

Marshall County Fiscal Court
June 16, 2015

The Marshall County Fiscal Court met in regular session on Tuesday, June 16, 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. Laura Hammonds, Director of the Marshall County Health Department submitted the Health Department Tax Rate for FY 2015-16. The rate requested is 7.5, which is the same as last year. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the tax rate. Com. Cocke asked that in the future, the information be submitted prior to the meeting if at all possible. Judge Miller replied that they have been waiting on approval from Frankfort, and it was just received this morning. All voted aye. Motion carried.

B. Mary Anne Medlock, Special Projects Coordinator with the Purchase Area Development District asked for the Court's consideration of approving a Resolution entering into a consortium interlocal agreement with counties in the Purchase and Pennyriple Area Development Districts in accordance with the Workforce Innovation and Opportunity Act. Judge Miller read the Resolution for the Court's consideration. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Resolution and authorize Judge Miller to sign on behalf of the court. All voted aye. Motion carried.

C. Rachael Keller informed that the Marshall County History Museum is in the process of obtaining 501(c)(3) status and asked for the Court's consideration of providing \$400 for the Internal Revenue Service to complete the application process. Judge Miller asked Treasurer Emily Martin if funds were available. Ms. Martin replied that there is \$12,500 remaining in that line item. A motion was made by Com. Gold and seconded by Com. Cocke to provide \$400 as requested. All voted aye. Motion carried.

D. Bill Barter addressed the Court about the following:

- The section of Hwy. 62 between Hwy. 95 and where it narrows to two-lane near Love's Service Station, the speed limit is 45 m.p.h. and cars are exceeding the speed limit. Sheriff Byars advised that that section of roadway is in the city limits of Calvert City and recommended that Mr. Barter contact the Calvert City Chief of Police.
- Approximately 4 years ago, the County Road Department put in a culvert on Lone Valley Road at the end of 5th Ave. There is approximately 300 acres there and each year the farmers enter the roadway and they are creating a little by-pass because of flooding. He asked that the culvert be checked to see if it is damaged or clogged, which can cause flooding.

- From 5th Ave. along Lone Valley Road from the intersection, the road is so narrow that when vehicles travel down the road, the tires are normally on the center line of the road. He asked that the center line be repainted so it is easier to see.
- Mr. Barter asked for an update on the drainage problems in Old Gilbertsville. He said that four or five weeks ago, he signed a document giving permission for work to be done on his property to help with the situation. Com. Cocke told Mr. Barter that since he signed the agreement, it has been determined that the problem could be fixed another way. Going across Mr. Barter's property would require a 309' pipe. Com. Cocke commended the Road Department for doing a good job and the residents were pleased with the progress.

Judge Miller thanked Mr. Barter for his concerns and added that each one would be checked on.

II. CORRESPONDENCE:

A. Loyd Ford, Editor and Publisher of The Lake News informed that the paper will be publishing the special section for AmeriBration, which is an annual celebration in Calvert City. Included in the festivities will be a 5k and 1 Mile Youth Run, the Miss AmeriBration Pageants, an Arts & Crafts Show, Corn Hole Tournament, Free Train Rides, Musical Entertainment, Parade and Fireworks. The process for the ads are: Full Page - \$819.00; Half Page - \$409.50; Quarter Page - \$204.75; Eighth Page - \$102.38; & Sixteenth Page - \$52.00. This year neither Kenlake nor Kentucky Dam Village State Resort Parks will be providing fireworks. A motion was made by Com. Cocke and seconded by Com. Bowlin to purchase a full page ad. All voted aye. Motion carried.

B. George Crump, Jr., District One Bridge Inspector informed that after inspection, three bridges need to be posted for weight limits. They are: Cirrito Lane (over Taylor Creek) – 23 tons gross; Oak Valley Road (over Chestnut Creek) – 21 tons gross; & Chester Road (over Free Branch) – 18 tons gross.

III. OLD BUSINESS:

A. A motion was made by Com. Cocke and seconded by Com. Gold to approve the minutes of the May 19th and 29th meetings. All voted aye. Motion carried.

B. Frederick L. Holt, Jr., Environmental Control Supervisor with the Division of Waste Management informed that the Household Hazardous Waste Grant awarded to the Marshall County Fiscal Court in the amount of \$10,200.00 in June, 2014 has met all requirements and is now officially closed.

C. Following the second reading of Ordinance #2015-02 (Budget), a motion was made by Com. Bowlin and seconded by Com. Gold to approve the second reading and adopt Ordinance #2015-02. All voted aye. Motion carried.

D. Two change orders were submitted on Cone Drive (by Marshall County Hospital) by Brien Chambers of Gerald Chambers & Son's, Inc.

- The first was in the amount of an additional \$5,897.43 due to additional asphalt base placed by Jim Smith Contracting, as required for a county road. (The original estimate as provided by the Kentucky Department of Highways was 1,154 tons of base and actual placed was 1,239.47.) A motion was made by Com. Gold and seconded by Com. Cocke to approve the change order on the asphalt base. All voted aye. Motion carried.
- The second was in the amount of \$27,640.00 for the installation of a bridge on Cone Drive. Com. Cocke asked what the change order was being changed from. The cost of the bridge installation was not included in the cost of the road construction. There are funds still available in the monies obtained from the state to cover the installation. For comparison, the cost of the installation of the 40' bridge on Old Calvert City Road was \$34,500.00. A motion was made by Com. Cocke and seconded by Com. Gold to approve the change order. All voted aye. Motion carried.

IV. NEW BUSINESS:

A. County Clerk Tim York submitted the County Clerk's Claim for Calculation of Motor Vehicle and Boat Bills for 2015. The total amount to be paid by the Fiscal Court is $41,773 \times .15 = \$6,265.95$. A motion was made by Com. Cocke and seconded by Com. Gold to approve payment of the claim. All voted aye. Motion carried.

B. Michael Hancock, Secretary of the Kentucky Transportation Cabinet sent an agreement whereby the Cabinet will provide up to \$425,000 in reimbursable state funds (FD04) to Marshall County to repave Barge Island Road (CR 1613) and also to provide up to \$657,000 in reimbursable state funds(FD04) to repave Moors Camp Highway (CR 1009). Marshall County will be responsible for any costs in excess of the \$425,000 and \$657,000 for these projects. Assistant County Attorney Jason Darnall read a Resolution for the Court's consideration adopting and approving the execution of a Memorandum of Agreement on both projects. A motion was made by Com. Bowlin and seconded by Com. Cocke to approve the Resolution and Agreement as presented. All voted aye. Motion carried.

C. A bid opening was held for the purchase of a current model dozer with a trade-in of a Case 850 H. Advertisement for bids was published in the June 2nd and 9th editions of the Tribune Courier. Three bids were received:

1. McKeel Equipment of Paducah, Kentucky on a new Case 850M dozer with trade-in allowance - \$108,344.81.
2. Whayne Supply Company of Paducah, Kentucky on a Caterpillar D5K2 XL with trade- in allowance - \$109,115.00
3. Erb Equipment Company of Paducah, Kentucky on a new John Deere 650K – with trade-in allowance - \$123,500.00

Judge Miller asked Road Department Superintendent Russell York and Sheriff Kevin Byars to compare the bids and made a recommendation later in the meeting.

D. A bid opening was held for the sale of surplus property. Advertisement for bids was published in the June 9th edition of the Tribune Courier. One bid was received on a wooden bench in the amount of \$10.00 from Melonie Chambers. A motion was made by Com. Gold and seconded by Com. Cocke to accept the bid on the bench. All voted aye. Motion carried. Judge Miller added that the remaining items can now be disposed of.

E. The Marshall County Extension District Board submitted the FY 2015/16 budget. A motion was made by Com. Gold and seconded by Com. Bowlin to accept the budget. All voted aye. Motion carried.

F. Mr. York reported that the bid on the dozer from McKell was approximately \$1,000 less than the one from Whayne Supply, but the Caterpillar dozer had a better warrantee and when the dozer operators at the road department recently operated each of the dozers, they could see better out of the Cat dozer. Mr. York recommended that the bid of \$109,115.00 be accepted from Whayne Supply. A motion was made by Com. Gold and seconded by Com. Cocke to accept the bid from Whayne Supply as recommended. All voted aye. Motion carried.

G. The Hardin South Marshall Fire Protection District submitted the budget for FY 2015/16. A motion was made by Com. Gold and seconded by Com. Cocke to accept the budget. All voted aye. Motion carried.

H. County Attorney Jeff Edwards has been contacted by a representative from Kentucky Lake Subdivision who asked that the speed limit be set at 25 m.p.h. and made uniform on all of the roads in the subdivision. Mr. Edwards read an Ordinance for the Court's consideration setting the speed limit on all of the roads in Kentucky Lake

Subdivision at 25 m.p.h. A motion was made by Com. Cocke and seconded by Com. Gold to approve the first reading of Ordinance #2015-03. (Mr. Edwards will add the road names to the Ordinance prior to the second reading.) All voted aye. Motion carried.

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

J. The Payroll Fund – Accounts Receivable Report as of May 31, 2015 is as follows:

<u>From</u>	<u>Amount</u>
Marshall County Sheriff's Department	\$303,697.64
Marshall County Attorney's Office	-0-
Marshall County Clerk's Office	<u>-0-</u>
Total Approved	\$303,697.64

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.

K. Treasurer Martin submitted an Intrafund Transfer to move \$250,000 from the Occupational Tax Administrator Fund to the General Fund. A motion was made by Com. Bowlin and seconded by Com. Gold to approve the Intrafund Transfer. All voted aye. Motion carried.

L. Judge Miller read the Animal Shelter report for May which is as follows: Animals in the pen as of 4/30/2015 – 44; brought in by Animal Wardens – 28; brought in by citizens – 91; total animals taken in – 119 (dogs – 44; cats – 10; puppies – 31; & kittens – 34); adopted – 77; animals in foster care – 0; reclaimed – 8; euthanized – 21; & animals in the pen (& in foster care) as of 5/31/2015 – 57; adoption fees - \$1,685.00.

M. ANNUAL BOARD APPOINTMENTS

Aurora Ross Fire Protection District

Martha Hopper's appointment will expire 6/30/2015. Ms. Hopper does not want to continue to serve on the board. The board recommended that June Hudson be appointed to replace Ms. Hopper. A motion was made by Com. Gold and seconded by Com. Bowlin to appoint June Hudson (three year term to expire 6/30/2018). All voted

aye. Motion carried.

East Marshall Fire Protection District

Al Hartle's appointment will expire 6/30/2015. Mr. Hartle does not want to continue to serve on the board. The board recommended that Kimberly Lightfoot be appointed to replace Mr. Hartle. A motion was made by Com. Bowlin and seconded by Com. Gold to appoint Ms. Lightfoot (three term to expire 6/30/2018). All voted aye. Motion carried.

Fairdealing-Olive Fire Protection District

Lyle Anderson's appointment will expire 6/30/2015. Mr. Anderson would like to continue serving on the board. A motion was made by Com. Gold and seconded by Com. Bowlin to reappoint Mr. Anderson (new three term to expire 6/30/2018). All voted aye. Motion carried.

Gilbertsville Fire Protection District

Anna Williams' appointment will expire 6/30/2015. Ms. Williams would like to continue serving on the board. A motion was made by Com. Cocke and seconded by Com. Bowlin to reappoint Ms. Williams (new three year term to expire 6/30/2018). All voted aye. Motion carried.

Hardin-South Marshall Fire Protection District

Michelle Alexander's appointment will expire 6/30/2015. Ms. Alexander would like to continue serving on the board. A motion was made by Com. Gold and seconded by Com. Bowlin to reappoint Ms. Alexander (new three year term to expire 6/30/2018). All voted aye. Motion carried.

Palma-Briensburg Fire Protection District

Nick Darnell's appointment will expire 6/30/2015. Mr. Darnell would like to continue serving on the board. A motion was made by Com. Bowlin and seconded by Com. Gold to reappoint Mr. Darnell (new term to expire 6/30/2018). All voted aye. Motion carried.

Possum Trot/Sharpe Fire Protection District

Richard Pershing's appointment will expire 6/30/2015. Mr. Pershing would like to continue serving on the board. A motion was made by Com. Cocke and seconded by

Com. Bowlin to reappoint Mr. Pershing (new three year term to expire 6/30/2018). All voted aye. Motion carried.

West Marshall Fire Protection District

Amanda Holley's appointment will expire 6/30/2015. Ms. Holley would like to continue serving on the board. A motion was made by Com. Bowlin and seconded by Com. Gold to reappoint Ms. Holley (new three year term to expire 6/30/2018). All voted aye. Motion carried.

Melonie Chambers informed that the elections for firefighter trustees and landowner trustees will be held on the 4th Saturday in June and asked that each district contact the County Judge/Executive's Office with the results so the records can be updated.

North Marshall District

Kendra Capps' term will expire 6/30/2015. Ms. Capps would like to continue serving on the board. A motion was made by Com. Bowlin and seconded by Com. Gold to reappoint Ms. Capps (new four year term to expire 6/30/2019). All voted aye. Motion carried.

Marshall County Cemetery Board

Thomas Hiter's term will expire 6/30/2015, Mr. Hiter would like to continue serving on the board. A motion was made by Com. Cocke and seconded by Com. Bowlin to reappoint Mr. Hiter (new four year term to expire 6/30/2019). All voted aye. Motion carried.

N. Russell York informed that there is an old pull-type sweeper at the Road Department that hasn't been used for several years. It is hard to turn around and he's been looking for another type of sweeper for some time. He has located one and with trade-in of the old sweeper, the cost is \$4,725.00. A motion was made by Com. Cocke and seconded by Com. Bowlin to authorize Mr. York to purchase the sweeper. All voted aye. Motion carried.

O. Mr. York informed that Jim Smith Contracting began laying blacktop today and asked if the Court wanted to prepay, as in previous years for some of the work so the money can be used out of this year's budget. No motion was made, but the court members were in agreement. Discussion was held about a written agreement between the court and Smith Contracting. Mr. York will check with Smith Contracting for a new agreement.

P. Larry Whitt, Director of Parks informed that the Parks Department has a load of scrap metal and asked that the Court declare it surplus property and advertise for bids. A motion was made by Com. Bowlin and seconded by Com. Cocke to declare the scrap as surplus and advertise for bids. All vote aye. Motion carried.

Mr. Whitt asked what the procedure was if someone wanted to retire from the Park Board at the end of their term. Mr. Whitt was advised that the Park Board needed to send a letter with their recommendation prior to the expiration date.

Q. Com. Cocke asked when the dirt that was being donated by the school system would be able to be moved. Russell York said they are waiting for the mud to dry some before hauling it.

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

Respectfully submitted by:

Melonie Chambers
Fiscal Court Clerk