

Marshall County Fiscal Court  
April 21, 2015

The Marshall County Fiscal Court met in regular session on Tuesday, April 21, 2015 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Johnny Bowlin, & Dr. Rick Cocke; County Attorney Jeff Edwards & Assistant County Attorney Jason Darnall were present. Chyrrill Miller, County Judge/Executive presided.

I. GUESTS:

A. Dr. Wasim Sajid presented an overview of Purchase Youth Village, which he is planning on building behind Marshall County Hospital. Dr. Sajid is Board Certified specializing in Adolescent & Child Psychology. Purchase Youth Village will be a secure in-house facility aimed at treating non-violent youth with mental issues mainly between the ages of 9 to 14 and the average stay will be 60 to 90 days and could go up to 180 days if needed. Kathy Johnston, who lives near the site had several questions including whether or not the patients will be supervised when they are outside and if the property value surrounding the facility would decrease. Dr. Sajid answered that the facility will be fenced and the patients will be supervised when outside the building but inside the fence and studies in other areas where similar treatment facilities are located show that the surrounding property values actually increased because of the facility. There were other questions, and Judge Miller asked Dr. Sajid and all concerned to continue their discussion in the First Floor Conference Room. Judge Miller thanked Dr. Sajid for attending and addressing the questions.

B. Jamie Silvernail lives on Denzel Martin Road and asked for permission to run a waterline to her property down the county's right-of-way on the road. Jeff Edwards said from his understanding there is an issue with one of the neighbors who is opposed to the waterline. He suggested that County Road Superintendent Russell York review the right-of-way on that road. This issue was tabled until the May 5<sup>th</sup> meeting.

II. CORRESPONDENCE:

A. There were no items of correspondence.

III. OLD BUSINESS:

A. A motion was made by Com. Cocke and seconded by Com. Gold to approve the minutes of the April 7, 2015 meeting. All voted aye. Motion carried.

B. A motion was made by Com. Gold and seconded by Com. Cocke to approve the Jail Policy & Procedure Manual. All voted aye. Motion carried.

C. Following the second reading of Ordinance #2014-01 (Adoption of the Kentucky Building Code), a motion was made by Com. Bowlin and seconded by Com.

Gold to approve the second reading and adopt the Ordinance. All voted aye. Motion carried.

D. Judge Miller announced her board appointment for the committee regarding Expanded Jurisdiction – Bill Gibson, who is a plumber and has served on several state-wide boards; Benton's appointment – Justin Edwards; & Hardin's appointment – David Smith. She added that Calvert City still needs to name their appointee as well as the Fiscal Court's appointee. Com. Cocke suggested Larry Mahaffey, who is a Level III Inspector. Com. Gold suggested Ray Davis, who has been a plumbing inspector for several years. He added that either person would be fine with him. A motion was made by Com. Cocke and seconded by Com. Bowlin to appoint Larry Mahaffey. All voted aye. Motion carried. Com. Cocke said he has spoken with Calvert City Mayor Lynn Jones, who has asked someone if they would be able to serve. The person is very busy and is checking to see if he will be able to serve.

E. Judge Miller informed that David Green has submitted the final revised schedule for Kentucky Lake Motor Speedway. There have been two races to date and both have ended on time. Com. Cocke questioned the fact that there have been two races prior to Mr. Green submitting the final schedule which included the variances Judge Miller had granted. Judge Miller explained that the schedule included the nine variances she had granted and the remainder of the schedule will be monitored as well to make sure KLMS adheres strictly to the schedule. She added that if they did not use the variances as stated, they could not be rescheduled.

#### IV. NEW BUSINESS:

A. There was a vacancy on the Marshall County Calvert Riverport Board due to the death of Judge Mike Miller. Tim Vaughn was recommended by Josh Tubbs to fill the remainder of Judge Mike Miller's appointment which will expire in June of 2015. Mr. Vaughn is a resident of Benton and has experience working in industry with Westlake in Calvert City. He is knowledgeable in the needs of industry and the needs of providing infrastructure and support to industry. A motion was made by Com. Gold and seconded by Com. Cocke to appoint Tim Vaughn as recommended. All voted aye. Motion carried.

B. Judge Miller read a Proclamation designating the month of May as Impress Our Guests: Clean-up Marshall County Month. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Proclamation. All voted aye. Motion carried.

C. Judge Miller informed that she signed a Proclamation earlier naming the week of April 12 - 18, 2015 National Telecommunicator's Week in Marshall County.

D. Following the reading of Ordinance #2015-01 (Budget Amendment), a motion was made by Com. Gold and seconded by Com. Bowlin to approve the first reading. All voted aye. Motion carried.

E. County Attorney Jeff Edwards informed that he has been contacted by the Aurora Ross Auxiliary concerning the two-year lease for the Aurora Community Park, which will be due for renewal on June 11, 2015. The Auxiliary had a reorganization and they would like for the lease for the park to be transferred to the new organization, which is WACPAC (Women of the Aurora Community Park Activities Committee). Mr. Edwards said that the group wanted the same relationship as the one between the county and the Auxiliary with the exception that they would like for the county to take over payment of the electric bills. Marshall County Parks Director Larry Whitt asked who would be responsible for overseeing who would have access to the electricity. Mr. Edwards said he will include that issue in the lease. A motion was made by Com. Gold and seconded by Com. Cocke to transfer the lease and pay for the electric service at the park. All voted aye. Motion carried.

F. The list of Rural Secondary Flex Program Recommendations, which were prepared by County Road Superintendent Russell York and Administrative Assistant Wendy Greer, were distributed. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the recommendations. All voted aye. Motion carried.

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

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

I. The Payroll Fund – Accounts Receivable Report as of March 31<sup>st</sup> was submitted and \$311,914.44 is owed by the Sheriff's Department. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Payroll Fund – Accounts Receivable Report. All voted aye. Motion carried.

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

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

L. An Intrafund Transfer was requested to move \$91,250.00 from the Occupational Tax Administrator Fund to the 911 Fund (Budgeted Subsidy). A motion

was made by Com. Gold and seconded by Com. Bowlin to approve the Intrafund Transfer. All voted aye. Motion carried.

M. Com. Gold had a request to reduce the speed limit on Phillips Road. The road is currently not posted – it is hilly and narrow. This request was tabled until the next meeting.

N. Copies of the Refuse District Budget for FY 2015/16 were distributed to the Commissioners prior to the meeting. The total budget is \$2,412,600 - \$51,900 less than last year. A motion was made by Com. Gold and seconded by Com. Bowlin to accept the budget. All voted aye. Motion carried.

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

P. Judge Miller called Court back into regular session. Russell York needs two employees to follow the mowing crews. They would be part-time temporary employees for a 6 month period and two retired road department employees are interested. They are Terry Green and Jimmy Allen. A motion was made by Com. Gold and seconded by Com. Bowlin to lift the hiring freeze. All voted aye. Motion carried. A motion was made by Com. Gold and seconded by Com. Bowlin to hire Terry Greenfield and Jimmy Allen as part-time, temporary employees at \$12.00 per hour (two 10 hour days each per week with no benefits). All voted aye. Motion carried. A motion was made by Com. Gold and seconded by Com. Bowlin to put the hiring freeze back on. All voted aye. Motion carried.

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

R. Judge Miller read the following statement - "I would like to make a statement to the public regarding the budget and I am targeting some hearsay rumors that are coming to me regarding statements being made criticizing the Marshall County Fiscal Court Budget. Our Budget is in fine shape. Do we have the reserves in our budget we would like to have? No. Due to the recession several years ago, the amount of money coming in to our budget from state and federal funding has dwindled and we are not able to build the reserves to what we would feel most comfortable with. We do have reserves and this is our goal. Keeping that reserve and building it up as far as we can. Until the national economy builds back up to where it was several years ago, we cannot expect the flow of what I would call "booster money" to enter into our level of county

government. Progress is our ultimate goal and we will work as hard as we can to keep going forward and building reserves.” Com. Gold added that it’s been said before but we have not had a tax increase since 1999 and funds dwindle, but he agrees with the Judge that the budget is in good shape. Judge Miller added that she is not political and is not seeking office at this time, but in her personal opinion, she doesn’t know how we can really improve a great deal unless we inject some money into this budget and other than raising the tax, she didn’t see how this could be done. She continued by saying that it’s not up to her, that her time is limited here, but would like to advise those that come after her to get reserves even higher than we have now.

S. Jeff Edwards asked for the Court’s permission to move forward on getting the cleanup started on the York Property off of Tubbs Road. It was started some time ago, but the family started working on the cleanup and stopped. A motion was made by Com. Gold and seconded by Com. Bowling to move forward with the cleanup process. All voted aye. Motion carried.

T. A motion was made by Com. Gold and seconded by Com. Bowlin to recess for lunch and reconvene at 1:00 for a scheduled budget workshop. All voted aye. Motion carried.

U. Judge Miller called Court back in regular session.

V. A motion was made by Com. Gold and seconded by Com. Bowlin to allocate \$50 to both Animal Control Officer for their monthly cell phone bill. All voted aye. Motion carried.

W. A motion was made by Com. Gold and seconded by Com. Bowlin to approve an appropriation transfer in the Cemetery Board portion of the budget, moving \$10,000 from travel and equipment to maintenance. All voted aye. Motion carried.

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

Respectfully submitted by:

Melonie Chambers  
Fiscal Court Clerk