

Marshall County Fiscal Court  
September 16, 2014

The Marshall County Fiscal Court met in regular session on Tuesday, September 16, 2014 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; and Assistant County Attorney Jason Darnall were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Judge Miller presented a Kentucky Colonel Certificate to Lovetta Marsh. He expressed appreciation for all of Mrs. Marsh's help in locating former one room school sites throughout the county.

B. Randy Newcomb, Director of Kentucky Lake Convention and Visitors Bureau provided information obtained from over 1,300 interviews during the branding study. The results from the citizens of Marshall County on their description of the county was that Marshall County is friendly, beautiful, safe, clean, boring, rural, old-fashioned, prideful and a lake community. Residents think our greatest assets are Kentucky Lake, Kentucky Dam, education and the industrial park. Residents were asked how people outside of the county would describe us. The answers were that others think of us as racist, backwards, friendly, lake area, rednecks and rural. Mr. Newcomb added that only 3% of Marshall Countians mentioned racist and in the other 97% race was not mentioned. He continued by saying that the surveys also revealed that Marshall Countians appreciate our schools, our rural atmosphere and Kentucky Lake and that we think sports and schools unite us. Respondents believe that Marshall County is appealing for business due to our variety of transportation opportunities (rivers, roads and rail) and our affordable power. Residents identified obstacles facing the county are the wet/dry issue, lack of updated amenities and a lack of perceived cooperation among cities, the county and our leaders. Results were also gathered from residents of adjacent counties as well and those described the county as rural, chemical plants, friendly, dry, racism, churches and rednecks. Mr. Newcomb again informed that racism only represented 3% of those results as well. The next group was visitors to the county and some of their descriptions were outdoors, picturesque, beautiful, relaxing, friendly, serene, peaceful, great fishing and fun. He concluded by saying that by embracing and claiming Kentucky Lake, Marshall County becomes beautiful, relaxing, peaceful, friendly, nostalgic, fun, scenic and engaging. The lake gives us our economy, cheap energy, big industry and tourism revenue. It's a source of a multitude of activities that enable families to disconnect from technology and connect with each other to enjoy affordable, quality family time.

C. Mac McDonald with the Kentucky Lake's Downtown (formerly known as Benton Main Street), spoke to the Court about some of the goals of the group. He informed that the annual Dickens Christmas will be expanded to a two-day event beginning with the Christmas Parade on December 12<sup>th</sup>. The last "Cruise In" car show

of the summer will held on September 27<sup>th</sup> on the court square. On October 16<sup>th</sup>, starting with a reception at the Children's Art Center at 5:30, a Progressive Party will be held at different businesses with food and entertainment provided at each stop. Transportation will be available via a trolley. Mr. McDonald asked for the Court's consideration in sharing in the cost of installing speakers on top of the Courthouse for use during community events, such as Christmas events, National Day of Prayer Ceremony, Tater Day Parade, etc. and he added that it could be also used in the event of bad weather during any outdoor events. The Benton City Council has agreed to pay for one-half of the cost, which is \$14,535.40. A motion was made by Com. Drew and seconded by Com. Gold to provide \$7,300.00 toward the speakers. All voted aye. Motion carried.

D. Bobby Gifford, Director of Water Vision 2020, submitted a drawdown request from KIA Fund B in the amount of \$1,865.00 to Paul Cloud Engineering for telemetry on Jack Treas Road. A motion was made by Com. Gold and seconded by Com. Drew to approve the drawdown request. All voted aye. Motion carried.

Mr. Gifford updated the Court on plans for water expansion including running lines from Arant Road to J.B. Copeland Road.

E. Robert Chandler has accepted the responsibility of heading up the Veterans Van routes. He has recruited two other drivers to help transport Veterans to medical appointments. Mr. Chandler has checked with the VA Hospital in Marion and if the van title is signed over to them, they will take all responsibility for insurance, maintenance, and providing a gas card, as well as providing a 800 phone line at Mr. Chandlers house for Veterans to call to make arrangements to get to their appointments – all free of charge. A motion was made by Com. Drew and seconded by Com. Anderson to authorize Mr. Chandler to sign the necessary documents. All voted aye. Motion carried.

F. Martin Johnson updated the Court about the former Fleetwood property on the Hwy. 641 By-pass. He asked that the City of Benton and the county work together to clean up the property so that it will be more presentable for potential buyers. A motion was made by Com. Anderson and seconded by Com. Gold to work with the City on the property. All voted aye. Motion carried.

## II. CORRESPONDENCE:

A. County Treasurer Emily Martin sent an email regarding a recent meeting on the Kentucky Employees Health Program on the 2015 health insurance. The state did not release the rates or benefits guide, but they were told there were only slight insignificant changes made to them. For the past several years, going outside the state

plan would cost a minimum of \$500,000 more per year. Ms. Martin recommended to go with the state plan again this year and added that Peel & Holland representatives wanted to know if the Court wanted them to pursue rates from other companies or to stay with the state plan. A motion was made by Com. Anderson and seconded by Com. Gold to continue with the state plan. All voted aye. Motion carried.

\*\* OTHER BUSINESS:

Assistant County Attorney Jason Darnall asked to vary from the agenda and address Expanded Jurisdiction because Martin Johnson had to leave to attend another meeting and added that he would like for Mr. Johnson to be present during this discussion. During the September 2, 2014 meeting, approval was made to pay for testing for the Assistant Building Inspector. (excerpt from 9/2/14 minutes - 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.) Mr. Darnall asked for clarification concerning the number of times the Court would pay for the test in case Mr. McAllister did not pass and had to retake it. Mr. Johnson suggested to reimburse Mr. McAllister for the tests he passes and to amend the original motion. A motion was made by Com. Anderson and seconded by Com. Drew to rescind an earlier motion to pay for certification testing for the Assistant Building Inspector. All voted aye. Motion carried.
- A motion was made by Com. Drew and seconded by Com. Anderson to reimburse Mark McAllister's fee for each test that he receives a passing grade on for Building Inspector certification. All voted aye. Motion carried.

II. CORRESPONDENCE (CONTINUED):

B. Chrystal Bailey, Junior Achievement Marshall County Campaign Treasurer and Dan Douglas, President of Junior Achievement of West Kentucky, sent a letter of appreciation for the Court's recent contribution.

C. Kate Hotle, Manager of Government Relations with Mediacom, informed that beginning October 1<sup>st</sup>, the company will be implementing the following rate adjustments:

Regional Sports Surcharge - \$1.87 (new charge); Late Fee – current rate - \$7.50, new rate - \$8.50; Standard Installation, Repair, or Reactivation Fee – new rate - \$49.99.

D. Judge Miller read a letter from Jeremy Wallace and Jason Gschwend regarding the 2<sup>nd</sup> Annual Reunion of the Veterans of Benton Kentucky National Guard that were deployed to Operation Iraqi Freedom from 2005 – 2007. The Reunion will be held the weekend of September 25<sup>th</sup> – 28<sup>th</sup> at Land Between the Lakes. Judge Miller added that if the Court members would like to make a personal contribution, he would provide the contact information.

E. William A. Brown, President of Baptist Health Paducah, informed that Baptist Health will be expanding to a facility in Calvert City. A 9.87 acre tract of land has been purchased at Exit 27 off of I-24/I-69 for an outpatient health and wellness center. While the comprehensive ambulatory center is in development at that location, they will offer services in a small facility, beginning later this fall at 4754 US Hwy. 62. They have also acquired Occunet to provide occupational medical services at 5013 Gilbertsville Hwy. and they have awarded a \$16,500 grant to Calvert City Elementary School to implement Project Fit America to fight childhood obesity and build fit lifestyles to improve the next generation's health.

### III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Anderson to approve the minutes of the September 2<sup>nd</sup> and 9<sup>th</sup> meetings. All voted aye. Motion carried.

B. Mac McDonald addressed the Court on behalf of Friends of Kentucky Dam Village State Resort Park about providing funding to help with the cost of trail signage. A motion was made by Com. Gold and seconded by Com. Drew to provide \$1,500 to go toward the cost of the signage. All voted aye. Motion carried.

C. Jason Darnall informed that Martin Johnson has circulated draft interlocal agreements for Expanded Jurisdiction. Mr. Darnall has made revisions and added that there is a good draft document in place.

D. Following the second reading of Ordinance #2014-11 (Franchise Agreement), a motion was made by Com. Drew and seconded by Com. Gold to approve the second reading and adopt the Ordinance. All voted aye. Motion carried.

IV. NEW BUSINESS:

A. Judge Miller read a letter to Amy Andrews, Kentucky ASAP State Program Coordinator, notifying that the Court intends to discontinue the agreement as Fiscal Agent for the Marshall County ASAP Program. The Marshall County Health Department will accept the Fiscal Agent appointment as soon as possible. A motion was made by Com. Drew and seconded by Com. Gold to approve discontinuation as Fiscal Agent. All voted aye. Motion carried.

B. Wayne Onkst, State Librarian and Commissioner of the Kentucky Department for Libraries & Archives informed that the term of Barbara Sloan will expire October 14, 2014 as a Trustee of the Marshall County Library Board. Judge Miller recommended that Mrs. Sloan be re-appointed. A motion was made by Com. Gold and seconded by Com. Drew to reappoint Barbara Sloan (term to expire October 14, 2018). All voted aye. Motion carried.

C. Wayne Onkst, State Librarian and Commissioner of the Kentucky Department for Libraries & Archives informed that the term of Jill Parker will expire October 24, 2014 as a Trustee of the Marshall County Library Board. Judge Miller recommended that Mrs. Parker be re-appointed. A motion was made by Com. Drew and seconded by Com. Gold to reappoint Jill Parker (term to expire October 24, 2018). All voted aye. Motion carried.

D. A motion was made by Com. Drew and seconded by Com. Gold to renew the lease agreement with the state for Probation & Parole Offices in the Judicial Building (lease to expire 2019). All voted aye. Motion carried.

E. Judge Miller read an Agreement and Resolution for the Court's consideration for supplemental funds utilizing Rural Secondary Program Funds in an amount not to exceed \$263,435.00. A motion was made by Com. Gold and seconded by Com. Drew to enter into the agreement and approve the resolution approving Judge Miller to sign the agreement on behalf of the court. All voted aye. Motion carried.

F. A bid opening was held for the purchase of an ambulance remount. Notice for bids was published in the August 19<sup>th</sup> & 26<sup>th</sup> editions of the Tribune Courier. Two bids were received and are as follows:

1. Select-Tech, Inc., Shelbyville, TN - \$87,059.00 – with trade-in allowance of \$1,500.00 – total bid - \$85,559.00.
2. Osage Ambulances, Linn, MO - \$97,586.00 – with trade-in allowance of \$1,000.00 – total bid - \$96,586.00.

Judge Miller asked Ambulance Service Director Bryan Cutsinger to review the bids to make sure each meets the specs.

G. Judge Miller read the Animal Shelter report for August which is as follows: Animals in the pen as of 7/31/2014 – 78; brought in by Animal Wardens – 21; brought in by citizens – 52; total animals taken in – 73 (dogs – 33; cats – 10; puppies – 9; & kittens – 21); adopted – 68; animals in foster care – 0; reclaimed – 9; euthanized – 22; & animals in the pen (& in foster care) as of 8/31/2014 – 52; adoption fees - \$1,540.00.

H. An Intrafund Transfer request was submitted to move \$4,000.00 from the Grant Fund to the General Fund & \$100,000.00 from the Occupational Tax Administrator Fund to the Jail Fund (if necessary). A motion was made by Com. Gold and seconded by Com. Anderson to approve the Intrafund Transfers. All voted aye.

I. The Payroll Fund - Accounts Receivable Report as of August 31, 2014 was submitted and is as follows:

<u>From</u>	<u>Amount</u>
Marshall Co. Sheriff's Department	\$555,590.19
Marshall Co. Attorney's Office	\$
Marshall Co. Clerk's Office	\$
Total Approved	\$555,590.19

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.

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

K. Judge Miller informed of an effort to start a Marshall County History Museum. An organizational meeting will be held at 6:00 p.m. on October 21<sup>st</sup> in the Fiscal Courtroom. Judge Miller urged anyone interested in helping to attend.

L. Judge Miller reminded the Court of the meeting this afternoon at 4:30 at Camp Roy C. Manchester to review plans the Boy Scout Council has to upgrade the facilities.

M. Courthouse maintenance personnel have asked about removing the carpeting in the back of the County Clerk's Office and replacing it with tile. It is hard to keep clean and has been down for years. A motion was made by Com. Anderson and seconded by Com. Drew to approve the request. All voted aye. Motion carried.

N. The next regularly scheduled court meeting falls during the Marshall County School System's Fall Break. The Court members decided to hold one meeting in October on the third Tuesday.

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

P. Com. Drew presented a petition on behalf of area residents requesting that the hill be cut down at the intersection of Ridge Road & Briensburg-Tatumsville Road. Judge Miller asked Russell York to get a cost estimate and report back at the next meeting.

Q. A sign has been erected at the new Red Cross Building and it needs to be painted. Com. Drew informed that the Benton Fire Department members will provide the labor and asked if the Court could provide the paint. Judge Miller suggested that the Gary Teckenbrock with the Special Projects Crew, be authorized to purchase the paint at the best price. A motion was made by Com. Drew and seconded by Com. Gold to provide the paint as recommended. All voted aye. Motion carried.

R. Bryan Cutsinger informed that the low bid from Select Tech, Inc. met the specs and recommended that the bid be accepted (\$85,059.00 including trade-in). A motion was made by Com. Drew and seconded by Com. Gold to accept the bid as recommended. All voted aye. Motion carried.

S. A motion was made by Com. Anderson and seconded by Com. Drew to adjourn. All voted aye. Motion carried.

Respectfully submitted by:

Melonie Chambers  
Fiscal Court Clerk