

Marshall County Fiscal Court  
April 11, 2017

The Marshall County Fiscal Court met in regular session on Tuesday, April 11, 2017 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Elected Commissioners: Dr. Rick Cocks, Johnny Bowlin and Bob Gold; County Attorney Jeff Edwards and Assistant County Attorney Jason Darnall were present. Kevin Neal, County Judge/Executive presided.

I. GUESTS:

A. Calvert City Planner John Ward, Roger Colburn, Calvert City Water, and Greg Northcutt, Calvert City Attorney requested a Resolution granting Calvert City, Kentucky consent to regulate a "Wellhead Protection Area" located in an unincorporated area just outside the city limits of Calvert City, Kentucky. Assistant County Attorney Jason Darnall will draft the Resolution and present it at the next meeting.

II. CORRESPONDENCE:

A. Judge Neal read a letter from Bobbie Foust regarding the 75<sup>th</sup> Anniversary of Kentucky Dam in 2019. Ms. Foust requested the Fiscal Court sponsor a festival to celebrate the milestone.

B. Judge Neal discussed actions taken at the last fiscal court meeting concerning the administration code. Judge Neal stated the statute states the administrative code shall be reviewed annually in June and any changes must come from the Judge Executive. Judge Neal also discussed KRS 61.810 (Open Meetings Law) and stated he had concerns about actions taken outside the courtroom. At the last fiscal court meeting Com. Cocks stated he had spoken with Com. Bowlin and Com. Gold separately regarding the administrative code, Judge Neal stated that was a violation of KRS 61.810. Com. Gold stated that was incorrect, Com. Cocks never discussed the administrative code with him prior to the meeting. A motion was made by Com. Gold and seconded by Com. Bowlin to amend the minutes of the March 21<sup>st</sup> meeting to reflect that Com. Cocks did not speak with Com. Gold prior to the meeting regarding the administrative code. All voted aye. Motion carried. Judge Neal asked that each of the commissioners communicate with him about any issues they have.

C. Judge Neal read a letter from KACo regarding variable interest rate change effective July 1<sup>st</sup>, 2017.

D. Judge Neal read a letter from Ken Azarela, Fairdealing Olive Fire Department Chairman and member of the Nuisance Board. Mr. Azarela is resigning from both boards effective immediately due to personal issues. Judge Neal stated he has spoken with Jason Acord at Fairdealing Olive Fire Department and they recommend Hank Rogalinski be appointed to fill the unexpired term of Ken Azarela. A motion was made by Com. Cocks and seconded by Com. Gold to appoint Hank Rogalinski to the Fairdealing Olive Fire Department Board. All voted aye. Motion carried.

Judge Neal stated if there was anyone interested in serving on the Nuisance Board to contact his office.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Cocks to approve the minutes of the March 21<sup>st</sup> meeting as amended. All voted aye. Motion carried.

B. Treasurer Emily Martin read Ordinance #2017-01 Budget Amendment – 2<sup>nd</sup> Reading. A motion was made by Com. Cocke and seconded by Com. Gold to approve Ordinance 2017-01. All voted aye. Motion carried.

C. Rivercrest Engineering presented a drawdown request for DRA Funds in the amount of \$6,665.00 for Sanitation District #1 projects. A motion was made by Com. Gold and seconded by Com. Cocke to approve the request. All voted aye. Motion carried.

IV. NEW BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Bowlin for Judge Neal to sign a resolution adopting and approving the execution of a Rural Secondary Program Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for bridge repair on Coldwater Lane. All voted aye. Motion carried.

A motion was made by Com. Gold and seconded by Com. Cocke for Judge Neal to sign an agreement between Kentucky Transportation Cabinet and Marshall County to repair a bridge on Coldwater Lane (CR 1007) \$24,800.00 CB01 Rural Secondary Fund. All voted aye. Motion carried.

B. Judge Neal recommended Carl Etinee be appointed to the East Marshall Fire District Board to fill the unexpired term of Ed Logue. A motion was made by Com. Bowlin and seconded by Com. Gold to appoint Mr. Etinee to the East Marshall Fire District Board. All voted aye. Motion carried.

C. Judge Neal recommended Ricky Sirls be appointed to the Sanitation District #1 Board. A motion was made by Com. Gold and seconded by Com. Cocke to appoint Mr. Sirls to the Board. All voted aye. Motion carried.

D. Call out policies for the Special Projects Department and the Animal Control Officers was presented. A motion was made by Com. Gold and seconded by Com. Bowlin to accept the policies as presented for both departments. All voted aye. Motion carried.

E. Discussion was held regarding the Annual Bids. No action was taken.

F. A motion was made by Com. Gold and seconded by Com. Cocke for Judge Neal to sign a resolution and agreement between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid and the Marshall County Fiscal Court for the County Road Aid Cooperative Program for Fiscal Year 2017 in the amount of \$1,282,289.05. All voted aye. Motion carried.

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

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

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

J. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Intrafund Transfer, moving \$510.87 from the Occupational Tax Admin. to the ABC Fund (bank only, deposited into wrong acc.). All voted aye. Motion carried.