

Marshall County Fiscal Court
March 15, 2011

The Marshall County Fiscal Court met in regular session on Tuesday, March 15, 2011 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners, the County Attorney, and the Assistant County Attorney were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Judge Miller informed that Dale Hargrove was scheduled to appear, but was unable to attend. Mr. Hargrove, with Hometown Videos works in conjunction with Mediacom to air events such as the Court meetings. The only cost for the Court would be the purchase of microphones. Judge Miller will contact Mr. Hargrove regarding what is needed in the way of microphones and report back to the Court.

B. Timothy G. Barter addressed the Court about a drainage problem that has been getting worse over the years on Patriot Street in the Old Gilbertsville area. He added that during the summer months the whole area is a breeding ground for mosquitoes. Mr. Barter presented a picture of a small covered pipe which he estimated at 10" in diameter that is clogged and no water is able to pass through the pipe. In the past, a fire hose has been used to force the water through the pipe and it is now completely blocked. Mr. Barter and another neighbor have offered to split the cost for a larger pipe with the property owner, who is only in the area once a year on average. The property owner did not want to pay any money to have the pipe replaced. Mr. Barter also presented a picture of a ditch the county road department fixed in the same area and that alleviated the flooding problem on that street. Com. Anderson asked if Gary Atkins could look at the problem and the Court authorize him to do what he thinks would be necessary to fix the problem prior to the next Court meeting. He added that there could be a lot of rain between now and the next meeting. No formal action was taken.

II. CORRESPONDENCE:

A. Judge Miller reminded the Court of the scheduled Reverse Online Auction scheduled for 10:00 a.m., March 30, 2011 for the purchase of salt.

B. Keith Todd, Public Information Officer for the Kentucky Transportation Cabinet informed of plans to restrict traffic to one lane on the Interstate 24 Tennessee River Bridge during the week of March 14th thru 18th to allow a detailed inspection of the bridge structure.

C. The Marshall County Park Board submitted a letter. Judge Miller informed that it related to personnel issues and would be discussed during executive session.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Drew to approve the minutes of the March 1, 2011 meeting. All voted aye. Motion carried.

B. Judge Miller informed that he and District One Highway Engineer Jim LeFevre viewed the entrance road into Kerry Landing. Mr. LeFevre informed that in order to fix the problem, there needs to be 60' by 24' with 8 " concrete deck spread box beam single span bridge installed. The estimate for the bridge is \$252,829.00. Judge Miller will pass the information on to the property owners, who have the option of forming a Public Road District to cover the cost for the bridge, which can then be repaid with an addition to their taxes.

C. The old Fairdealing Olive Fire Department building is now ready for the county to tear it down and haul away the debris. The fire department will pay Wastepath for the disposal of the debris.

D. Judge Miller informed that he and Com. Gold met with representatives of the Marshall County Hospital Board about the possibility of placing a satellite station for the ambulance service near Aurora. He added that the possibility has been placed on hold for the time being.

IV. NEW BUSINESS:

A. Commonwealth Clean Up Week has been set for March 20th thru 26th. Several areas in Marshall County also have scheduled Clean Up Days and Judge Miller urged people to make a conscious effort to help get and keep the county clean.

B. Marshall County Jailer Roger Ford presented his proposed budget for 2011/12 in the amount of \$2,031,000 which is a decrease of \$64,000.00 from the 2010/11 budget. Mr. Ford said with the amount of money lost from lack of prisoners sent from the state as well as other issues, it appears that he may have to ask for a \$800,000 subsidy from the Court for the operation of the jail. Judge Miller opened the floor for a motion. Com. Drew asked if the Court had \$800,000 for the jail, why was there not \$57,000 for the Sheriff's Department. County Treasurer Emily Martin answered that in looking at the upcoming package budget, because of the way the system is laid out we have to accept the proposal a month in advance from the elected officials. It would then be adopted within the entire budget, this is only a component. Judge Miller added that this is a proposal also for the \$800,000 subsidy and what we were talking about in the Sheriff's situation was different, it was a \$57,000 shortfall in the settlement. Ms. Martin said the subsidy is the estimate of the cost to the Court to

operate the jail. For example, if only \$500,000 was needed, that's all would be subsidized and not the entire \$800,000. A motion was made by Com. Gold and seconded by Com. Anderson to accept the Jail Budget with the subsidy of \$800,000 as presented. All voted aye. Motion carried.

C. The Jail Policy & Procedure Manual has not been changed and Mr. Ford requested that the Manual be approved again as required on an annual basis. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Jail Policy & Procedure Manual as requested. All voted aye. Motion carried.

D. The dishwasher at the jail has to be replaced. Mr. Ford informed that he is in the process of obtaining quotes to replace the unit which is approximately 20 years old. He added that the cost will be \$6,000 to \$7,000.

E. Judge Miller presented the County Road Aid Cooperative Contract between the Kentucky Transportation Cabinet and Marshall County in the amount of \$658,924.00 and Resolution approving the agreement for FY 2012. A motion was made by Com. Gold and seconded by Com. Drew to approve the Resolution and Contract as presented for County Road Aid. All voted aye. Motion carried.

F. Ballard County had prepared an Ordinance prohibiting the sale of bath salts and Judge Miller obtained a copy for the Court's review. Since that time, the Kentucky Legislature has made it illegal to sell bath salts, which eliminated the need for an Ordinance.

G. Jeff Edwards informed that both the Marshall County Attorney and County Clerk's Offices' tax programs need to be updated. The total for both offices is \$12,055.00 and the monthly support and software maintenance is \$434.00 per month. A motion was made by Com. Anderson and seconded by Com. Drew to approve the purchase of the software, including maintenance per month. All voted aye. Motion carried.

H. Wayne Obkst, State Librarian & Commissioner of the Kentucky Department for Libraries & Archives informed that the term of Beverly Wiles expired on October 24, 2010 on the Marshall County Public Library Board of Trustees. The following names were submitted for consideration to replace Ms. Wiles: Barbara Sloan and Melissa Elrod, both of Benton. Upon recommendation of Judge Miller, a motion was made by Com. Gold and seconded by Com. Anderson to appoint Barbara Sloan. All voted aye. Motion carried.

I. Judge Miller read the Marshall County Animal Shelter Report for February 2011 which is as follows: animals in the pen as of 1/31/11 – 15; brought in by Animal Wardens - 23; brought in by citizens – 36; total animals brought in – 59 (dogs – 29, cats – 14, puppies – 14, & kittens – 2); adopted – 15; reclaimed – 6; euthanized – 40; & animals in the pen as of 2/28/11 – 13.

J. The Animal Shelter was open on Saturdays during February to give people more time to go to the shelter to adopt a pet. One dog was reclaimed and one cat was brought in by a citizen. Following discussion, the shelter will remain open again in March to see if the numbers increase.

K. The date to accept annual bids for materials was scheduled for April 19th.

L. A motion was made by Com. Anderson and seconded by Com. Gold to go into executive session to discuss personnel. All voted aye. Motion carried.

M. Judge Miller called Court back into regular session and informed that a gentleman has given notice of his retirement from the park. A motion was made by Com. Anderson and seconded by Com. Drew to lift the hiring freeze and hire an additional person at the park. All voted aye. Motion carried. The park will be advertizing in the paper for mowing and weed eating county maintained property. Judge Miller added that he doesn't know if there will be a cost savings or not but if there is, the court will take action at that time.

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

O. Treasurer Emily Martin informed that the Veterans Van Fund is low and recommended transferring \$1,800.00 into it from the General Fund. A motion was made by Com. Drew and seconded by Com. Gold to approve the funds transfer. All voted aye. Motion carried.

P. Ms. Martin requested a drawdown in the amount of \$103,770.00 in DRA funds on the Health Department Project. A motion was made by Com. Gold and seconded by Com. Anderson to approve the drawdown request. All voted aye. Motion carried.

Q. Ms. Martin sent an email to each department regarding the 2011/12 budget and requested that department heads schedule appointments with the Court for discussion. The block of time set was March 31st beginning at 2:00. Ms. Martin will schedule as many appointments as possible during that period.

R. Road Supervisor Gary Atkins said the estimate for the list of roads this year submitted by the Commissioners is \$575,000 and they had indicated they wanted to keep the cost to approximately \$500,000. He added this is the least amount of blacktop the county has done in 21 years.

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

T. A motion was made by Com. Gold and seconded by Com. Anderson to reinstate the hiring freeze. All voted aye. Motion carried.

U. Com. Gold will be teaching a fire training school in Mississippi the first week of May and asked about moving the Court dates. Discussion was held about moving the meetings to the second and fourth Tuesdays. Following further discussion about deadlines for signatures on a Water Vision project, the meetings for May were set for Monday, May 9th and Monday, 23rd.

V. 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