

Marshall County Fiscal Court
November 15, 2011

The Marshall County Fiscal Court met in regular session on Tuesday, November 15, 2011 in the Joe Williams Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. All duly elected Commissioners: Bob Gold, Terry Anderson, and Misti Drew; Assistant County Attorney Jason Darnall, and County Attorney Jeff Edwards were present. Mike Miller, County Judge/Executive presided.

I. GUESTS:

A. Jim LeFevre, District One Chief Highway Engineer and Greg Dennison with the Department of Highways were present. Mr. Dennison presented Benton resident Ron Welch with a certificate naming him a Highway Safety Ambassador for his safe driving record. Mr. Welch has never had a citation or an accident. The Court congratulated Mr. Welch on his accomplishments.

B. Martin Johnson addressed the Court regarding Bud Myers Lane. When the road was blacktopped, the pavement stopped approximately 150' to 200' from a driveway that now goes to Shevchenko's house. Com. Anderson recommended that the Court pave to the driveway and split the cost with the Shevchenko's who have agreed to do so. The estimated cost is approximately \$2,160.00 to be split equally. The right-of-way on the road is 50'. A motion was made by Com. Anderson and seconded by Com. Gold to extend the blacktop to the Shevchenko's driveway and equally split the cost as discussed. All voted aye. Motion carried.

C. Becky Cornwell, Director of Marshall County Caring Needline updated the Court on the preparations for the Lights in the Park. This year there are 1.4 million lights and people can tune their vehicle radios to a preset station and listen to the Christmas music instead of having to roll down the windows to hear it. The Light Show will begin Friday after Thanksgiving and run through the first of the year. Some of the new displays were donated by the family of the late Frank Nichols. She added that Santa will be in the big pavilion on Fridays, Saturdays, & Sundays until Christmas so people visit and have their pictures made.

D. Melissa Combs, Director of Emergency Management informed that the Governors Emergency Management Workshop will be held December 14th, 15th, & 16th at the Galt House in Louisville. Ms. Combs also updated the Court on Code Red and Good Neighbor Night, which will be November 15th from 4:00 to 6:00 at Calvert Elementary School. Discussion was held about a website; Ms. Combs will speak with Andy Lepisto regarding a website.

E. Bill Husfield and Whipple Walker were present representing the Marshall County Amateur Radio Association, which is part of the Emergency Alliance. Mr. Husfield addressed the Court and expressed appreciation on behalf of the MCARA for the Fiscal Court's support throughout the past years.

II. CORRESPONDENCE:

A. Todd Kirby, Hearing Officer with the Kentucky Department for Local Government informed that the Notice of Intent to Finance an Application of Debt Approval form for Hearing has been received from the Court, requesting the State Local Debt officer to approve the financial plan whereby the county proposes to issue Re-Funding Bonds, Series 2011 in a principal amount not to exceed \$6,000,000 (Judicial Facility). A hearing will be held at DLG on Tuesday, November 29th at 10:30 to consider the issuance of the bonds.

B. James C. Cobb, State Geologist and Director of Kentucky Geological Survey offered resources to help better serve Marshall County through, for instance their county land-use planning maps can help homeowners, planners, engineers, and developers better understand how the local geology may impact the development of residential and commercial property, infrastructure, and other public and private facilities. The maps may be viewed or downloaded by clicking on Marshall County at their Web site: <http://kgs.uky.edu/kgsweb/downloadadd/geology/landuse/lumaps.htm>.

C. Laurie Wilson, Secretary of Benton Elementary School sent a note of appreciation for the offices in the Courthouse helping to make this year's Spook Walk for the students a success.

D. Danny Nelson, Chairman of the Marshall County Park Board informed that it is the Board's recommendation that the Fiscal Court approve the following usage fees for the main pavilion during the months of January through October: Residents of Marshall County – A fee of \$50.00 will be charged for a four and one-half hour (4 ½) time slot. A time slot of over four and one-half hours shall be considered a whole day and the rate charged will be \$100.00; Non-Residents of Marshall County – A fee of \$75.900 will be charged for a four and one-half hour (4 ½) time slot. A time slot of over four and one-half hours shall be considered a whole day and the rate charged will be \$125.00. There would be no charge for use of the smaller pavilions. Com. Anderson stated his objection to county residents paying for use of the pavilion because the park was funded by county residents. He said he did not have a problem with charging non-county residents for use of the pavilion. Com. Drew asked if there was anything the Park Board would have to show that the additional money could be used for, for example the construction of a splash pad. Following discussion, action on this request was tabled until the Park Board can submit more information on what the money could be used for.

E. Grant Park, Marshall County Technology Student Association asked for the Court's consideration of a donation to assist with their financial needs this year. TSA

students prepare for both state and national competitions, and the future of their organization is dependent upon the fundraising efforts of their members and local business contributions. Judge Miller added that personal donations are also welcome.

III. OLD BUSINESS:

A. Com. Drew asked that the section from the minutes of November 1st relating to the Sheriff's Audit be clarified to state that the Line Item Budget Subsidy for the Sheriff's Office is \$220,000. The Court makes contributions to all departments to cover fringe benefits. Judge Miller added that \$1.1 million was contributed to the Sheriff's Department for fringe benefits. With that clarification, a motion was made by Com. Drew and seconded by Com. Anderson to approve the minutes of the November 1st meeting. All voted aye. Motion carried.

B. County Road Supervisor Russell York informed that work on Victor Darnall Road is 75% complete.

C. Judge Miller informed that he, Jeff Edwards, and Emily Martin recently attended a KACo training session and part of the meeting was about the need for counties to update their Model Procurement Codes as well as the Personnel Policy. He added that hopefully they will have updates on both policies for the Court's consideration prior to the end of the year.

D. Jeff Edwards reported that the Animal Shelter Committee has been meeting as issues come up. Adoptions have nearly quadrupled and the program for donations of animal cots – 8 to 10 have been donated so far. The Court commended the staff for a job well done.

IV. NEW BUSINESS:

A. Judge Miller read a Resolution for the Court's consideration for the application and administration of Kentucky Office of Homeland Security Projects. Marshall County Ambulance Service Director Mark Harrison added that this grant project is for cardiac monitors. A motion was made by Com. Gold and seconded by Com. Drew to approve the Resolution as presented. All voted aye. Motion carried.

B. Marshall County Sanitation District #1 submitted the July 1, 2010 through June 30, 2011 Annual Report.

C. Judge Miller has been talking with Russell York and the Mechanic Forman at the Road Department and they have expressed a need for another mechanic and

recommended Rick Castleberry. A motion was made by Com. Anderson and seconded by Com. Gold to temporarily remove the hiring freeze. All voted aye. Motion carried. A motion was made by Com. Anderson and seconded by Com. Gold to hire Rick Castleberry as recommended. All voted aye. Motion carried. A motion was made by Com. Anderson and seconded by Com. Gold to reinstate the hiring freeze. All voted aye. Motion carried.

D. Judge Miller requested an executive session to discuss two personnel issues & possible property acquisition. A motion was made by Com. Anderson and seconded by Com. Gold to go into executive session. All voted aye. Motion carried.

E. Judge Miller called Court back into regular session.

- On one of the personnel issues, an employee who was placed on leave without pay will be contacted to meet with the Court at 8:30 a.m. on Monday, November 21st to go over job responsibilities and if agreed, move forward with reinstating the employee.
- The second personnel issue discussed during executive session was regarding the weekend cleaning at the animal shelter. The Court instructed the County Attorney to meet with the individual and let him know that he either complies with the cleaning requirements or his employment will be terminated and someone else hired to replace him.
- On the possible property acquisition, there is an additional 50 acres adjoining the Marshall County Park Property. The Court instructed Larry Whitt, Director of County Parks to contact the property owners and report back to the Court.

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. The Payroll Accounts Receivable Report as of November 15, 2011 is as follows:

Marshall County Sheriff's Office	\$846,638.79
Marshall County Attorney's Office	<u>\$ 6,932.12</u>
Total	\$853,570.91

H. The Intrafund Transfers were submitted and are as follows:

Occupational Tax Administrator to Occupational Tax Fund	\$200,000.00
Occupational Tax Administrator to Jail Fund	<u>\$100,000.00</u>
Total	\$300,000.00

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

I. The Budget Appropriation Transfers were submitted for approval (attached). A motion was made by Com. Anderson and seconded by Com. Gold to approve the Budget Appropriation Transfers. All voted aye. Motion carried.

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

K. Com. Anderson has spoken with Gary Holland who lives on Granite Lane off of Hwy. 95, and there are trees on the right-of-way blocking visibility. A motion was made by Com. Anderson and seconded by Com. Gold to either cut or remove the trees to improve visibility. All voted aye. Motion carried.

L. Judge Miller reminded the Court that generally there is only one meeting in December on the second Tuesday. The meeting was scheduled for 9:30 on Tuesday, December 13th.

M. Judge Miller also reminded the Court that the annual Thanksgiving Courthouse Potluck Dinner is this Friday at 12:00 and the Christmas Dinner will be December 19th at Magic Valley Bar-B-Q.

N. 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