

Marshall County Fiscal Court  
March 17, 2015

The Marshall County Fiscal Court met in regular session on Tuesday, March 17, 2015 in the First Floor Conference Room, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Johnny Bowlin, & Dr. Rick Cocks; County Attorney Jeff Edwards & Assistant County Attorney Jason Darnall were present. Chyrrill Miller, County Judge/Executive presided.

I. GUESTS:

A. Randy Newcomb, Director of the Kentucky Lake Convention & Visitors Bureau informed that Kathy Fennel (FLW) and Mark Woods terms expired as of January 1, 2015 and per KRS, the board members continue to serve until either reappointed or replaced. Judge Miller said that even though it was her choice on the appointments, she would like the Court's approval of her reappointment of Ms. Fennel & Mr. Woods. Upon recommendation of Judge Miller, a motion was made by Com. Gold and seconded by Com. Bowlin to reappoint Kathy Fennel & Mark Woods to three (3) year terms (terms to expire January 1, 2018). All voted aye. Motion carried.

B. Michael Oliver, Transportation Engineer Supervisor with the Kentucky Department of Transportation presented the Rural Secondary Recommendations for 2015-2016 which is as follows:

Marshall County Tentative Allocation	\$1,498,136.00
Undistributed Balance	\$ 22,286.00
1. Maintenance of 130.004 Miles @\$3,500 per mile	\$ (455,014.00)
2. County Judge/Executive Expenses	\$ (3,862.00)
Sub-Total:	\$ (458,876.00)
Balance for Improvements:	\$1,061,546.00

Recommended Improvements

3. County "Flex" Funds	\$ 224,720.40
4. KY 962 – Old Olive Road	
From: MP 2.938 – Olive Hamlet Rd/KY 1897	
To: MP 6.879 – US 68	
3.941 Miles of Resurfacing	\$ 334,985.00
5. KY 1413 – Patterson Ferry Road	
From: MP 0.000 – US 68	
To: MP 2.446 – US 62	
2.446 Miles of Asphalt Resurfacing	\$ 207,910.00

6. KY 1836 Virgil Lyles Road From: MP 0.000 – Calloway – Marshall Co. Line To: MP 1.677 – KY 402 1.677 Miles of Asphalt Resurfacing	\$ 142,545.00
7. KY 2606 – Jackson School Road From: MP 4.353 – KY 58 To: MP 6.110 – KY 408 1.757 Miles of Asphalt Resurfacing	<u>\$ 149,345.00</u>
Total cost of Resurfacing	\$1,059,505.40

A motion was made by Com. Gold and seconded by Com. Cocke to accept the Rural Secondary Recommendations as presented. All voted aye. Motion carried.

C. Jailer Roger Ford presented the FY 2014/15 Jail Budget. A motion was made by Com. Gold and seconded by Com. Cocke to accept the budget. All voted aye. Motion carried. Mr. Ford asked for approval of the Jail's Policy & Procedure Manual. He said that the only change from the previous manual was regarding transportation. Com. Cocke said he didn't want to approve it unless he sees it. Mr. Ford replied that he will bring copies for the court's review prior to the next meeting. Judge Miller asked Mr. Ford to attend the next meeting on April 7<sup>th</sup>.

D. Richard Stallons addressed the court on behalf of the Kentucky Changers. He informed that the week of June 20<sup>th</sup> – 26<sup>th</sup>, between 200 & 300 people will be coming to Marshall County to do repair work on houses for the homeowners who qualify. To date they have received 45 applications. The youth volunteers will work on the exterior of the houses and the adults will work on the interior. The estimated cost per house is \$2,000 and the group would like to raise \$40,000 to \$60,000 to cover the cost of the materials. Mr. Stallons added that they would also like dumpsters at the work locations. Judge Miller said there was only \$4,000 left in the contribution request portion of the budget, but would like the court to make a \$1,000 contribution as well as furnish the dumpsters and cover the cost of debris removal. A motion was made by Com. Bowlin and seconded by Com. Gold to do so. All voted aye. Motion carried.

E. John Keith Miller, Superintendent of Marshall County Recycling gave a report on activities over the past few months. A total of 26,081 lbs. of cardboard, plastic and metals has been collected. Grant monies were received and a larger baler was purchased. They have been using it for cardboard but today they are starting to use it for baling aluminum. The annual trash sculpture contests for elementary through high school students was held. He presented a slide show of some of the entries and added

that for every age division first place received \$50, second place received \$25 and third place received \$10 – each participant received a pencil. Earth Day is April 22<sup>nd</sup> and on Thursday, they will be collecting hazardous household waste at the Childrens Art Center. Grant funds will be applied for during the next funding cycle to purchase a portable compactor and ten black trailers with bins. Mr. Miller introduced Shana Roberts and Makenzie Kemp who are members of FCCLA at Marshall County High School. They are with the Childhood Development Program and have been working with preschoolers teaching recycling. They made a presentation that they will be doing during the state competition.

F. Lannie Fisk spoke to the court and had a quart jar of water he brought in from his house. He compared the water, which was cloudy with a brown tint to some that Treasurer Emily Martin was drinking. Mr. Fisk said that he is not the only one in this county without access to good clean drinking water and added that he packs water to his house and will continue to do so until he either can't anymore or he has good water. He said he was told different reasons by former court members why the water wasn't in that area where hundreds of families are in the same situation. He has had his water tested over the years by the Health Department and sometimes during the summer months the bacteria count has been so high they can't get a reading.

G. David Hendrickson also addressed the court about the need for potable water. He lives in the southwest corner of the county, just off of Houser Road on Cole Lane and he has been knocking on his neighbors doors and talking about their problems. He said he didn't understand the issue of running the lines in that area if the county had the money and asked why they were the last to get access to water. Com. Gold said he would explain the situation to the best of his ability. The water pressure in that area would be too low to supply the water without added hydraulics provided by the completion of a tank in the Brewers area. When the hydraulics are completed, they the lines could be run from the Brewers "Y" area down Wadesboro Road in then to the surrounding area. The cost for the completion of Watervision 2020 is estimated to be \$15 million. Grant funding is being searched for to complete this project.

H. Kyle O'Dell, Chairman of the Marshall County Conservation District Board of Supervisors, addressed the Court and gave a Powerpoint presentation regarding watershed issues. Two watersheds have been upgraded to high hazard classification because of existing structures below them. One is located in the Griggstown Road where a house and a mobile home are located below the watershed. The other is on Foust Sledd Road, where a mobile home park is below the structure. During a meeting last year regarding the watersheds, discussion was held about an Ordinance in Logan County that would help to protect the county from this situation occurring. There are

approximately 20 watersheds in Logan County and four in Marshall County. There is also a potential situation with the watershed on 408. The land is now farmland, but if it is ever sold and developed for road frontage, it would be a very serious matter not only to the Conservation District, but to the county as well. The structures were built in the early 1960's and had a potential life span of 50 years so they are working as they are supposed to, but they are past the life expectancy. He added that these are problems that need to be handled before they become major problems. County Attorney Jeff Edwards informed that Logan County has county-wide zoning and can adopt an ordinance regarding the watershed issue. Marshall County does not have county-wide zoning and has no authority to adopt such an ordinance. He added that he could draw up a Resolution warning residents of the dangers of living below the dams at the watersheds.

I. Martin Johnson informed that Huntington National Bank is preparing a modified agreement for the sale of the former Fleetwood Property and asked for the court's approval to authorize Judge Miller to sign the documents when they are received. A motion was made by Com. Gold and seconded by Com. Bowlin to authorize Judge Miller to sign the agreement on behalf of the court. All voted aye. Motion carried.

II. CORRESPONDENCE:

A. The Marshall County Arts Commission asked for the Court's consideration of being returned to the budget as a line item in the amount of \$5,000. Following discussion, this item was tabled for further discussion during budget workshops.

B. Phil Craig, Director of the Division of Building Codes Enforcement sent information regarding the increase in plan review fees.

C. Judge Miller informed of a recent press release from Governor Beshear regarding Wacker Chemical Corporation's expansion in Calvert City.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the minutes of the March 3, 2015 meeting. All voted aye. Motion carried.

B. Treasurer Emily Martin received two proposals for audio services in the courtroom from Steve Walston with Sound Design Sales, Service & Installation. The proposals are the same with the exception of the speakers. One is for speakers extended from the ceiling - \$9,925 and the other for speakers mounted in the ceiling –

\$9,375. Following discussion about the speakers hanging from the ceiling providing better sound quality, a motion was made by Com. Gold and seconded by Com. Bowlin to accept the quote of \$9,925 for the audio system in the Fiscal Courtroom. All voted aye. Motion carried.

C. Discussion was held about the site study for a new industrial park. Judge Miller said that she had been misquoted in the press and was not against the site study but had only asked where funding for the study would be obtained. Judge Miller tabled this item and since it deals with property acquisition to discuss it during the scheduled executive session.

IV. NEW BUSINESS:

A. Following the reading of a resolution requesting increased cooperation and a temporary halt to logging from the U.S. Forest Service in regard to the landscape forest management of Land Between the Lakes, a motion was made by Com. Cocke and seconded by Com. Gold to approve the Resolution. All voted aye. Motion carried.

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

C. Judge Miller called court back into regular session at 1:17 p.m.

D. Judge Miller informed that discussion was held during executive session concerning a request from Property Valuation Administrator Tony Henson. The PVA Office structure, until April 1st has two county paid employees and Mr. Henson requested to eliminate one of those positions and then increase county employee Kacey Tubbs' salary to be in line with the other PVA employees' salaries. A motion was made by Com. Bowlin and seconded by Com. Gold to approve the salary increase for Kacey Tubbs (beginning April 1, 2015). Com. Cocke said the other 170 county employees are in line to receive a 0.755% for cost of living, but if approved, Mrs. Tubbs would be receiving a \$15,000 per year increase. He continued by saying that he was not prepared to do that to the other employees at this time. Com. Bowlin & Com. Gold voted aye. Com. Cocke voted no. Motion carried.

E. A motion was made by Com. Gold and seconded by Com. Bowlin to move forward with the site study for an industrial park. Com. Cocke said that there is other property available and he wanted the other members of the court to have the same information he had. He continued by saying there are 150 acres available at no cost to

the county. Com. Bowlin & Com. Gold voted aye. Com. Cocke voted no. Motion carried.

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

G. The Payroll Fund - Accounts Receivable Report as of January 31, 2015 was submitted and is as follows:

As of February 28, 2015

From	Amount
Marshall Co. Sheriff's Department	\$206,139.25
Marshall Co. Attorney's Office	\$ 0.00
Marshall Co. Clerk's Office	<u>\$ 0.00</u>
Total Approved	\$206,139.25

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

H. Judge Miller read the Animal Shelter report for February which is as follows: Animals in the pen as of 1/31/2015 – 31; brought in by Animal Wardens – 19; brought in by citizens – 45; total animals taken in – 64 (dogs – 28; cats – 12; puppies – 24; & kittens – 0); adopted – 42; animals in foster care – 0; reclaimed – 5; euthanized – 4; & animals in the pen (& in foster care) as of 2/28/2015 – 44; adoption fees - \$1,030.

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

J. Jeff Edwards informed that he will not be available for the next meeting, which during spring break. He added that he will have one of the Assistant County Attorneys cover the meeting and he will be available via phone if needed.

K. Judge Miller informed that Dr. Sajid will be in court on April 21<sup>st</sup> to address questions regarding the Purchase Youth Village Treatment Center. Discussion was held about the format. Com. Gold suggested to either limit the number of people and/or the time allotted for questions. Judge Miller suggested that Dr. Sajid stay after the meeting to answer additional questions if that item turned out to be too lengthy.

L. Discussion was held about scheduled court dates and KACO training sessions in August and September. Judge Miller asked the Commissioners to check their calendars prior to the next meeting.

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M. Sheriff Byars asked if the one remaining sign could be posted at his office informing that Marshall County has been designated a Purple Heart County. The court members agreed.

N. A budget workshop was scheduled for Tuesday, March 31<sup>st</sup> at 1:00. Treasurer Martin added that she will hopefully have the completed budget ready to present to the court at that time.

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

Respectfully submitted by:

Melonie Chambers  
Fiscal Court Clerk