

Marshall County Fiscal Court
September 6, 2011

The Marshall County Fiscal Court met in regular session on Tuesday, September 6, 2011 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners, the Assistant County Attorney and County Attorney were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Garland Wyatt addressed the Court about a road being accepted into the County Road Maintenance System. Mr. Wyatt said the road has been in existence for approximately 10 years and he believes it meets the county standards to be accepted. Mr. Wyatt was given a petition form and instructed to have the property owners along the road sign the petition and submit it for the Court's consideration. Judge Miller explained that once the petition is submitted, a public hearing will be set and road viewers appointed. He added that action will be taken at the next regularly scheduled court meeting following the hearing.

B. Bobby Gifford, Director of Water Vision 2020 presented a drawdown request for the Court's consideration on WX321157050 in the amount of \$86,553.00 (Caldwell Tanks – Oak Level - \$84,123.00 & Brewers - \$2,430.00; & Paul Cloud Engineering - \$3,350.00). A motion was made by Com. Gold and seconded by Com. Drew to approve the drawdown request as presented. All voted aye. Motion carried.

II. CORRESPONDENCE:

A. Judge Miller read a letter from the Purchase Area Development District regarding the Revision of the Jackson Purchase Region Natural Hazard Mitigation Plan and Marshall County's commitment to participate in a comprehensive review and update of the plan. The first regional meeting is scheduled for September 27th at 10:00 at the PADD. Judge Miller or his designee will be in attendance.

B. J.W. Davis, Chairman of the 34th Annual Aurora Country Festival sent an email addressing the Wounded Warrior Project Benefit Dinner & Auction event being planned for Friday, October 7th at Kenlake State Park. The event will kick off the annual Country Festival in Aurora on Friday, Saturday & Sunday – October 7th, 8th & 9th. Mr. Davis requested sponsors in the amount of \$250. Tickets for the event are \$20 each.

C. Paul Bockelman, Medical Center Director with the Department of Veterans Affairs Medical Center in Marion, Illinois sent a letter of acceptance of the 2011 Ford E-350 12 passenger van, designated for VAMC Volunteer Transportation Network to be used throughout Western Kentucky. The Certificate of Origin will be maintained at the VA Central Office and at the end of the useful life of the donated van, it will be returned to West Kentucky Veteran's Van Service.

D. Ricky Solomon, Supervisor of the Recycling Assistance Branch, Department of Environmental Protection informed that the Marshall County Fiscal Court was awarded a 2010/11 Waste Tire Grant for a one-time funding in the amount of \$3,000.00.

E. American Legion Post 236 sent a Certificate of Appreciation to Judge Miller and the Court in recognition and sincere appreciation of outstanding service and assistance to the Post.

III. OLD BUSINESS:

A. A motion was made by Com. Drew and seconded by Com. Gold to approve the minutes of the August 16th & 22nd meetings. All voted aye. Motion carried.

B. Com. Gold reported that the property owner on Phillips Road is back in town and the County Surveyor has been contacted but he has nothing further to report at this time.

C. Jeff Edwards reported that he has heard nothing further on the survey for the trestle over Wades Creek.

D. During the August 16th meeting, an executive session was held regarding the custodial staff at the Judicial Building. Judge Miller distributed copies of job descriptions for the Court's review and recommendations for any changes before approval at the next meeting.

E. Copies of a draft resolution regulating pawn shops were distributed. County Attorney Jeff Edwards asked for any suggestions for changes prior to the first reading, which will be held during the next meeting.

F. Following the second first reading of Ordinance #2011-06 (2011 Tax Rates), a motion was made by Com. Drew and seconded by Com. Anderson to approve the first reading. All voted aye. Motion carried. Com. Drew spoke about meeting this morning prior to the Court meeting with representatives of the Health Department. Judge Miller also spoke about the meeting and added that it was a unanimous decision by the Health Board to reduce the tax rate next year.

IV. NEW BUSINESS:

A. JoJuana Leavell-Green, PVA Administrative Support Branch, Finance & Administration Cabinet informed that the Final County Appropriation to the PVA for Fiscal Year 2011/12 remains the same at \$78,500.00. A motion was made by Com.

Gold and seconded by Com. Drew to approve the appropriation. All voted aye. Motion carried.

B. Ronald & Frances Cox submitted a petition for discontinuance of County Road Maintenance of Cox Plaza Drive. A public hearing was set for approximately 11:00 on Monday, September 19th. Judge Miller appointed Josh Tubbs, Russell York & Bobby Gifford as Road Viewers.

C. Due to a scheduling conflict, the next regularly scheduled Court meeting was moved to Monday, September 19th at 9:30 a.m.

D. The Marshall County Conservation District submitted the Annual Report for the Court's consideration. A motion was made by Com. Drew and seconded by Com. Gold to approve the report as submitted. All voted aye. Motion carried.

E. County Treasurer Emily Martin submitted an Intrafund Transfer request to move \$200,000.00 from the Occupational Tax Administrator Fund to the General Fund and \$100,000.00 from the Occupational Tax Administrator Fund to the Occupational Tax Fund. A motion was made by Com. Drew and seconded by Com. Gold to approve the Intrafund Transfers as requested. All voted aye. Motion carried.

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

G. Ms. Martin submitted Ordinance #2011-07 (Budget Amendment) for the Court's consideration. The amendments are for the following:

- The state placed \$7,337.37 for truck license distribution into the county's 911 Fund instead of the general fund. The money needs to be moved to the general fund.
- A CERF Grant Agreement in the amount of \$13,004.00 is available for reimbursement of expenses incurred during clean-up from the ice storm. A motion was made by Com. Gold and seconded by Com. Anderson to approve the Grant Agreement as presented. All voted aye. Motion carried.

Judge Miller read the Ordinance for the Court's consideration, amending the budget for the amounts referenced above. A motion was made by Com. Gold and seconded by Com. Anderson to approve the first reading as presented. All voted aye. Motion carried.

H. 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.

I. Judge Miller called Court back into regular session and explained that the County Attorney has been asked to check with the employee's department head and report back to the Court.

J. Judge Miller read the Animal Shelter report for August which is as follows: Animals in the pen as of July 31, 2011 – 16; brought in by Animal Wardens – 70; brought in by citizens – 92; total animals taken in – 162 (dogs – 35; cats – 45; puppies – 15; & kittens – 67); adopted – 28; reclaimed – 6; euthanized – 94; & animals in the pen as of 8/31/2011 – 50.

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

L. Judge Miller recognized Marshall County Parks Director Larry Whitt, who reminded the Court of Marshall County Family Day in the Park which is Saturday. Judge Miller read the list of events and activities scheduled for Marshall County Family Week which is September 4th thru 10th.

M. Com. Drew informed that the group of high school students who have been going to the schools in the county making a presentation in remembrance of the 10th anniversary of 9/11 will be at the MCHS football game Friday night. The county's Emergency Responders will be invited to come out onto the field to be honored.

N. Discussion was held about moving the second meeting in September, but no change was made.

O. 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