

Marshall County Fiscal Court
December 14, 2011

The Marshall County Fiscal Court met in regular session on Tuesday, December 14, 2011 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. Mark Harrison, Marshall County Ambulance Service Director addressed the Court regarding replacing one of the extrication tools. When the cutter was purchased in 1996, it was sufficient to cut the roofs off of vehicles, but approximately five years ago the vehicle manufacturer's standards changed and the cutter is no longer strong enough. The same company has a cutter that meets those standards and the cost with trade in of the old cutter is \$5,559.00. Mr. Harrison asked for the Court's consideration of purchasing a new cutter, including trade in. A motion was made by Com. Drew and seconded by Com. Anderson to purchase the cutter as requested. All voted aye. Motion carried.

Mr. Harrison presented documentation, which requires Judge Miller's signature on a Homeland Security Grant in the amount of \$77,000.00. A motion was made by Com. Gold and seconded by Com. Anderson to authorize Judge Miller to sign the document on behalf of the Court. All voted aye. Motion carried.

B. Bobby Gifford, Director of Water Vision 2020 gave an update:

- Bids will be opened on the Brewers pump station on Friday, December 16th at 11:30 – this will allow the tank at Brewers to be filled. He added that they are probably looking at a couple of months before the tanks are charged.
- The PADD has determined the rankings for water projects in the Purchase Area and Water Vision is listed as #1 from all eight counties.
- Mr. Gifford complimented Andy Lepisto and Marshall County GIS for doing a fantastic job.
- Copies of the North Marshall Water District Budget were also distributed.

C. Jailer Roger Ford informed that the Jail's Doctor and Nurse Practitioner have both decided to retire effective January 1, 2012. The jails that don't have a doctor or nurse on staff use a medical service. Advance Correctional Health Care provides services to most of the jails in western Kentucky. He has budgeted \$75,000 for medical – 24 hours a week for a nurse & one day a week plus on-call as needed for a physician. They would provide all prescription medication and over the counter medications as well but no dental – that would still be the Jail's responsibility. Mr. Ford has budgeted \$14,000 for dental. He added that the head cook is also contemplating retirement and he has been looking at a private food company providing the meals. It may help reduce the cost in the food budget and that amount could then be moved to the medical budget.

A motion was made by Com. Drew and seconded by Com. Anderson to allow Roger Ford on behalf of the county to enter into an agreement with Advance Correctional Healthcare for medical services for a one-year period beginning January 1, 2012. All voted aye. Motion carried.

Judge Miller added that we are probably going to lose approximately 30 state prisoners as well as the money paid for housing them on January 1st when the new law goes into effect sending them to private facilities.

II. CORRESPONDENCE:

A. Lee Nalley, Kentucky State Clearinghouse, Department for Local Government informed that the evaluation of Marshall County Acquisition Demolition Project (SAI# KY2011 1102-1312, CFDA# 97.039) has been completed and there are no identifiable conflicts with any state or local plan, goal, or objective. The State Clearinghouse recommends this project be approved for assistance by the cognizant federal agency.

B. Congressman Ed Whitfield sent a letter regarding a request for signage on Moors Camp Highway from Ran Guennel. Judge Miller informed that Mr. Guennel sent an e-mail this morning in appreciation for the additional signage placed on the road by the county road department.

C. Jeff R. Burton, Director of the Division of Local Facilities, Department of Corrections informed that during the jail inspection on November 14th, no items of non-compliance were noted.

D. Brandi Harless, Executive Director of St. Nicholas Clinic sent a note of appreciation for the Court's recent donation.

E. The Marshall County High School Band sent a note of appreciation for the Court's donation to assist with expenses for their trip to the Governor's Inauguration.

F. Margret Henley with Bags of Love sent a note of appreciation for the Court's recent donation.

G. Shirley Johnson with Twilight Cabaret sent a letter of appreciation for the Court's recent donation.

H. Lora Tucker with Girl Scouts of Kentuckiana sent a letter of appreciation for the Court's recent donation.

I. Stephanie Robey, Manager of the Kentucky Emergency Management Branch informed that the next Applicant Agent Certification Course will be conducted February 6 – 10, 2012 in Frankfort. Marshall County Director of Emergency Management Melissa Combs, County Treasurer Emily Martin, and Road Department Administrative Assistant Wendy Greer will attend.

J. George Milam, President of the Marshall County Arts Commission sent a letter of appreciation for the Court's recent donation.

K. Lee Grassley, Mediacom's Senior Manager of Government Relations informed that effective December 15th the following rate adjustments will begin: Broadcast Basic - +\$2.00; Family Cable - +\$5.00; Family Cable with Digital 1 Star - +\$2.00; Cinemax - +\$2.00; Showtime - +\$2.00; Digital Plus - +\$2.00; Wireless Home Networking - +\$1.00; Paperless Bill Credit - \$1.00 Bill Credit – eliminated – Credit No Longer Available. Discussion was held about when the franchise agreement will be up for consideration. The current contract will expire August 3, 2012.

L. James LeFevre, District One Highway Engineer sent a letter and bridge inspection reports for November. One bridge, Old Calvert City Road (project number 079C00032N) is currently posted for 18 tons and should be reduced to 14 tons. Signage on all other sub-standard structures in Marshall County are currently in compliance.

M. Gene Gilliland, Chairman of the Marshall County Chamber of Commerce sent a letter offering sponsorships to the annual Chamber Dinner scheduled for January 12, 2012. The levels are: Gold Sponsorship - \$1,000; Silver Sponsorship - \$500; & Bronze Sponsorship - \$250. A motion was made by Com. Gold and seconded by Com. Anderson to provide \$500 for a Silver Sponsorship. Com. Anderson and Com. Gold voted aye. Com. Drew abstained because she is a member of the Chamber Board. Motion carried.

N. Mr. Gilliland sent another request from Chamber of Commerce for help with sponsorship for West Kentucky Thank You Night. Sponsorships are \$500 each. Judge Miller called for a motion but there was no response.

III. OLD BUSINESS:

A. A motion was made by Com. Anderson and seconded by Com. Drew to approve the minutes of the November 15th and 21st meetings. All voted aye. Motion carried.

B. At the last meeting, there was a request from the Marshall County Park Board regarding charging rental fees for the large pavilion. Larry Whitt, Director of Parks was going to check with the Park Board and report back. We will revisit this during first meeting in January.

C. Work sessions have been held regarding possible changes to the Personnel Policy & Model Procurement Code. The proposed changes will be made available for the Commissioners' review prior to action.

D. Action on Billy Driskill, who is one of the North Marshall Water District Commissioners, has been tabled for some time. He is currently serving as board Treasurer. Com. Drew said she doesn't think there are any points for his removal. A motion was made by Com. Drew and seconded by Com. Gold that Billy Driskill remain on the North Marshall Water District Board. All voted aye. Motion carried.

E. Com. Drew informed that she met with the Gilbertsville Neighborhood Watch regarding the abandoned mobile homes and the Nuisance Ordinance. Most of them are located on the same property on Owen Street and pictures have been taken. It was determined during discussion that one complaint can be filed. The disposal cost per unit is approximately \$1,000. Judge Miller said at this point it will be turned over to the proper authorities.

IV. NEW BUSINESS:

A. Judge Miller informed that the agreement for donated space between the Court and the University of Kentucky for Kentucky Homeplace has been signed by both authorities and will be kept on file in his office.

B. Debbie Buchanan, Director of the Marshall County Chamber of Commerce sent a letter asking if the Court wanted to purchase an ad in the 2012 Chamber Directory. Last year, as in years past, the Court purchased a one-half page ad. The cost for the same ad would be \$150 for the 2012 directory. During discussion, the Court members agreed to pay for the ad personally and not use county funds.

C. County Clerk Tim York submitted the 2012 Budget and Annual Order Setting Maximum Amount for Deputies and Assistants. The beginning balance plus receipts year to date - \$8,450,000; total disbursements YTD - \$8,250,000; and book balance/excess fees - \$200,000. The Deputy Hire for 2012 is \$560,000. A motion was made by Com. Gold and seconded by Com. Anderson to approve the County Clerk's Budget and Deputy Hire as submitted. All voted aye. Motion carried.

D. James Reed Cleanup submitted a bill in the amount of \$2,450.00 for cleaning and removal of trees and brush and fence repair and parts for the Hiatt, Castleberry, Morgan-Peel, & Holt Cemeteries. A motion was made by Com. Anderson and seconded by Com. Gold to approve payment of the bill. All voted aye. Motion carried.

E. The proposed Holiday Schedule for 2012 was submitted for the Court's consideration:

Martin Luther King, Jr. Day	Monday, January 16, 2012
Tater Day	Monday, April 2, 2012
Good Friday (1/2 day)	Friday, April 6, 2012
Memorial Day	Monday, May 28, 2012
Independence Day	Wednesday, July 4, 2012
Labor Day	Monday, September 3, 2012
Presidential Election Day	Tuesday, November 6, 2012
Veteran's Day	Monday, November 12, 2012
Thanksgiving	Thursday & Friday - November 22 & 23, 2012
Christmas	Monday & Tuesday - December 24 & 25, 2012
New Year's	Monday, December 31, 2012 & Tuesday, January 1, 2013

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

F. 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.

G. Judge Miller called Court back into regular session and informed that discussion was held about hiring someone to clean on weekends and holidays at the animal shelter. The Court reviewed several applications which were on file and agreed

to have a background check run on one of the applicants. A motion was made by Com. Drew and seconded by Com. Anderson to offer the position to the applicant if her background check comes back clear at a rate of \$50.00 per day. All voted aye. Motion carried.

H. Com. Drew asked if an additional Animal Control Officer was needed to replace Mr. Turner who retired. Judge Miller replied that he will speak to the remaining two officers about segregation of duties. Also in the future, all animal control calls will go through Central Dispatch and the Animal Control Officers will be dispatched from there. Judge Miller added that discussion was held about increasing Assistant Animal Warden Dennis Tynes' salary to \$1,000 per month. A motion was made by Com. Anderson and seconded by Com. Gold to increase Mr. Tynes' salary to \$1,000 per month. All voted aye. Motion carried.

I. Judge Miller read the Animal Shelter report for November which is as follows: Animals in the pen as of October 31, 2011 – 33; brought in by Animal Wardens – 35; brought in by citizens – 92; total animals taken in – 123 (dogs – 41; cats – 35; puppies – 11; & kittens – 36); adopted – 72; animals in foster care – 1; reclaimed – 12; euthanized – 26; & animals in the pen as of 11/30/2011 – 49; donations - \$705; adoption fees - \$1,045; total money received - \$1,750. Flanary Veterinary Clinic in Reidland made a donation of pet supplies which included approximately 400 pounds of dog/cat food on December 10th. The donation was approximately \$2,500.

J. 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.

K. Judge Miller informed that the auditors recently completed the county's audit for FY 2011 and an exit conference will be scheduled in the near future.

L. The Payroll Accounts Receivable Report as of December 14, 2011 is as follows:

Marshall County Sheriff's Office	\$459,102.82
Marshall County Attorney's Office	<u>\$ 13,864.22</u>
Total	\$472,877.04

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

General Fund to 911 Fund (for July 2011 qtr.)	\$ 31,250.00
General Fund to 911 Fund (for October 2011 qtr.)	\$ 31,250.00
Occupational Tax Administrator to Jail Fund	\$100,000.00
Occupational Tax Administrator to Occupational Tax Fund	<u>\$100,000.00</u>
Total	\$262,500.00

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

N. A Building Inspection Voucher was presented for the Court's consideration. Com. Anderson asked if there is a reason we are paying all of it. County Treasurer Emily Martin replied that at some point a decision was made that 75% be paid to the Building Inspector and 25% to the Director. She recommended this bill be paid as presented and if the Court wanted to make changes to make them after payment of this bill. A motion was made by Com. Anderson and seconded by Com. Gold to approve payment of the bill as submitted. All voted aye. Motion carried.

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

P. The Refuse District Audit for FY ended June 30, 2011 was distributed. A motion was made by Com. Gold and seconded by Com. Anderson to approve the audit as submitted. All voted aye. Motion carried.

Q. Judge Miller informed that the roof is leaking at the Sheriff's Office/911 Complex and the Jail as well. He has spoken with Dennis Smith with Pinnacle Construction who estimated the cost at \$350,000 to \$400,000 to repair it correctly. Roy Jones is working with someone to get a design to repair the roof.

R. Following the reading of a Resolution for clarification of county roads, a motion was made by Com. Anderson and seconded by Com. Gold to approve the Resolution as presented. All voted aye. Motion carried.

S. Following the first reading of Ordinance #2011-10 (Arts Commission Debt), a motion was made by Com. Drew and seconded by Com. Anderson to approve the first reading. All voted aye. Motion carried.

T. Judge Miller informed that the board of the North Marshall Water District has requested Bobby Gifford be named Superintendent and has offered to split the cost of his salary. The board would be responsible for 70% plus benefits and the county would be responsible for 30%. Mr. Gifford would spend 70% of his time at North Marshall and 30% working for the county. A motion was made by Com. Anderson and seconded by Com. Drew to enter into the agreement as requested. All voted aye. Motion carried.

U. The Marshall County School System presented a plaque to the Fiscal Court during Hoopfest for the Court's continued support throughout the years of the tournament. The plaque will be displayed in the courtroom.

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

W. Com. Drew spoke to the Court about creating a Facebook Page so updates on items such as road closings could be put on immediately. There is no cost. The Court members concurred to set up a Facebook Page. Com. Drew also asked about the possibility of having an Ordinance to regulate solicitations along the roadways throughout the county. Yesterday in Draffenville at the intersection of Hwy. 68 & 641, there were solicitors taking up money to supposedly start a battered women's shelter. The City of Benton has an Ordinance on their books. Assistant County Attorney Jason Darnall will draw up an Ordinance.

X. Com. Anderson requested that the first meeting in January be changed due to a scheduling conflict. Following discussion, a motion was made by Com. Anderson and seconded by Com. Gold to move the Court meetings to the second and fourth Tuesdays in January (January 10th & 24th). All voted aye. Motion carried.

Y. Sheriff Byars addressed the Court about a couple of items:

- Creating a county motor pool – to handle small minor engine repairs and regular maintenance items such as oil changes.
- The Sheriff submitted his budget for 2012. Copies were distributed for the Court's review.

Z. 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