

Marshall County Fiscal Court
April 3, 2012

The Marshall County Fiscal Court met in regular session on Tuesday, April 3, 2012 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Jailer Roger Ford was present concerning the recent Jail Inspection Report from Jeff Burton, Director of the Division of Local Facilities, Department of Corrections. Two items of non-compliance were noted during the recent inspection – (1) The daily inmate movement report was not submitted to the Central Office as required. (2) Doors are not properly labeled to effectively aid in the event of an evacuation. Mr. Ford informed that both items have been corrected. The Inmate Movement Reports were being submitted regularly, but was unaware that the reports were required daily. As of March 30th, the report is now submitted daily. All doors are now properly labeled.

Since the Court's authorization during the March 20th meeting, Mr. Ford has been looking for a vehicle to transport prisoners and has discovered that the 2012 models are no longer available. It appears that he will have to wait until the 2013 models are out and the budget he submitted will need to be amended to include the vehicle purchase in FY 2013 instead of FY 2012.

II. CORRESPONDENCE:

A. Wayne Onkst, State Librarian and Commissioner with the Kentucky Department for Libraries & Archives, informed that County Clerk Tim York's application for a grant from the Local Records Program has been approved. A FY 2012 local records grant award of \$22,214 is being made to provide funding for microfilming.

B. Judge Miller informed that approval has been received from the Department of Transportation for a bridge replacement on Chester Road. He added that hopefully work on the bridge will be completed prior to harvest season.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Anderson to approve the minutes of the March 20, 2012 meeting. All voted aye. Motion carried.

B. During the last meeting, the Animal Shelter/Humane Society issue was tabled. A motion was made by Com. Gold and seconded by Judge Miller to proceed with phase one of the expansion project at the Animal Shelter. Com. Gold and Judge

Miller voted aye. Com. Anderson and Com. Drew voted no. Com. Drew said she thought it was the wrong thing to do in 2003 to separate the Humane Society and the Animal Shelter and it's not good for the citizens or taxpayers. She said it would be the same thing as the county building a soup kitchen and going against Marcella's Kitchen.

IV. NEW BUSINESS:

A. The Marshall County Conservation District submitted their Annual Plan of Work for FY 2012-13. A motion was made by Com. Anderson and seconded by Com. Gold to accept the document as presented. All voted aye. Motion carried.

B. Judge Miller read a Fair Housing Resolution for the Court's consideration. The Resolution prohibits discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing or in the provision of brokerage services because of race, color, religion, sex or nation origin. A motion was made by Com. Drew and seconded by Com. Gold to approve the Resolution as presented. All voted aye. Motion carried.

C. Judge Miller read a full-line 5-year agreement with Pepsi Mid-America for the vending machines in the Courthouse. A motion was made by Com. Anderson and seconded by Com. Gold to approve the agreement as presented. All voted aye. Motion carried.

D. The bid date for annual bids was scheduled for Tuesday, April 17th. All bids are to be turned in to the County Judge/Executive's Office by 9:00 on the 17th.

E. The Intrafund Transfers were submitted and are as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund	911 Fund	\$ 62,500.00
Occupational Tax Admin.	Jail Fund	\$100,000.00
	Total Approved	\$162,500.00

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

F. Judge Miller asked Roy Jones to check and see when work will begin on reroofing the Jail/Sheriff's Office/911 Complex. Mr. Jones informed that work will begin in approximately two weeks and is expected to be completed in 60 days.

G. Mr. Jones informed that a transfer switch at the Jail/Sheriff's Office/911 Complex has failed. The switch is 20 years old and can be repaired for approximately \$4,400.00, but according to Keith Norwood of Norwood Electric, it may not fix the problem. A new switch can be installed for \$14,000.00 including labor and preparation to run off of the generator while it is being replaced. A motion was made by Com. Gold and seconded by Com. Drew to approve replacement of the transfer switch. Com. Drew suggested that in the future, in case the Court is wanting competitive bids, that a cost not be quoted in open Court. All voted aye. Motion carried.

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

I. Judge Miller called Court back into regular session and informed that the County Attorney filed a lawsuit Friday against the architect and contractor for the new Health Department.

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

K. Judge Miller reminded the Court of the Empty Bowls Project to benefit Marcella's Kitchen. The event is scheduled for Saturday, April 14th from 11:00 to 2:00 at the Kenneth Shadowen Performing Arts Center.

L. Com. Gold informed that as it currently stands, there is \$500,000 in the state budget for Animal Shelters. Judge Miller added that work will proceed with the expansion at the Marshall County Animal Shelter.

M. Com. Drew asked for clarification on the process involved when property is not in compliance with the county's Nuisance Ordinance. Sheriff Byars asked if the property owners do not respond to the written notice from his office, when they should be referred to the Refuse Department. Jeff Edwards said it would be up to his discretion. Discussion was held about the need to advertise for sealed bids if clean up of a job would be large. Prioritization was discussed. It was determined if there were properties that were not in compliance and the owners did not respond, to put that item on the agenda.

M. Sheriff Byars submitted the 2011 Fee Settlement. Total receipts and total disbursements were \$1,581,470.76. The settlement was accepted and distributed to the Court members. Action will be taken at the next meeting.

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O. Mark Harrison, Ambulance Service Director informed that he submitted his resignation notice approximately three weeks ago to the Marshall County Hospital. Effective May 9th, he will be the Program Director of the Air Evac Life Team based in Mayfield and explained that he will be doing the same type work he has for the ambulance service, but in an eight county area. Mr. Harrison has made arrangements with the Marshall County Ambulance Service to work enough hours to keep his paramedic license current. He thanked the Court for all of the support throughout his 30 year employment.

O. 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