The Marshall County Fiscal Court met in regular session on Tuesday, September 2, 2014 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. Travis Terrell addressed the Court about the possibility of the county taking in approximately 100 yards at the end of county maintenance on R. Duke Lane. He explained that that section of roadway washes out during heavy rains. Mr. Terrell was given a petition form and Com. Gold and Road Superintendent Russell York will view the area prior to the next meeting.

B. Wendy Baxter addressed the Court about the following:
   • Marshall County Family Week is next week ending with Family Day on Saturday, September 13th at Mike Miller County Park. All events are free and everyone is welcome and encouraged to attend.
   • Michael Johnson with the Clarks River Wildlife Refuge contacted her on Friday about a grant application, which is due today. These funds in the amount of $271,000 require a 20% match, which can be met through in-kind by the Road Department for construction costs. The areas to be improved are: Walter Jennings Road, Milliken Mill Road, Castleberry Lane, and parking areas constructed in the Refuge. Ms. Baxter needs Court approval to submit the application. A motion was made by Com. Drew and seconded by Com. Gold to authorize Wendy Baxter to submit the application. All voted aye. Motion carried.

C. Randy Newcomb, Director of the Kentucky Lake Convention & Visitors Bureau, presented a letter from Christina Onnybecker, President of the Kentucky Lake Vacationland/Lodging Association, concerning the need for a replacement KLV/LA Board Member. Rita Wessinger sold her business and moved to Georgia. KLV/LA recommended Scot Ratzlaff of Kentucky Dam Village State Resort Park be appointed to fill the remainder of the term. Upon recommendation by Judge Miller, a motion was made by Com. Gold and seconded by Com. Anderson to appoint Mr. Ratzlaff. All voted aye. Motion carried.

D. Barry Hill, Chairman of the Jonathan Creek Water District, addressed the Court on behalf of the Board regarding discussion which was held during the last Court meeting. During discussion, Judge Miller offered to schedule a joint meeting between the Court and the Board and invite Bobby Gifford as well as former JCWD Matt York to attend. All agreed to the joint meeting. Judge Miller said he would attempt to schedule it for late afternoon.
II. CORRESPONDENCE:

A. Judge Miller read a letter to Refuse Board Chairman Danny Newton from Deborah Conway, Supervisor of the Local Assistance Section, Division of Waste Management, informing that Marshall County is in compliance with its 2013-2017 Solid Waste Management Plan. The participation rate for the county is 99%, which is above the statewide average of 86.9%. Com. Anderson complimented the Refuse Board for doing an excellent job, especially without the county subsidy.

B. Kate Hotle, Manager of Government Relations with Mediacom, announced that for the next 30 days, the company will be providing a preview of the SEC Network to Family Basic Cable subscribers. The SEC network will be permanently added to the channel line-up on or around September 22nd.

C. Loyd Ford, Treasurer of Friends of Kentucky Dam Village State Resort Park, asked for the Court’s consideration of donating funds for a renovation project of an existing trail in the park. The cost is $2,000 to get the directional signs manufactured by the parks department sign shop and installed before the AGLOW outdoor writers group arrives in late September. A motion was made by Com. Anderson and seconded by Com. Drew to table action on this request. All voted aye. Motion carried.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the September 19th meeting. All voted aye. Motion carried.

B. County Attorney Jeff Edwards informed that Martin Johnson is circulating proposed interlocal agreements between the county and the cities of Benton, Hardin & Calvert City regarding the building program. Wendy Baxter is in the process of scheduling times for Mark McAllister to take the tests required for Building Inspector Certification and asked if the Court or Mr. McAllister would be responsible for the costs associated with the tests ($130 each – three required). A motion was made by Com. Drew and seconded by Com. Gold to pay for the tests, and require that Mr. McAllister, upon passing the tests, work for the county for at least three years or refund the costs of testing to the Court. All voted aye. Motion carried.

D. Following the second reading of Ordinance #2014-09 (tax rates), a motion was made by Com. Gold and seconded by Com. Drew to approve the second reading and adopt the Ordinance. All voted aye. Motion carried.
E. Following the second reading of Ordinance #2014-10 (speed limit on a portion of Little Bear Highway), a motion was made by Com. Anderson and seconded by Com. Gold to approve the second reading and adopt the Ordinance. All voted aye. Motion carried.

F. According to GIS information, there is adequate right-of-way available on the roads in Quail Hills Subdivision but the deeded right-of-ways vary on the roads in question (Quail Hills Road, Sparrow Lane & Pheasant Lane) with some only showing a 30’ right-of-way. Judge Miller recommended that he and Russell York take a look at the roads and revisit the issue.

IV. NEW BUSINESS:

A. Following the first reading of Ordinance #2014-11 (Mediacom Franchise), a motion was made by Com. Anderson and seconded by Com. Gold to approve the first reading. All voted aye. Motion carried.

B. Wayne Onkst, State Librarian & Commissioner of the Kentucky Department for Libraries & Archives informed that Jim Ealey moved and has resigned as a Trustee on the Marshall County Library Board. He submitted the following names for consideration to fill the remainder of the term (term will expire August 1, 2015): Ricky Jones & Richard Keane. Upon recommendation by Judge Miller, a motion was made by Com. Gold and seconded by Com. Anderson to appoint Ricky Jones. All voted aye. Motion carried.

C. A bid opening was held for the purchase of a pick-up truck for use at the Parks Department. Advertisement for bids was published in the August 19th and 26th editions of the Tribune Courier. Two bids were received and are as follows:
   - Parkway Chrysler, Benton, KY - $32,625 on a 2015 2500 Crew Tradesman 4x4
   - Leon Riley Ford, Benton, KY - $27,650 on a 2015 F250 4x4 Crew Cab
Larry Whitt, Parks Director was not present and discussion was held about tabling a decision on awarding the bid until he reviews both to make sure each meets the specs. A motion was made by Com. Anderson and seconded by Com. Gold, contingent on meeting the specs, to accept the low bid from Leon Riley Ford. All voted aye. Motion carried.

D. A motion was made by Com. Gold and seconded by Com. Anderson to approve payment of the bills. All voted aye. Motion carried.
E. Two community announcements:

- Saturday evening at 5:00 at Marshall County High School – the annual Responders Appreciation Dinner
- Sunday from 11:00 to 2:00 at Mike Miller Park – Exceptional Center Fish Fry

F. 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