

Marshall County Fiscal Court
October 9, 2012

The Marshall County Fiscal Court met in regular session on Tuesday, October 9, 2012 in the Old Circuit Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; Assistant County Attorney Jason Darnell, and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Bobby Gifford, Director of Water Vision 2020 submitted a drawdown request on WX21157046 in the amount of \$19,775.00 (David Smith Construction for carpentry labor, setting temp power, digging and pouring footer, fill for floor, concrete, pouring floor, laying blocks, steel doors and frames and gutters, painting inside and painting doors, & an exhaust fan for the Jonathan Creek Water District, Hardin Pump Station). A motion was made by Com. Gold and seconded by Com. Drew to approve the drawdown request as submitted. All voted aye. Motion carried.

Mr. Gifford informed that he looked for additional grant funds to help complete the telemetry on the tanks at Brewers and Oak Level, but there were none available. He spoke with KIA Director John Covington, who agreed to extend the loan amount by 10% with a letter of request from the Court (the grant was \$800,000 and the loan was \$200,000). Mr. Gifford said the difference for the county would be approximately \$4,880 per year to extend the loan. A motion as made by Com. Gold and seconded by Com. Anderson to request a 10% extension on the loan. All voted aye. Motion carried.

Mr. Gifford updated the Court on getting the remainder of the funding for the Sanitation District #1 upgrades. The DRA Grant supplied \$300,000, but tied to that grant is the remaining \$225,000 and that money is to be secured by the Court in order to complete the project. He also met with KIA on this project and they recommended to first go through the Clean Water State Revolving Fund for two reasons. First, the interest rate is a little better than what KIA has at the present time and second, it has forgivable principal tied to these. Mr. Gifford made the application as they asked and Mr. Covington told Mr. Gifford if something happens and doesn't get approved through that, KIA would make the loan and the money would still be available and the financing would be in place. Judge Miller asked when we would know and Mr. Gifford replied it would be spring before the announcement. Engineering plans are underway for the Delta Regional Funds so the process has begun for spending the money. When this project is complete, the upgrades on Sanitation District #1 will be finished.

Mr. Gifford informed that after almost two years, we have received the generator grant funding (\$120,770). The generators will be for back up at the Carter Brien Treatment Plant on North Marshall Water and a booster station on Oasis Road on Jonathan Creek Water. Funding for this grant was run through the county, because he wanted to make the service available to any new customers. The Court needs to ratify

the grant agreement, in the amount of \$120,770. A motion was made by Com. Drew and seconded by Com. Gold to ratify the agreement as recommended. All voted aye. Motion carried.

B. Lee Watson addressed the Court regarding a house on Tiger Lake Road. The house burned last year and it is still standing. Mrs. Watson said she was told that a contractor would be coming in to demolish the remainder of the house around the second week of August, but nothing has been done yet. She added that the house is now occupied by Ferrell cats. Com. Drew informed that the house Mrs. Watson is speaking of is her house and there is a Nuisance Ordinance in place to make sure cases like this move forward. She explained that for insurance purposes, they had to go through and list everything they had ever owned and in their case, the insurance adjustor thought that the structure could be added on to and was not a total loss. It was the end of April before that part of the problem was settled. However, in July they had a contractor lined up but they were contacted by someone wanting to purchase the property and did not want the structure taken down. The person decided not to purchase the property and they have contacted the contractor again and the structure should be down soon.

C. Greg Carlton, Senior Vice President of Benefits & Wellness with Peel & Holland, Inc. addressed the Court about Employee Insurance rates for 2013. Mr. Carlton said that rates have increased approximately 3.3% across the state and he recommended that the Court use the same rate plan as in years past. A motion was made by Commissioner Drew and seconded by Commissioner Anderson to use the rate plan that has been used in the past. All voted aye. Motion carried.

II. CORRESPONDENCE:

A. Dr. H.W. Ford submitted a letter of resignation as Medical Director of the Marshall County Health Department. Judge Miller added that Dr. Ford has served in that capacity for over 40 years and expressed appreciation for the services he has helped to provide to the citizens of Marshall County.

B. Royce & Marilyn Templeton of Marshall County Battery & Golf Carts donated the remainder of their stock of lighted Christmas Frame Decorations for use at the County Park. The value of the donation is \$19,500 and Judge Miller expressed appreciation to the Templeton's for the generous donation. The Light Show at the Park will begin the day after Thanksgiving and run through the end of the year. Donations from the Light Show go to Marshall County Caring Needline.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Drew to approve the minutes of the September 18th meeting. All voted aye. Motion carried.

B. Com. Anderson and Jeff Edwards attended a meeting with residents of Opal Lane regarding the possible formation of a road taxing district in order to have the road paved. Com. Anderson said they are trying to decide what they are going to do. Another meeting is scheduled for the 15th. During the meeting the residents discussed paying for the road improvements up front and have it paved next year.

C. Judge Miller asked if the Commissioners had given any thought on a trustee to fill the vacancy on Sanitation District #2. Com. Drew said she has spoken with Daniel Slayden. Judge Miller will check with Mr. Slayden to see if he is still interested in serving.

D. Following the second reading of Ordinance #2012-08 (Marshall County Arts Commission Bond Pool Funding), 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.

E. A motion was made by Com. Gold and seconded by Judge Miller to reappoint Charlie Edwards to the Marshall County Refuse Board. Com. Gold and Judge Miller voted aye. Com. Anderson and Com. Drew voted no. The vote was tied.

IV. NEW BUSINESS:

A. Danny Nelson, Chairman of the Marshall County Park Board informed that the terms of Trent Lovett and Greg Smothers will expire at the end of the board's meeting in October and recommended that both be reappointed. A motion was made by Com. Gold and seconded by Com. Anderson to reappoint Mr. Lovett and Mr. Smothers as recommended. All voted aye. Motion carried.

B. The Marshall County Extension District informed that two of the board members' terms will expire January 1, 2012 – Dennis Joseph and Jan Bragg. Both are willing to serve if reappointed. Four names were submitted for the Court's consideration: Dennis Joseph, Jan Bragg, Deborah Doughty, & George Milam. A motion was made by Com. Gold and seconded by Com. Anderson to reappoint Dennis Joseph & Jan Bragg. All voted aye. Motion carried.

C. Mary Ann Rideout submitted her resignation as a Trustee of the Aurora Ross Fire Protection District Board. The Board recommended that Bettye Latham be appointed to fill the remainder of Mrs. Rideout's term (expires 6/30/13). A motion was made by Com. Anderson and seconded by Com. Gold to appoint Bettye Latham as recommended. All voted aye. Motion carried.

D. The Pennyrile Narcotics Task Force submitted a request for Marshall County's contribution for FY 2012/13, which is \$3,600. A motion was made by Com. Drew and seconded by Com. Gold to approve the contribution as requested. All voted aye. Motion carried.

E. The Jonathan Creek Water District submitted the budget summary for 2013. A motion was made by Com. Gold and seconded by Com. Anderson to accept the budget summary, subject to audit. All voted aye. Motion carried.

F. A motion was made by Com. Drew and seconded by Com. Gold to go into executive session regarding a lawsuit & a personnel issue. All voted aye. Motion carried.

G. Judge Miller called Court back into regular session and informed that the lawsuit pertains to the Marshall County Public Properties Corporation that was formed to build the spec building for FLW. A motion was made by Com. Gold and seconded by Com. Anderson to authorize Jeff Edwards to prepare any and all documents regarding this issue and to authorize Judge Miller to sign the documents on behalf of the Court. All voted aye. Motion carried.

H. Judge Miller informed that the personnel issue was about the need for a job description for an employee.

I. Judge Miller read the Animal Shelter report for September which is as follows: Animals in the pen as of 8/31/2012 – 75; brought in by Animal Wardens – 35; brought in by citizens – 77; total animals taken in – 112 (dogs – 35; cats – 19; puppies – 17; & kittens – 25); adopted – 93; animals in foster care – 20; reclaimed – 11; euthanized – 24; & animals in the pen (and foster care) as of 9/31/2012 – 79; donations - \$1,569.00; adoption fees - \$1,706.00; total money received \$3,275.00.

J. The National Association of Counties annual membership fee this year is \$622. Judge Miller informed that the Court has continued a membership with NACO since the 1980's. A motion was made by Com. Drew and seconded by Com. Gold to renew the membership. All voted aye. Motion carried.

K. 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.

L. The Payroll Fund – Accounts Receivable Report as of October 9, 2012 is as follows:

<u>From</u>	<u>Amount</u>
Marshall Co. Sheriff's Department	\$612,371.27
Marshall Co. Attorney's Office	\$
Marshall Co. Clerk's Office	\$
Total Approved	<u>\$612,371.27</u>

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.

M. The Quarterly Encumbrance Listing was submitted in the amount of \$94,371.65. A motion was made by Com. Anderson and seconded by Com. Gold to approve the Encumbrance Listing as submitted. All voted aye. Motion carried.

N. The Financial Report, year to date was submitted in the amount of \$1,977,523.34. A motion was made by Com. Drew and seconded by Com. Gold to accept the Financial Report, subject to audit. All voted aye. Motion carried.

O. The Intrafund Transfer list was submitted for the Court's consideration which is as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
Occupational Tax Adm. Fund	911 Fund (Qtrly Subsidy)	\$ 31,250.00
Occupational Tax Adm. Fund	General Fund	<u>\$450,000.00</u>
	Total approved	\$481,250.00

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

P. A quarterly budget review meeting/workshop was scheduled for 8:00 a.m. on Tuesday, October 16th.

Q. Treasurer Emily Martin informed that \$200,000 was budgeted for a loan to the Refuse District however, only \$100,000 is needed now to meet their needs. A motion was made by Com. Gold and seconded by Com. Anderson to loan the Refuse District \$100,000 as recommended. All voted aye. Motion carried.

R. Judge Miller informed that Lauderdale Lane, located in District #1, is not a county road. It is almost impassable due to recent rains. It was looked at several years ago, but the property owners weren't interested at that time to have it accepted into the county road maintenance system. Discussion was held about getting an estimate on getting the road up to current acceptance standards.

S. Several community events are scheduled in the near future. They are:

- Friday, October 19th at 10:00 – the dedication of a Historical Marker honoring the late Shelby McCallum, former State Representative and Founder of WCBL.
- Friday, October 12th from 6:00 to 8:00 – the Chili Cook-off at the Marshall County Exceptional Center.
- Saturday, October 13th – the annual Kentucky Sheriff's Boys & Girls Ranch Golf Tournament at Kentucky Dam Village State Resort Park.
- Saturday, October 20th - the Mudicine Run to benefit the new Marshall County Free Clinic.
- Saturday, October 13th – the H.W. Ford Run at Marshall County High School.
- Sunday, October 21st – Marshall County Exceptional Sunday at the Marshall County Exceptional Center.
- Saturday, October 20th – Draffenville Lions Club's Fall Festival – proceeds going to eye care.

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

U. Mrs. Martin informed that employees were polled regarding uniforms. The results are: 17 wanted allotments, 17 wanted to have the taxable uniforms, and 3 wanted to have the mandatory uniforms. She suggested that the employees be paid a stipend for the uniforms. A motion was made by Com. Drew and seconded by Com. Gold to pay the employees as recommended for the uniforms. All voted aye. Motion carried.

V. Mrs. Martin said it was her understanding that the Court intended to provide Option B on the health insurance for the employees and recommended that a motion be made confirming that choice. A motion was made by Com. Gold and seconded by Com. Drew to provide Option B. All voted aye. Motion carried.

W. Judge Miller recognized Wallace Eldon McGregor from the Fairdealing community.

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X. 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