

Marshall County Fiscal Court
October 15, 2013

The Marshall County Fiscal Court met in regular session on Tuesday, October 15, 2013 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, & Misti Drew; County Attorney Jeff Edwards & Assistant County Attorney Jason Darnall were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Representatives from the Marshall County Hospital Ladies Auxiliary were present. Judge Miller read a Proclamation naming Friday, November 1, 2013 "Love Light Tree Day" in Marshall County. A motion was made by Com. Drew and seconded by Com. Gold to approve the Proclamation as presented. All voted aye. Motion carried.

B. Judge Miller presented a Kentucky Colonel to Lynn Northcott who served in the United States Army Air Corp during World War II from 1941 until 1945. Mr. Northcott ran bombing missions over enemy territory as a turret gunner on a B-17 flying fortress, which was known as the "Queen of the Skies". He completed 57 missions over enemy territory during his service. He was awarded the Distinguished Flying Cross, the European-African-Middle Eastern Theater Ribbon with one Bronze Star, the Air Medal with seven Oak Leaf Clusters, the Carbine Marksman Medal, and Pistol Marksman Medal.

C. Jackie Eubanks distributed information about KYNECT, which is quality health coverage that is now available to all eligible Kentucky residents. A Certified KYNECTOR is available to assist with eligibility for programs that can help pay for health insurance. A KYNECTOR will be at the Marshall County Library in Benton on Wednesday, October 16th from 11:00 to 1:00 for an informational session and applications will be taken from 1:00 to 4:00.

D. David Melber with the Kentucky Baptist Assemblies addressed the Court regarding an Ordinance authorizing the issuance of industrial building revenue refunding & improvement bonds, in an amount not to exceed \$6,000,000. The proceeds will be loaned to the Kentucky Baptist Assemblies to finance improvements to the Jonathan Creek Baptist Camp, and to refinance outstanding obligations at a better rate. Plans are to construct an assembly hall and double the capacity of sleeping facilities at the camp. The bond issue includes Shelby County because of shared facilities, but the bond will be issued through Marshall County because the majority of the work will be done here. County Attorney Jeff Edwards read a summary of Ordinance #2013-09. A motion was made by Com. Gold and seconded by Com. Anderson to approve the first reading. All voted aye. Motion carried. Mr. Edwards also read a summary of a Resolution & Interlocal Agreement between Marshall County and Shelby County. The Resolution authorizes Judge Miller to sign the agreement on behalf of the County. A motion was made by Com. Drew and seconded by Com. Gold to

approve the Resolution and enter into the Interlocal Agreement. All voted aye. Motion carried.

E. Jason Leubker, Director of 911 addressed the Court. Over the past few years, the 911 Board has been earmarking funds to purchase a phone controller to upgrade the 911 center to the Next Generation 911. The Board applied for and has been tentatively awarded grant funds, in the amount of \$105,000 for the purchase of the required equipment for the upgrade. Mr. Leubker distributed information on the starting pay for Marshall County Dispatchers (\$9.82 hourly – raised to \$10.00 hourly upon completion of the DOCJT Public Safety Dispatch Academy and certification by the Kentucky Law Enforcement Council) and a comparison for the beginning pay rate per hour for the following counties: Livingston - \$13.00; Carlisle - \$10.18; Hopkins - \$16.56; McCracken - \$12.33; & Kentucky State Police - \$12.34. Mr. Leubker added that the current rate of pay affects the ability to recruit and retain candidates. With the estimated increased costs to 911 for the ability to operate the new technology is approximately \$15,440.00 annually for the increased costs of providing a needed T1 data connection and the increased costs in annual maintenance contracts costs. With the grant funds and the funds earmarked for maintenance to cover the costs of two years of increased data connection and maintenance costs, there is \$60,920.00 available to fund the costs of increasing dispatchers' hourly rates to an equitable rate. Mr. Leubker proposed that the rate of pay per hour be increased by \$3.00 over a three-year period. In the first year, he proposed a \$1.50 per hour increase – for a total of \$31,400.00 for all dispatchers; for the second year – a \$1.00 per hour increase – for a total of \$21,050.00 for all dispatchers; and for the third year - \$0.50 per hour - for a \$10,375.00 for all dispatchers. A motion was made by Com. Drew and seconded by Com. Anderson to allow the 911 Board to move forward with the plan to increase the dispatchers' pay as presented. All voted aye. Motion carried.

F. Marshall County Parks Director Larry Whitt addressed the Court regarding complaints he has received about the lack of maintenance for two of the day use parks. The two parks in question are actually supposed to be maintained by the Corps of Engineers or the Department of Fish & Wildlife, but in the past, the county has provided assistance. Mr. Whitt explained that there were signs at the parks that indicated maintenance was provided by the county and he has had those signs removed. This issue will be researched and the findings reported to the Court.

G. Judge Miller introduced Tina McCormick, Interim Director of the Marshall County Health Department.

H. William Zimmer addressed the Court regarding Whispering Hills Lane. The developer of the road told the residents that the county would take the road into the

county road maintenance system. The road does not meet the county's standards to be accepted. If the road has been in existence for 15 years and meets the criteria for an existing road, the county will share the cost of getting the road up to standard. According to Mr. Zimmer, the road has been there about 14 years.

I. Martin Johnson, Attorney for the City of Benton, addressed the Court on behalf of Mayor Cary. At the site of the new Children's Art Center, some long-buried human remains were discovered during excavation. The city hired Dr. Carston, an Archeologist from Murray State University, who went over the property and discovered additional remains circa 1880. Mr. Johnson asked for the Court's consideration of paying a portion of Mr. Carston's \$7,500 fee. Mr. Johnson informed that the city of Benton will be providing \$5,000 and he asked for the Court's consideration of approving \$2,500.00. A motion was made by Com. Anderson and seconded by Com. Gold to approve the expenditure of \$2,500.00. All voted aye. Motion carried.

Mr. Johnson informed that the attorneys for Benton, Calvert City, Hardin, and the county will be meeting Thursday afternoon to finalize the Marshall County Animal Control Ordinance.

II. CORRESPONDENCE:

A. Danny Nelson, Chairman of the Marshall County Parks Board informed that Ricky Denfip's term as a member of the board will expire October 31, 2013. Mr. Denfip has agreed to serve another four-year term and the Board recommended his reappointment. A motion was made by Com. Gold and seconded by Com. Anderson to reappoint Mr. Denfip as recommended. All voted aye. Motion carried.

B. The Western Kentucky Retiree Council of the United Auto Workers will be hosting the 17th Annual Western Kentucky Health Fair on Thursday, October 24th at the Joe Creason Community Center in Benton. The health fair will be open from 8:30 to 12:30.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Gold to approve the minutes of the October 1st and 3rd meetings. All voted aye. Motion carried.

B. Judge Miller read a Resolution for the Court's consideration urging the Kentucky General Assembly to pass legislation during the 2014 regular session which redirects a portion of the in-lieu-of tax payments the Tennessee Valley Authority (TVA) pays to the state back to the TVA counties for Economic Development and Job Creation

purposes. A motion was made by Com. Gold and seconded by Com. Anderson to approve the Resolution as presented. All voted aye. Motion carried.

C. Com. Drew reported that Jerry Bishop, a homeowner at the end of Sledd Creek Road said that he didn't believe the area residents would be in favor of a cul-de-sac, but the public was welcome to use his circle driveway to turn around.

D. A draft proposal for the Marshall County Animal Shelter – Receipt Procedures was distributed. Wendy Baxter spoke with Shelter Director Autumn Hollis this morning and she had some questions about the procedures. Action on this issue was tabled.

IV. NEW BUSINESS:

A. A drawdown request was submitted for the Children's Art Center in the amount of \$2,687.76. A motion was made by Com. Anderson and seconded by Com. Gold to approve the drawdown request. Emily Martin informed that this will be the final draw request. Motion carried.

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

C. The Payroll Fund - Accounts Receivable Report as of September 30, 2013 was submitted and is as follows:

From	Amount
Marshall Co. Sheriff's Department	\$506,011.02
Marshall Co. Attorney's Office	\$ -0-
Marshall Co. Clerk's Office	\$ <u>-0-</u>
Total Approved	\$506,011.02

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.

D. The Intrafund Transfer Report as of October 15, 2013 was submitted and is as follows:

From	To	Amount
Occupational Tax Admin.	911 Fund (budgeted subsidy)	\$ 31,250.00
Occupational Tax Admin.	General Fund (budgeted subsidy)	\$300,000.00
Occupational Tax Admin.	Jail Fund (only if necessary)	\$100,000.00
Occupational Tax Admin.	Veteran's Van Fund	\$ <u>2,500.00</u>
	Total approved	\$433,750.00

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

E. The Encumbrance Report for the Quarter ended September 30, 2013 was distributed. A motion was made by Com. Gold and seconded by Com. Anderson to approve the Quarterly Encumbrance Report as submitted. All voted aye. Motion carried.

F. The Quarterly Financial Report as of September 30th was distributed. A motion was made by Com. Gold and seconded by Com. Anderson to approve the Quarterly Financial Report. All voted aye. Motion carried.

G. Judge Miller read the Animal Shelter report for September which is as follows: Animals in the pen as of 8/30/2013 – 51; brought in by Animal Wardens – 33; brought in by citizens – 61; total animals taken in – 94 (dogs – 20; cats – 23; puppies – 23; & kittens – 28); adopted – 72; animals in foster care – 2; reclaimed – 1; euthanized – 16; & animals in the pen (& in foster care) as of 9/30/2013 – 56; adoption fees - \$1,055.00.

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

I. The Benton City Clerk asked, on behalf of Mayor Cary, if the county would pay for half of the cost of the port-a-potties located at the Children's Art Center. The total bill for the past month is \$83.75. A motion was made by Com. Anderson and seconded by Com. Gold to pay one-half of the bill as requested. Motion carried.

J. Russell York reported that five of the eight heaters in the shop are no longer working properly. Three infrared heaters can be installed to replace all eight heaters. The cost for three infrared heaters is \$4,800 and there is money in the budget to cover the cost. The Court members concurred to have Mr. York take care of getting infrared heaters installed.

K. Com. Drew asked where the money would come from for the three employees that were hired at the last meeting. Treasurer Emily Martin replied that the money can be transferred from reserves and the amount would depend on which insurance choices the employees make.

L. Discussion was held about shirts for employees at the Road Department and Parks Department. Currently the stipend paid to Road Department employees for pants is \$150 per year and \$90 for Parks Department employees. The shirts that were

purchased are florescent green which helps with safety issues. Following discussion, a motion was made by Com. Anderson and seconded by Com. Gold to increase the Parks Department employees stipend for pants to \$150 to equal the amount paid to the Road Department employees. All voted aye. Motion carried.

M. 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.

N. Judge Miller called Court back into regular session and informed that applications for Assistant Director of the Animal Shelter were reviewed and interviews will take place beginning at 9:00 a.m. on Wednesday, October 23rd.

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