

Marshall County Fiscal Court
October 20, 2015

The Marshall County Fiscal Court met in regular session on Tuesday, October 20, 2015 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Johnny Bowlin, & Dr. Rick Cocke; County Attorney Jeff Edwards & Assistant County Attorney Jason Darnall were present. Chyrrill Miller, County Judge/Executive presided.

I. GUESTS:

A. Representatives from the Marshall County Hospital Auxiliary were present regarding Lovelight Tree Day in Marshall County. Judge Miller read a proclamation naming Friday, November 6, 2015 as Lovelight Tree Day in Marshall County. A motion was made by Com. Gold and seconded by Com. Cocke to approve the proclamation as presented. All voted aye. Motion carried.

B. David Lovett, Superintendent of the Jonathan Creek Water District updated the court on the issues with iron in the water and the steps being taken to fix the problem. The plant was cleaned out on September 24th and a system wide flushing has begun. A letter has been sent to the customers to inform them of this process.

C. Wendy Baxter informed that Marshall County is now a Work Ready Community. That status will be updated again in three years.

D. Marshall County Parks Director Larry Whitt received a letter from Nick Morris, TVA, regarding the possibility of building a fishing pier at one of the day use parks. Mr. Whitt asked for permission to continue with the negotiations and added that the only cost to the county would be an in-kind match, which could be handled through excavation work.

II. CORRESPONDENCE:

There was no correspondence.

III. OLD BUSINESS:

A. A motion was made by Com. Bowlin and seconded by Com. Cocke to approve the minutes of the Special Called Meeting of September 25th. All voted aye. Motion carried.

A motion was made by Com. Gold and seconded by Com. Bowlin to approve the minutes of the September 29th meeting. All voted aye. Motion carried.

B. A motion was made by Com. Cocke and seconded by Com. Gold to approve the Memorandum of Agreement between the county and the cities of Benton and

Calvert City for the joint purchase of salt. All voted aye. Motion carried.

C. Danny Nelson, Marshall County Park Board Chairman, sent a recommendation on behalf of the board that Dean McCoy be appointed to replace Norm Luellen on the board. A motion was made by Com. Cocke and seconded by Com. Bowlin to appoint Dean McCoy as recommended. All voted aye. Motion carried.

D. Judge Miller informed that Dan Gray, who was recently appointed to Sanitation District #2, has reconsidered and has declined the appointment due to health issues. Com. Bowlin has spoken with Brandon Cathey and he will serve if appointed. Jeff Nimmo's name was also mentioned. This issue was tabled.

E. Judge Miller asked if a decision had been made on the 1.5 ton truck for the Road Department. Road Department Superintendent Russell York recommended the International truck, he stated the Dodge truck would not be able to handle everything they need it to do. Judge Miller read a letter from County Attorney Jeff Edwards as to why the International is a better choice. Com. Gold stated the two trucks were not comparable since the Parkway Chrysler bid did not meet the specs requested. A motion was made by Com. Gold to accept the higher bid for the International truck. Motion died due to lack of a second.

Com. Cocke stated it was his understanding that both bids met specs and questioned why the Dodge truck was being considered if it did not meet specs. One bid is local, here in Marshall County and the other bid is from Calloway County and is \$11,000.00 more. Com. Cocke stated when bids were comparable he would go with a local company every time if it meets specs. Road Department Superintendent Russell York stated the Dodge truck would not meet their needs and he would recommend to reject all bids if the International wasn't chosen. Com. Gold stated they could re-bid and make the specs more specific. Com. Gold is against getting a truck that Mr. York feels will not meet their needs.

A motion was made by Com. Gold to reject all bids and re-bid with more specific specifications. Com. Cocke questioned if re-bidding was fair to the bidders that have already bid. Com. Gold reminded Com. Cocke that they have the right to reject all bids as stated in the specifications given to bidders. Com. Gold said they have found a mistake and will correct it. Com. Bowlin's only concern was buying out of county. The motion was seconded by Johnny Bowlin. Com. Gold and Com. Bowlin voted aye. Com. Cocke voted nay. Motion carried.

F. Judge Miller informed that she signed the agreement for \$1,000 to offer to the Kentucky High School Athletic Association as an incentive to get the fishing tournament here.

IV. NEW BUSINESS:

A. A bid opening was held for the sale of a 1996 GMC Yukon. Advertisement for bids was published in the October 6th edition of the Tribune Courier. Three bids were received:

- Mike Conkright in the amount of \$251.33
- Kurt Schmidt in the amount of \$2,751.00
- Justin Parker in the amount of \$1,208.00

A motion was made by Com. Bowlin and seconded by Com. Gold to accept the high bid of \$2,751.00 from Kurt Schmidt. All voted aye. Motion carried.

A motion was made by Com. Gold and seconded by Com. Cocke to send the money received for the sale of the Yukon back to the Rescue Squad for the purchase of a carport. All voted aye. Motion carried.

B. A bid opening was held for the purchase of an ambulance remount. One bid was received from Select-Tech, Inc in the amount of \$88,669.50 with trade \$1200.00. Ambulance Service Director Bryan Cutsinger left the meeting to review the bid to make sure it meets the specs.

C. Water Vision 2020 Director Bobby Gifford submitted a draw down request from KIA Fund B in the amount of 8,496.01 for the pump station at the entrance of Marshall County Hospital. A motion was made by Com. Bowlin and seconded by Com. Cocke to approve the draw down request. All voted aye. Motion carried.

Mr. Gifford also submitted the North Marshall Water District Budget for the Court's review.

D. Treasurer Emily Martin requested to move \$1,500.00 from the Occupational Tax Administrator Fund to the Grant Fund. A motion was made by Com. Cocke and seconded by Com. Gold to approve the transfer. All voted aye. Motion carried.

E. A bid opening was held for the sale of surplus property. Notice for bids was published in the October 6th edition of the Tribune Courier. The bids are as follows:

- Keith Greer – 36' concrete culver section \$20.25; 48' concrete culvert sections \$50.25; oval concrete culvert sections \$42.25; 6'x32' tank car \$1,525.25; 7'x32' tank car \$925.25
- Eric Oakley – 6'x32' tank car \$112.96
- Michael Conkright – 6'x32' tank car \$1.11; 7'x32' tank car \$1.11; scrap metal (price per pound) \$0.0061; scrap aluminum (price per pound) \$0.111; 2005 total patcher vin# 2065 \$861.30
- Gambles Recycling – scrap metal (price per pound) \$0.02; scrap aluminum (price per pound) \$0.50
- Benny Adair – 6'x32' tank car \$807.00; 7'x32' tank car \$807.00
- Cowboy Street – 6'x32' tank car \$500.00; scrap aluminum (price per pound) \$0.35

(after reading results, Russell York recommended that the bid on the patcher be rejected.) A motion was made by Com. Cocke and seconded by Com. Gold to reject the bid. All voted aye. Motion carried.

A motion was made by Com. Cocke and seconded by Com. Gold to accept the highest bids with the exception of the bid for the patcher. All voted aye. Motion carried.

F. Judge Miller stated she received a request to advertise a bid for surplus property for Special Maintenance but did not have a list of the items. This request was tabled pending a list of items.

G. Assistant County Attorney Jason Darnall read Ordinance #2015-05 (ABC Ordinance Amendment). The second reading will be November 3rd.

H. Following the first reading of Ordinance #2015-06 (Budget Amendment), a motion was made by Com. Gold and seconded by Com. Bowlin to approve the first reading. All voted aye. Motion carried.

I. Judge Miller read a Resolution declaring that the Marshall County Courthouse is now a smoke free building. Sheriff Kevin Byars asked if that was for all county owned buildings. It only pertains to the Courthouse. A motion was made by Com. Cocke and seconded by Com. Gold to approve the Resolution. All voted aye. Motion carried.

J. Treasurer Emily Martin informed the court she received a letter from Jackson Purchase Energy stating there would be increases to the rates currently being paid. Emily presented an estimate based off the past 10 months and the bill will increase

approximately \$18,000.00 to \$19,000.00 per year, this includes all of the Jackson Purchase Energy bills the court pays.

K. Judge Miller informed the court the Fleetwood Building has been sold and the bonds retired.

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

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

N. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Encumbrance Report. All voted aye. Motion carried.

O. A motion was made by Com. Bowlin and seconded by Com. Gold to approve Payroll Fund – Accounts Receivable Report. All voted aye. Motion carried.

P. A motion was made by Com. Cocke and seconded by Com. Gold to approve the application for the incoming County Judge/Executive's bond. All voted aye. Motion carried.

Q. Judge Miller read the Animal Shelter report for August which is as follows: Animals in the pen as of 7/31/2015 – 64; brought in by Animal Wardens – 22; brought in by citizens – 69; total animals taken in – 91 (dogs – 39; cats – 11; puppies – 17; & kittens – 24); adopted – 77; animals in foster care – 0; reclaimed – 12; euthanized – 14; & animals in the pen (& in foster care) as of 8/31/2015 – 52; adoption fees - \$1,562.

R. Bryan Cutsinger informed that the bid did meet the specs. Bryan recommended the bid from Select-Tech be accepted. A motion was made by Com. Cocke and seconded by Com. Gold to accept the bid from Select-Tech. All voted aye. Motion carried.

S. A motion was made by Com. Gold and seconded by Com. Cocke to go into executive session to discuss personnel, property, and possible litigation. All voted aye. Motion carried.

T. Judge Miller called court back into session.

U. A motion was made by Com. Bowlin and seconded by Com. Gold to lift the hiring freeze. All voted aye. Motion carried.

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V. A motion was made by Com. Cocke and seconded by Com. Gold to hire Lisa Colburn as a temporary as needed employee for janitorial with pay of \$9.00 per hour. All voted aye. Motion carried.

W. A motion was made by Com. Gold and seconded by Com. Bowling to put the hiring freeze back in place. All voted aye. Motion carried.

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

Y. A motion was made by Com. Gold and seconded by Com. Cocke to adjourn. All voted aye. Motion carried.

Respectfully submitted by,

Melonie Chambers
Fiscal Court Clerk

Desiree' Hermosillo
Administrative Assistant