The Marshall County Fiscal Court met in regular session on Tuesday, March 19, 2013 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Duly elected Commissioners: Bob Gold & Terry Anderson; Assistant County Attorney Jason Darnall and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

Judge Miller opened the meeting and informed that Com. Drew was sick and was unable to attend. He recommended that the Budget Workshop & Animal Control Workshop scheduled for today be postponed until she was in attendance.

I. GUESTS:

A. Lois Rogalski, Director of ASAP (Agency for Substance Abuse Policy) expressed her appreciation to the Court for acting as the registered agent for ASAP. She updated the Court on the efforts to get the word out about the prescription medication drop box which is located at the Sheriff’s Office. Wendy Baxter, Chair of the ASAP Board added that hopefully there will be another drop box located in Calvert City in the near future. Sheriff Byars informed that the drop box located at his office is not for syringes or liquids, but there are other containers available at his office for proper disposal of those items.

B. Bobby Gifford, Director of Water Vision 2020 had several items:

- Submitted a drawdown request on WX 21157046 in the amount of $1,870.00 to Paul Cloud Engineering. A motion was made by Com. Anderson and seconded by Com. Gold to approve the drawdown request. All voted aye. Motion carried.

- A bid opening was held last week for backup generators for the North Marshall Water District Carter Brien Pumping Station & the Jonathan Creek Water District Oasis Pumping Station. The low bid on the Carter Brien Station was in the amount of $73,799.00 for a Generac generator from Usher Electric. The low bid on the Oasis Station was in the amount of $42,850.00 on a Kohler generator from DC Electric. Mr. Gifford added that the Jonathan Creek Water Board wanted to purchase a Caterpillar generator, which was $600.00 higher than Kohler. Mr. Gifford said that it was not his recommendation for the Court to approve the purchase of the Caterpillar generator, unless the additional $600.00 is paid by Jonathan Water. A motion was made by Com. Anderson and seconded by Com. Gold to accept Mr. Gifford’s recommendations and accept the low bids of $73,799.00 from Usher Electric on the Generac generator and $42,850.00 from DC Electric on the Kohler generator. All voted aye. Motion carried.
Informed that the monies obtained through a $75,000.00 loan with the City of Benton for the Oak Level water tank is ready to be spent. The market price is $11,700.00 which is under the $20,000.00 limit required for bids. He recommended proceeding with the purchase of the Oak Level tank. Also, Jonathan Creek received a quote of $32,300.00 but they have not scheduled a bid. He added that it was not his place to tell the board that they have to bid the tank, but he’s under the direction of the Court because it’s the Court’s money and he would like to be able to tell them it has to be bid. Judge Miller replied that anything over $20,000.00 has to be bid because it’s the law. Judge Miller asked about the differences on the two quotes and Mr. Gifford replied that he hadn’t been able to get an answer.

Informed that the cost overruns on the initial construction on the Brewers pumping station was $17,572.53. The agreement was for the district to absorb the cost and the court would purchase additional pipe to be placed throughout the county. However, now the district has asked him to submit the cost overrun to the county for payment. Judge Miller asked why they were not absorbing the bill. Mr. Gifford replied that when the bids were opened, he was asked if he had the $75,000.00 to which he replied he did. They then asked if they could submit the bill and he told them it could be submitted. He explained to the district representative that the court would prefer the district absorb the cost, and the court provide the pipe which would then provide more water customers for the district. A motion was made by Com. Gold and seconded by Com. Anderson to table the $17,572.53 funding request; ask that the telemetry be bid; and see where everything stands before taking action on this issue. All voted aye. Motion carried.

Informed that the contract for funding on Sanitation District #1 is being sent to the County Attorney for review and will be sent to the board for their review and approval. Com. Gold commended Mr. Gifford on his hard work and dedication in getting this much needed contract.

II. CORRESPONDENCE:

A. Gary Penrod sent copies of the complaint and pictures on property at Town & Country Marina, 1426 Gardner Road, Benton. Judge Miller said he and Sheriff Byars will keep the Court informed. Judge Miller added that he felt like the cost for the cleanup would be left up to the county.
B. Adam Edelen, State Auditor informed that his staff is planning to perform the county’s audit for FY 2013. They will provide two weeks’ notice prior to beginning the audit process.

C. W.E. Quisenberry, Jr. with Quisenberry & Quisenberry informed that they represent the estate of Bland C. Hardison. Mr. Hardison left a bequest to be distributed to all 120 county animal shelters. A check, in the amount of $1,432.47 was enclosed.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the March 5th meeting. All voted aye. Motion carried.

B. Road Department Superintendent Russell York informed that used the truck has been purchased and the notice for bids for a new ¾ ton pickup will be in today’s paper.

C. Judge Miller asked about the old van that is being replaced at the jail. The American Legion Honor Guard has made a request for a van to be used for transportation to military funerals. Judge Miller asked that their request be kept in mind.

D. Emily Martin has spoken with Scott Martin with KACo regarding a reverse auction for tractors and mowers. Mr. Martin suggested that the specs for the items be kept as broad as possible. Russell York asked if a reverse auction is used, what would be done with the trade-ins. Mr. Martin will be in the county tomorrow and this item was tabled until Mr. York and Mr. Martin meet. Mr. York will keep the court informed.

E. HB 257 regarding Electrical Inspections had the first reading in the Senate with one amendment. Wendy Baxter, with the Building & Electrical Inspection Department said that the last contact she had with Senator Bob Leeper’s Office, she was told if this bill passes, it would be a major expense for rental unit owners because they will have to hire a state certified electrician for any electrical work on their properties. Judge Miller added that he will stay in contact with Marshall County Building & Electrical Inspector Larry “Cat” Spears and keep the court updated.

IV. NEW BUSINESS:

A. The animal control training session in Baton Rouge, Louisiana has been cancelled due to low registration. There is one scheduled in Louisville July 8th thru 12th. The check for the Baton Rouge session has already been sent and should be transferred for the training in Louisville. There is additional training scheduled later in
the fall in Memphis, Tennessee. Judge Miller asked Wendy Baxter if she had any information about the scholarship. Ms. Baxter replied that she has not, but if a scholarship is awarded, the amount of the scholarship will be refunded from the training registration fee.

B. The Marshall County Arts Commission submitted a drawdown request from the loan in the amount of $23,024.50. A motion was made by Com. Gold and seconded by Com. Anderson to approve the drawdown request. All voted aye. Motion carried.

C. The Marshall County Cooperative Extension’s Audit Report for FY ended June 30, 2012 was submitted.

D. Following the first reading of Ordinance #2013-01 (budget amendment), a motion was made by Com. Gold and seconded by Com. Anderson to approve the first reading. All voted aye. Motion carried.

E. 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.

F. The Payroll Fund - Accounts Receivable Report as of March 19, 2013 was submitted and is as follows:

<table>
<thead>
<tr>
<th>From</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marshall Co. Sheriff’s Department</td>
<td>$205,318.12</td>
</tr>
<tr>
<td>Marshall Co. Attorney’s Office</td>
<td>$</td>
</tr>
<tr>
<td>Marshall Co. Clerk’s Office</td>
<td>$_________</td>
</tr>
<tr>
<td>Total Approved</td>
<td>$205,318.12</td>
</tr>
</tbody>
</table>

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

G. Treasurer Emily Martin informed that the state deposited $110,751.02 into the 911 Fund that should have been deposited into the Jail Fund and she made a bank transfer on March 8, 2013 to correct the mistake. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Intrafund Transfer. All voted aye. Motion carried.

H. A motion was made by Com. Gold and seconded by Com. Anderson to approve the budget appropriation transfers. All voted aye. Motion carried.
I. Ms. Martin submitted the Jail Budget for Roger Ford, who was unable to attend Court. She added that he will be able to attend the budget workshop. A motion was made by Com. Gold and seconded by Com. Anderson to accept the Jail Budget. All voted aye. Motion carried.

J. Copies of the Refuse District Budget were distributed. Ms. Martin said it is a balanced budget and added there should be some reserves at the end of FY 2014 and she does not anticipate any county subsidy. Action was tabled until the next meeting.

K. The Harvey-Brewers Fire Protection District Budget was submitted for FY 2013/14. A motion was made by Com. Gold and seconded by Com. Anderson to accept the budget. All voted aye. Motion carried.

L. Judge Miller read the Animal Shelter report for February which is as follows: Animals in the pen as of 1/31/2013 – 41; brought in by Animal Wardens – 33; brought in by citizens – 49; total animals taken in – 82 (dogs – 35; cats – 18; puppies – 24; kittens – 5); adopted – 73; animals in foster care – 0; reclaimed – 9; euthanized – 3; & animals in the pen (& in foster care) as of 2/28/2013 – 38; adoption fees - $1,884.00. Judge Miller informed that Union County Judge/Executive Jody Jenkins, two Magistrates & the Animal Control Officer will be touring the Animal Shelter this morning. Union County does not currently have an animal shelter and wanted to walk through and see the Marshall County Shelter operation.

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

N. Judge Miller read a copy of a letter from County Attorney Jeff Edwards to Russell York regarding Opal Lane. The letter advised that the quitclaim deed has been signed and properly recorded and noted that the roadway is not located where platted.

O. Sheriff Byars reported that he has put together some numbers on dimensions required for a shooting range. He did not have a cost estimate, but does have the specs. The Marshall County Gun Club has approximately 800 people who want to become members. The membership dues could be used to build, maintain, and operate the range.

P. April of odd numbered years is the month set aside by the Court to accept county road name requests.

Q. The Annual Bids were scheduled for April 16th.
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