

Marshall County Fiscal Court  
March 5, 2019

The Marshall County Fiscal Court met in regular session on Tuesday, March 5, 2019 in the Fiscal Courtroom, Marshall County Courthouse, Benton, Kentucky. Elected Commissioners: Justin Lamb, Kevin Spraggs, Monti Collins, County Attorney Jason Darnall were present. Kevin Neal, County Judge/Executive presided.

I. GUESTS

A. Judge Jameson discussed the ankle monitor program. Judge Jameson's office has discovered through statute KRS 67.372 the ankle monitor program must be advertised for public bid. A motion was made by Com. Collins and seconded by Com. Spraggs for County Attorney Jason Darnall to move forward with the bid process, cooperating with the Calloway County Attorney, if Calloway expresses their interest as well, to come up with the language for the bid. All voted aye. Motion carried.

B. John Board with the Department of Agriculture presented a Memo of Understanding for mosquito spraying. The Dept. of Agriculture will supply the equipment, chemicals and training if the County will supply an individual to spray. A motion was made by Com. Collins and seconded by Com. Spraggs to approve the Memo of Understanding. All voted aye. Motion carried.

C. Vicki Boatright and Dianna Angle with the Marshall County Conservation District requested \$1,500 from the fiscal court to help pay for a contract with Dusty Harrell, USDA Wildlife Biologist for beaver management. The total cost of the contract is \$9,000 and Ms. Boatright has secured \$7,500 through the Kentucky Division of Conservation. A motion was made by Com. Spraggs and seconded by Com. Collins to contribute \$1,500 to the Marshall County Conservation District for the beaver management contract. All voted aye. Motion carried.

D. Russ Litsinger with Marcum Engineering spoke about the mold issue at the Judicial Building, particularly what is causing the problem. A motion was made by Com. Collins and seconded by Com. Spraggs for Marcum Engineering to give the court a quote to reach out to AT&T as he stated today with their telecommunications pathway and to also request a quote from Thermal Balance both quotes to be submitted to AOC, giving Judge Neal's office permission to take action on the quotes. All voted aye. Motion carried.

II. CORRESPONDENCE

A. E-911 Director, LaDonna Coriell, announced NG9-1-1 Institute recognized the Marshall County 911 for overall excellence in serving the public including the handling of emergency situations reported to 911 and the deployment and management of new technology. Ms. Coriell commended her employees, they do a great job.

III. OLD BUSINESS

A. This items was tabled until Com. Lamb could make it back to the meeting. A motion was made by Com. Collins and seconded by Com. Lamb to go into Executive Session to discuss personnel. All voted aye. Motion carried.

B. A motion was made by Com. Collins and seconded by Com. Spraggs to approve the minutes of the February 19<sup>th</sup> fiscal court meeting and the February 22<sup>nd</sup> budget workshop. All voted aye. Motion carried.

C. Enterprise fleet services was tabled at the last meeting. After discussion, the item was tabled again until the next meeting.

D. Treasurer Emily Martin updated the court on the RFP's received for financial software, one bid was received and they are looking it over and are hoping to present it at the next court meeting.

E. County Attorney Jason Darnall stated the Building and Electrical Inspection Department had a little issue with litigation. Mr. Darnall got the issue resolved and was able to get the filing fees paid back.

#### IV. NEW BUSINESS

A. This item was tabled until Com. Lamb could make it back to the meeting. Judge Neal announced a special called meeting on Friday, March 8<sup>th</sup> at 3:00 PM in the Fiscal Courtroom, 1101 Main Street to discuss Refuse Board appointments. County Attorney Jason Darnall stated the issue that has come up in under KRS 109.115 (6), effective March 21, 2017, which says in total "Except for the initial board appointed pursuant to this section, each director shall serve a two (2) year term, and shall serve no more than three (3) consecutive terms. The initial board appointed pursuant to this section shall consist of three (3) directors appointed for one (1) year and four (4) directors appointed for two (2) years". Judge Neal stated County Attorney Jason Darnall will speak with the City of Benton regarding their board appointment. Judge Neal stated as far as the board appointments, the individual in question, Steve Southern, the Commissioners would like to meet him and speak with him before it is presented to the court which is why we will have the special called meeting on Friday.

Judge Neal went to New Business, Item C. Proclamation Kids to Parks Day.

B. Treasurer Emily Martin read Ordinance #2019-02 Budget Amendment, first reading.

Judge Neal went back to Old Business, Item A. Executive Session – Personnel.

Judge Neal called court back to order. A motion was made by Judge Neal and seconded by Com. Collins that on the issue of possible removal of Refuse Board Member Marvin Stokes the court take no action under KRS 67.005 and the specific matter be closed. All voted aye. Motion carried.

Judge Neal went back to New Business, Item A. Refuse Board Appointments.

C. Marshall County Parks Director Britney Heath spoke about Kids to Parks Day. Judge Neal read Proclamation Kids to Parks Day. Ms. Heath also spoke about Major League Baseball Association events to be held at Mike Miller Park on May 4, 2019, a pitch, hit and run event and a junior homerun derby.

D. A motion was made by Com. Lamb and seconded by Com. Spraggs to approve Rivercrest Engineering draw down request for payment to Murtco in the amount of \$118,501.18 for work performed on the Sanitation District expansion. All voted aye. Motion carried.

E. A motion was made by Com. Lamb and seconded by Com. Collins to advertise for bids for Occupational Tax Collection Services. All voted aye. Motion carried.

F. The April 2<sup>nd</sup> fiscal court meeting was rescheduled to April 8<sup>th</sup> at 9:30 AM.

G. A motion was made by Com. Lamb and seconded by Com. Spraggs to approve the Appropriation Transfer. All voted aye. Motion carried.

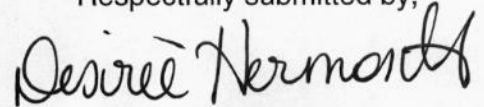
H. A motion was made by Com. Lamb and seconded by Com. Collins to approve the Intrafund Transfer moving \$50,667.49 from the Occupational Tax Fund – CFSB to the 911 Fund – CFSB and \$250,000.00 from the Occupational Tax Fund – CFSB to the Road Fund – CFSB. All voted aye. Motion carried.

I. A motion was made by Com. Spraggs and seconded by Com. Lamb to approve Payment of the Bills with the exception of the Coroner's Office bill for food items. All voted aye. Motion carried.

J. County Attorney Jason Darnall stated Road Department Superintendent Wendy Greer has contacted the Kentucky Finance Department and when they Road Dept. has scrap metal they no longer have to surplus it they can take it straight to recycling. A motion was made by Com. Spraggs and seconded by com. Collins to give Road Superintendent Wendy Greer permission to take scrap metal as needed to the scrap yard. All voted aye. Motion carried.

K. A motion was made by Com. Collins and seconded by Com. Spraggs to adjourn. All voted aye. Motion carried.

Respectfully submitted by,



Desiree' Hermosillo  
Fiscal Court Clerk