

Marshall County Fiscal Court
May 1, 2012

The Marshall County Fiscal Court met in regular session on Tuesday, May 1, 2012 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; Assistant County Attorney Jason Darnall and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Melissa Combs, Director of Emergency Management, informed that this morning, the county participated in a statewide communications drill. She reported that the test has been very successful.

The county has been assisting with funding for Hazmat One (which responds to hazardous materials accidents) at a rate of \$0.39 per capita, and according to the 2010 Census, Marshall County portion would be \$12,264.72. Ms. Combs added that it is a very good investment and helps to maintain the equipment used in area one. Sheriff Byars asked if Hazmat One could be used to assist with the cleanup of large meth labs. Ms. Combs replied that she will check and let the Sheriff know. A motion was made by Com. Drew and seconded by Com. Anderson to support the Hazmat One Response Team as requested. The funding for this request is included in the budget. All voted aye. Motion carried.

B. Larry Whitt, Director of Parks asked for an executive session to discuss a personnel issue. The executive session will be held later in the meeting.

II. CORRESPONDENCE:

A. Marvin Wilson, an attorney from Lyon County, sent an open records request asking for documents detailing the name, position, workstation and salary of all individuals who received compensation from Marshall County as officers, employees, independent contractors, consultants, or board or commission members during any part of the year 2011. His request did not include election poll workers or part time summer student employees' names and information. The information has been provided to Mr. Wilson. Judge Miller added that filling the request took about eight hours of staff time.

B. In the April 17th Budget Workshop, Com. Drew informed that during a recent Kentucky Magistrates & Commissioners Association meeting, the State Auditor's Office distributed information about performing free efficiency audits for departments in county governments. Judge Miller called the State Auditor and received an email from Libby Carlin, Assistant Auditor of Public Accounts clarifying that the office does not provide such a service. (See attached.)

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the April 17th meeting. All voted aye. Motion carried.

B. During the April 17th meeting, the Court accepted the resignation of Rodney Smith from Sanitation District #2. Judge Miller has spoken with Randy Travis, Chairman of the District, and he recommended Jessie Holder to replace Mr. Smith. Judge Miller has spoken with Mr. Holder and he is willing to serve if appointed. Com. Drew said she has been contacted by some people who are also willing to serve. Com. Anderson and Com. Gold said they haven't been contacted by anyone. Com. Anderson suggested that the appointment be tabled and Judge Miller speak with Mr. Holder to let him know what's going on regarding the appointment. Judge Miller said he would contact Mr. Holder. This item was tabled.

C. During the April 17th meeting, action was tabled on the Refuse District Budget for the Court's review. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Refuse District Budget as presented. All voted aye. Motion carried.

D. The County Road Aid Hearing was not properly advertised and needs to be rescheduled. The hearing was rescheduled for 1:30 p.m. on Tuesday, May 15th in the Fiscal Courtroom.

E. During the March 20th meeting, the Court voted to increase the KACo loan for the Marshall County Arts Commission from \$200,000 to \$300,000. Even though the amount of the loan is not listed in the Ordinance, KACo requested that the Court hold another second reading of Ordinance #2011-10. A motion was made by Com. Anderson and seconded by Com. Gold to re-advertise and hold the second reading of Ordinance #2011-10 again. All voted aye. Motion carried.

IV. NEW BUSINESS:

A. Judge Miller read a Resolution for the Court's consideration regarding the Court's participation in the state's Rural Secondary Program, more particularly the Flex funding. A motion was made by Com. Drew and seconded by Com. Anderson to approve the Resolution as presented. All voted aye. Motion carried.

B. Following the first reading of Ordinance #2012-04 (FY 2012/13 Budget), a motion was made by Com. Gold and seconded by Com. Anderson to approve the first reading. All voted aye. Motion carried.

C. Following the first reading of Ordinance #2012-05 (Budget Amendment), a motion was made by Com. Anderson and seconded by Com. Gold to approve the first reading. All voted aye. Motion carried.

D. Judge Miller informed that bid specifications for insurance should be ready for anyone interested to pick up and recommended that bids be accepted during the first meeting in June. A motion was made by Com. Drew and seconded by Com. Anderson to accept bids for insurance during the first meeting in June as recommended. All voted aye. Motion carried.

E. County Road Superintendent Russell York informed that he has heard nothing else on road transfers from the city of Calvert City. A county road was involved in a recent property annex and when information is available about the road, Mr. York will inform the court.

F. Judge Miller informed that the county owns approximately five acres in Hardin, on Hwy. 1824 near the Marshall/Calloway county line. The Road Department has cleared the property and if the county has no use for it, Judge Miller suggested it be declared surplus property and put out for bids. At the time the property was deeded to the county the appraised value was \$5,000 and the current appraisal is \$6,500. Judge Miller will check with the other county departments to see if the property can be used and will report back to the court.

G. Russell York has received a request to gravel Peck Cemetery Road (550'), located off of Oak Valley Road. Some time ago, the county accepted all of cemetery roads into the county road maintenance system. A motion was made by Com. Anderson and seconded by Com. Gold to put white rock on Peck Cemetery Road. All voted aye. Motion carried.

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

| <u>From</u> | <u>To</u> | <u>Amount</u> |
|-------------------------|-----------------------|---------------------|
| Occupational Tax Admin. | Occupational Tax Fund | \$100,000.00 |
| Occupational Tax Admin. | Jail Fund | \$100,000.00 |
| Occupational Tax Admin. | Payroll Fund | <u>\$100,000.00</u> |
| | Total Approved | \$300,000.00 |

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

I. The Budget Appropriation Transfers were submitted for April (attached). A motion was made by Com. Gold and seconded by Com. Anderson to approve the Budget Appropriation Transfers as submitted. All voted aye. Motion carried.

J. The Payroll Fund – Accounts Receivable Report as of May 1, 2012 is as follows:

| | <u>2011</u> | |
|--------------------------------------|----------------|---------------|
| <u>From</u> | | <u>Amount</u> |
| Marshall County Sheriff's Department | | \$ 35,644.99 |
| Marshall County Attorney's Office | | \$ |
| Marshall County Clerk's Office | | \$ _____ |
| | Total Approved | \$ 35,644.99 |

| | <u>2012</u> | |
|--------------------------------------|----------------|---------------|
| <u>From</u> | | <u>Amount</u> |
| Marshall County Sheriff's Department | | \$412,328.38 |
| Marshall County Attorney's Office | | \$ |
| Marshall County Clerk's Office | | \$ _____ |
| | Total Approved | \$412,328.38 |

A motion was made by Com. Gold and seconded by Com. Anderson to exonerate the overage of \$35,644.99 from the Sheriff's Department for 2011. All voted aye. Motion carried.

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.

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

L. Judge Miller called court back into regular session and informed that discussion had been held during executive session regarding complaints on the mowing that was bid out. The Court has requested that Larry Whitt, Park Director meet with the person who received the mowing contract about the complaints and report back to the court.

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. County Treasurer Emily Martin informed, in regard to the mowing contract, that the bill for April has been paid and asked if she should hold the check for May until

determining whether or not he would still be mowing. The check is paid at the beginning of the month for mowing in that month. A motion was made by Com. Anderson and seconded by Com. Drew to pay one-half of the regular amount until Mr. Whitt reports back to the Court. All voted aye. Motion carried.

O. Com. Drew reported on the recent Animal Shelter Committee meeting and distributed minutes from the meeting. She also distributed copies of an animal control operation manual and asked that the court review the document to see if any of the information could be used in developing one for Marshall County. A meeting was scheduled for 2:30 on May 15th in the courtroom to discuss this issue.

P. Sheriff Byars reminded the Court that the National Day of Prayer Service will be Thursday, May 3rd at 11:00 in the Courtyard. Judge Miller commended Brenda Hodges for doing an outstanding job throughout the years for putting the service together for Marshall County.

Q. The Animal Shelter is holding a "Stuff the Truck" fundraiser this Saturday in the Wendy's parking lot. Judge Miller urged everyone to participate.

R. On Saturday, May 5th, the Animal Shelter Day is sponsoring "Critter Day in the Park" at Mike Miller Park. All animals adopted on that day will receive a free spay/neuter from Dr. Paul Jaco.

S. The next meeting for the proposed free health clinic will be held in the Fiscal Courtroom on May 7th at 7:00 p.m. Judge Miller reported that he met last week with Rev. Don Wilson and Don Thomas and added that Rev. Tim Polley has agreed to chair the committee.

T. 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