

Marshall County Fiscal Court
August 16, 2016

The Marshall County Fiscal Court met in regular session on Tuesday, August 16, 2016 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Elected Commissioners: Bob Gold, Dr. Rick Cocke, and Johnny Bowlin; County Attorney Jeff Edwards and Assistant County Attorney Jason Darnall were present. Kevin Neal, County Judge/Executive presided.

I. GUESTS:

A. Juli Conner, Marshall Co. Health Dept. Environmental Services, informed the court she is working with the Dept. of Agriculture to spray for mosquitos when complaints are received. Ms. Conner stated they have not received many complaints this year and would like the Fiscal Court to help spread the word to call the Marshall Co. Health Dept. with any mosquito complaints. The Health Dept. phone number is 270-527-1496.

B. Assistant County Attorney Lisa Carter address the court regarding guardianship fees for indigent persons. Ms. Carter stated statutes state the county shall pay the cost of indigent persons and at the present that cost is roughly \$500.00 per person for attorney fees and psychological evaluations. A motion was made by Com. Cocke and seconded by Com. Bowlin for the Fiscal Court to accept the responsibility of paying those fees. All voted aye. Motion carried.

II. CORRESPONDENCE:

A. Judge Neal read an invitation from H.O.P.E. Clinic inviting the public to their Annual Fundraising Banquet on September 19th and 20th starting at 5:45pm at Kentucky Dam Convention Center.

B. Judge Neal read a letter from the Kentucky Transportation Cabinet regarding approved emergency funding.

III. OLD BUSINESS:

A. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the minutes of the August 2nd meeting. All voted aye. Motion carried.

B. County Attorney Jeff Edwards read Ordinance #2016-09 Building Fee Schedule Amendment – 2nd reading. A motion was made by Com. Bowlin and seconded by Com. Cocke to approve and accept Ordinance #2016-09 Building Fee Schedule Amendment. All voted aye. Motion carried.

C. Deputy Judge Executive Brad Warning read a bid opening for the removal of a timber bridge on Shar Cal Road which was published in the August 9th edition of the Tribune Courier. Three bids were received:

Greer Excavating, Calvert City, KY - \$35,000.00
Landworks Group, Benton, KY - \$39,581.00
Jim Smith Contracting, Grand Rivers, KY - \$23,281.26

After discussion it was concluded the bid from Jim Smith Contracting did not meet the bid specifications. A motion was made by Com. Cocke and seconded by Com. Gold

to accept the bid from Greer Excavating, Calvert City for \$35,000.00. All voted aye. Motion carried.

D. Judge Neal recommended Ken Azarela and Bill Fletcher to serve on the Nuisance Board. A motion was made by Com. Cocke and seconded by Com. Gold to appoint Ken Azarela to the Nuisance Board. All voted aye. Motion carried.

A motion was made by Com. Cocke and seconded by Com. Bowlin to appoint Bill Fletcher to the Nuisance Board. All voted aye. Motion carried.

Mr. Azarela will serve a two year term and Mr. Fletcher will serve a three year term. The City of Hardin's appointee will serve a one year term.

IV. NEW BUSINESS:

A. After discussion, a motion was made by Com. Cocke and seconded by Com. Bowlin to accept the quote from TimeClock Plus in the amount of \$12,294.00. All voted aye. Motion carried.

B. Assistant County Attorney Jason Darnall read Ordinance #2016-10 Interlocal Agreement between Marshall County Fiscal Court and the City of Hardin.

C. Judge Neal asked for a motion to hold a county wide surplus auction on September 17th at the county maintenance shop. Judge Neal would like for a professional auction company to handle the auction. A motion was made by Com. Gold and seconded by Com. Bowlin to hold a county wide surplus auction on September 17th, 2016. All voted aye. Motion carried.

D. County Attorney Jeff Edwards presented four memorandum of agreements for the Marshall Co. Road Dept. to access private property to fix drainage issues that are causing water to pool on roadways. The memorandum of agreements are for 506 Little Cypress Road, Calvert City; 79 Hughes Road, Benton; 67 Woodgrove Road, Benton; 200 New Harmony Road, Benton. A motion was made by Com. Gold and seconded by Com. Cocke for Judge Neal to sign all memorandum of agreements for the above mentioned properties. All voted aye. Motion carried.

E. Economic Development Director Josh Tubbs presented Resolution 2016-02 permitting rebate or retention by Wacker Chemical Corporation, Calvert City, of one half of a percent (0.5%) occupational tax on gross paid wages to employees in Marshall County, KY on the condition that Wacker Chemical Corporation meets the criteria of its application for incentives under the Kentucky Business Investment Act (KRS Chapter 154, Subchapter 32). A motion was made by Com. Cocke and seconded by Com. Gold for Judge Neal to sign Resolution 2016-02. All voted aye. Motion carried.

F. Treasurer Emily Martin presented the 2016 Special District Tax Rate at 9.7% Real Property and 9.8% Tangible Property and the 2017 Motor vehicle and Watercraft Property Tax Rate at 11.2% for review. Mrs. Martin stated this will be voted on at the next Fiscal Court meeting.

G. Treasurer Emily Martin presented Fiscal Court Audit Quotes for review. There was discussion on the topic, an auditor will be chosen at the next Fiscal Court meeting.

H. A motion was made by Com. Gold and seconded by Com. Bowlin to approve the Intrafund Transfer. All voted aye. Motion carried.

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

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

K. Judge Neal swore in Dennis Foust as Assistant County Attorney.

L. A motion was made by com. Gold and seconded by Com. Cocke to go in to Executive Session to discuss possible land acquisition, personnel, and possible litigation. All voted aye. Motion carried.

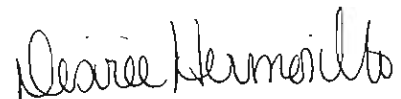
M. Judge Neal called court back to order. Judge Neal stated in Executive Session there was discussion on vacation pay out for an employee at the Sheriff's Office.

N. A motion was made by Com. Cocke and seconded by Com. Bowlin for Sheriff Byars to send a recommendation on an employee's vacation pay out to the Judge's Office by close of business Wednesday, August 17th. All voted aye. Motion carried.

O. A motion was made by Com. Cocke and seconded by Com. Bowlin to send Sheriff Byars a formal letter requesting expectations for the Sheriff's Office, the letter will include discrepancies in vacation pay out. All voted aye. Motion carried.

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

Respectfully submitted by,



Desiree' Hermosillo
Fiscal Court Clerk