

Marshall County Fiscal Court
April 19, 2016

The Marshall County Fiscal Court met in regular session on Tuesday, April 19, 2016 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Elected Commissioners: Bob Gold, Dr. Rick Cocke, and Johnny Bowlin; County Attorney Jeff Edwards were present. Kevin Neal, County Judge/Executive presided.

I. GUESTS:

A. Economic Development Director Josh Tubbs addressed the court regarding a project that is interested in Marshall County. Mr. Tubbs stated the company will be applying for Kentucky state incentives at the end of the month and he would like to send them a letter to let them know Marshall County will give the company a 0.5% occupational tax rebate over a 15 year period. Mr. Tubbs stated the City of Benton will also give the company a 0.5% occupation tax rebate over a 15 year period. There was some discussion on the topic. A motion was made by Com. Gold and seconded by Com. Bowlin for Judge Neal to sign a letter promising the company a 0.5% occupational tax rebate over a 15 year period. All voted aye. Motion carried.

Mr. Tubbs also asked the court to approve a Resolution supporting the submission of an application for Community Development Block Grant funds to assist Opportunity Marshall, Inc. in the recruitment efforts for an industrial prospect. Judge Neal read the Resolution to the court. A motion was made by Com. Gold and seconded by Com. Bowlin to approve Judge Neal to sign the Resolution. All voted aye. Motion carried.

Mr. Tubbs presented an Interlocal Agreement with the Regional Park Board for Judge Neal to sign. Brad Davis, with Purchase Area Development District explained the Interlocal Agreement Mr. Tubbs is presenting is an updated agreement to the agreement signed in 2001. Mr. Davis stated all eight counties would be signing the agreement. A motion was made by Com. Bowlin and seconded by Com. Gold for Judge Neal to sign the updated Interlocal Agreement with the Regional Park Board. All voted aye. Motion carried.

II. CORRESPONDENCE:

A. Judge Neal read a thank you from the family of Mitchell Hobgood, thanking the court for their outpouring of kindness during his passing.

B. Judge Neal read a thank you from Casey Counce pertaining to the death of his father, Kenneth Counce. Mr. Counce thanked the court for their support and kindness during his father's 14 month battle with brain cancer.

C. Judge Neal read a letter of resignation from Leslie Landers, Sanitation District #1 Board Member and Treatment Plant Operator, effective March 30, 2016.

D. Judge Neal read a letter from Mediacom regarding changes in their channel lineup. Mediacom will also add the TiVo Connector Kit.

E. Judge Neal informed the court he received a letter from the Kentucky Finance and Administration Cabinet in regards to the estimated county statutory obligations to Property Valuation Administrators (PVA) for Fiscal Year 2016-2017 per KRS 132.590(9)(10)(11)(12). The letter states \$75,700.00 should be appropriated to the PVA office for FY 2016-2017.

F. Judge Neal read a letter of resignation from Refuse Board Member Charlie Edwards effective immediately. There was discussion on a replacement for Mr. Edwards. A motion was made by Judge Neal and seconded by Com. Cocke to appoint Marvin Stokes to the Refuse Board. All voted aye. Motion carried.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the minutes of the March 15th meeting and the March 19th Special Called Meeting. All voted aye. Motion carried.

B. Treasurer Emily Martin read Ordinance #2016-02 Budget Amendment (second reading). A motion was made by Com. Cocke and seconded by Com. Gold to approve Ordinance #2016-02 Budget Amendment. All voted aye. Motion carried.

C. County Attorney Jeff Edwards gave an update on the Telecom Audit; he stated at this point we are looking at possible litigation. Mr. Edwards stated he would get a summary together for the court.

D. IT Director Andrew Lepisto presented the contract for the fiber connections with Paducah Power System. Mr. Lepisto said he would need to make changes to the customer info section due to Paducah Power System pre-filling it with their information. A motion was made by Com. Bowlin and seconded by Com. Cocke for Judge Neal to sign the contract with Paducah Power System for fiber connections. All voted aye. Motion carried.

E. County Attorney Jeff Edwards read the bid notice for the Calvert City property owned by the County, Board of Health, and Health Department which was advertised in the February 23rd edition of the Tribune Courier. One bid was received from Clint Conrad in the amount of \$37,501.00. Com. Cocke suggested the court reject the bid, discussion was held on re-bidding or having an absolute auction. A motion was made by Com. Cocke and seconded by Com. Bowlin to reject the bid. All voted aye. Motion carried.

A motion was made by Com. Cocke and seconded by Com. Bowlin to re-bid the Calvert City property. All voted aye. Motion carried.

IV. NEW BUSINESS:

A. Judge Neal presented the quote from ADS for fire and burglary protection. The cost of equipment and installation is \$11,530.50; there will be a \$39.95 monthly service fee. There was discussion on the quote. A motion was made by Com. Cocke and seconded by Com. Bowlin to accept the quote from ADS for fire and burglary protection. All voted aye. Motion carried.

B. A motion was made by Com. Gold and seconded by Com. Cocke to appoint Jason Pickard to the Sanitation District #1 Board. All voted aye. Motion carried.

C. There was discussion on equipment in the Barnes Grocery building owned by the county. Com. Bowlin would like to surplus the equipment, he will get with Maintenance Supervisor Gary Teckenbrock to get a list of all equipment and then present it to the court for consideration. No action was taken.

D. A motion was made by Com. Gold and seconded by Com. Cocke to advertise for Annual Bids. All voted aye. Motion carried. There will be a special called meeting on May 24th at 9:30 a.m. in the Fiscal Courtroom to open the Annual Bids.

E. A motion was made by Com. Cocke and seconded by Com. Gold for County Attorney Jeff Edwards to look into getting the County's Adult Entertainment Ordinance updated. All voted aye. Motion carried. Mr. Edwards will suggest the City of Benton and City of Hardin also join in.

F. A Budget Workshop was scheduled for Thursday, April 21st at 8:00 a.m. in the Fiscal Courtroom.

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

H. A motion was made by Com. Bowlin and seconded by Com. Gold to approve the Encumbrance Report. All voted aye. Motion carried.

I. A motion was made by Com. Cocke and seconded by Com. Gold to approve the Quarterly Report subject to audit. All voted aye. Motion carried.

J. A motion was made by Com. Gold and seconded by Com. Cocke to approve the Appropriation Transfer. All voted aye. Motion carried.

K. Judge Neal discussed lack of funding for work completed on the Watervision 2020 Oak Level project.

L. Treasurer Emily Martin requested an Intrafund Transfer of \$44,000.00 from Occupational Tax Admin. to 911 Fund (Budgeted Subsidy) and \$300,000.00 from Occupational Tax Admin. to Road Fund (Budgeted Subsidy). A motion was made by Com. Cocke and seconded by Com. Gold to approve the Intrafund Transfer. All voted aye. Motion carried.

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

N. County Attorney Jeff Edwards presented Ordinance #2016-03 Speed Limit on Cone Drive (1st Reading).

O. Com. Gold gave an update on the recent World Bowfishing Championship.

P. Judge Neal informed the KY Lake Friends of NRA will be holding a dinner and auction on Saturday, April 23rd at 5:30 p.m. at KY Dam Village.

Q. Deputy Judge Brad Warning informed Friday, April 22nd is Earth Day cleanup at Sledd Creek.

R. A motion was made by Com. Cocke and seconded by Com. Bowlin to go into Executive Session to discuss personnel (appointment and termination). All voted aye. Motion carried.

S. Judge Neal called court back in session.

T. A motion was made by Com. Bowlin and seconded by Com. Cocke to recess until 3:00 p.m. All voted aye. Motion carried.

U. Judge Neal called court back to order.

V. A motion was made by Com. Bowlin and seconded by Com. Cocke to go into Executive Session to continue discussion on personnel. All voted aye. Motion carried.

W. Judge Neal called court back in session.

X. A recommendation was made by the Park Board to appoint Dennis Foust as Superintendent of Parks. A motion was made by Com. Cocke and seconded by Com. Gold to appoint Dennis Foust as Superintendent of Parks. There was discussion on salary, Mr. Foust's base pay will be \$48,000.00/yr and since he is retired from the Judicial System he does not require insurance. Com. Cocke pointed out this is a savings of \$22,000.00 for the County compared to the base pay and benefits of the former Superintendent. Com. Cocke and Com. Gold voted aye. Com. Bowlin voted no. Motion carried.

Y. There was discussion on the termination of Wendy Baxter. A special hearing will be held Thursday, April 21st at 9:00 a.m. to hear Ms. Baxter's appeal. Deputy Judge Brad Warning and County Attorney Jeff Edwards will prepare documents informing her attorney of the hearing.

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

Respectfully submitted by,

Desiree' Hermosillo
Fiscal Court Clerk