer program for tracking expenses on projects. The program can produce work orders and various reports, keeping information up to date throughout projects. For the first year, Facility Dude is free with the exception of training. After the initial first year, the cost per year will be \$2,400.00 for the software. Training costs are estimated to be approximately \$2,100 for two people. Ms. Martin recommended that one from the Road Department and one from the Parks Department be sent to training in South Carolina. A motion was made by Com. Gold and seconded by Com. Drew to approve the expenditure for Facility Dude training. All voted aye. Motion carried.

N. Ms. Martin was contacted by a vendor who services fire extinguishers and emergency exit lighting, and asked that this item be added to the annual bid list. Judge Miller recommended that this item be added to the bid list as requested.

O. Discussion was held about scheduling a budget workshop and include the department heads in the meeting. Judge Miller asked the Commissioners to check their schedules in order to set a meeting within the next couple of weeks. No date was scheduled.

P. Ms. Martin submitted a request to draw funds from the Arts Commission Loan

in the amount of \$70,214.55. A motion was made by Com. Anderson and seconded by Com. Gold to approve the drawdown as requested. All voted aye. Motion carried.

Q. Sheriff Byars informed that E-911 Director Jason Luebker's mother passed away. Judge Miller added that Mrs. Luebker battled cancer, she was a wonderful woman, and will be sadly missed.

R. A motion was made by Com. Anderson and seconded by Com. Gold to go into executive session to discuss possible property acquisition. All voted aye. Motion carried.

S. Judge Miller called Court back into regular session and informed that discussion was held during executive session regarding possible property acquisition near the county park. The Park Board will be meeting in the next couple of weeks to discuss funding options. Mr. Whitt will report back to the Court.

T. Judge Miller read the Animal Shelter report for January which is as follows: Animals in the pen as of 12/31/2012 – 28; brought in by Animal Wardens – 45; brought in by citizens – 49; total animals taken in – 94 (dogs – 42; cats – 28; puppies – 16; & kittens – 8); adopted – 71; animals in foster care – 0; reclaimed – 8; euthanized – 2; & animals in the pen (& in foster care) as of 1/31/2013 – 41; adoption fees - \$1,055.00.

U. Copies of the Fiscal Court's Draft Audit for FY ended June 30, 2012 were distributed to the Commissioners. A copy is available for public review in the County Judge/Executive's Office.

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

W. A meeting to discuss expanded jurisdiction for the Building & Electrical Inspection program will be held on Monday, February 18th at 9:00 a.m. in the Fiscal Courtroom. Discussion was held about meeting later on the same day to work on the Administrative Code.

X. Road Department Superintendent Russell York requested that one of the two bucket trucks assigned to the Road Department be transferred to the Parks Department. A motion was made by Com. Gold and seconded by Com. Anderson to approve the transfer of the bucket truck as requested. All voted aye. Motion carried.

Y. Emily Martin informed that a \$6,754.48 settlement has been received regarding the Public Properties Corporation.

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

Respectfully submitted by:

Melonie Chambers
Fiscal Court Clerk