



MARTIN COUNTY
MC28 PG368

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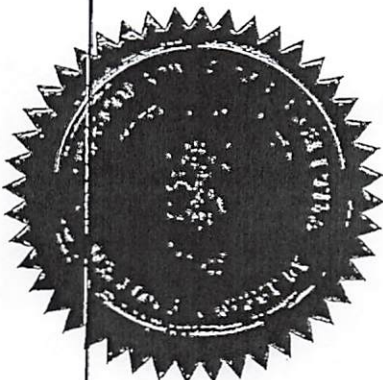
Oath of Office

I, Timothy Thomas do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of the Trustee of the ___ Martin County Water Board ___ according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, not have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, nor aided or assisted any person thus offending, so help me God.

Signed Timothy E. Thomas
Trustee

Subscribed to and sworn to before me this 19th day of Sept., 20 24

Signed [Signature]
Judge or Certifying Officer



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EXHIBIT

A

MARTIN COUNTY "REGULAR" FISCAL COURT MEETING

THURSDAY, MARCH 17, 2022

5:00 P.M.

OPENING OF THE COURT/ROLL CALL

The meeting was called to order at 5:00 pm by Judge/Executive, Colby Kirk.

Those present were: Magistrate Jared Goforth of District #1, Magistrate Roger Preece of District #2, Magistrate Derrick Stepp of District #3, Magistrate Junior Hunt of District #4, Magistrate Mark Blackburn of District #5, and Assistant County Attorney Lynette Muncy.

Magistrate Junior Hunt led everyone in prayer. Magistrate Derrick Stepp led everyone in reciting the pledge of allegiance.

APPROVE MINUTES FROM FEBRUARY 17, 2022 REGULAR MEETING

Magistrate Jared Goforth made the motion to approve the minutes from the February 17, 2022 regular meeting. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

APPROVE MINUTES FROM MARCH 1, 2022 SPECIAL MEETING

Magistrate Derrick Stepp made the motion to approve the minutes from the March 1, 2022 special meeting. Magistrate Jared Goforth seconded the motion. All votes were in favor.

RESOLUTION: RECOGNIZE MARTIN COUNTY NATIONAL MERIT SCHOLARS

Judge Kirk read the Resolution into record recognizing Bobby Hale III and Colin Horn, seniors at Martin County High School for the historic distinction of being selected as National Merit Scholars.

Magistrate Mark Blackburn made the motion to approve the Resolution, with Magistrate Jared Goforth seconding the motion. All votes were in favor.

A full copy of this resolution is included within the records of the meeting.

INDIVIDUALS/DELEGATIONS

Richard Spence asked the court to consider an Emergency Route for Calf Creek.

Linda Webb and Brenda Davis addressed the court on behalf of the Christmas in the Mountains Festival. They requested \$5000.00 to help upgrade the festival for this year.

SHERIFF'S EXCESS FEES

Motion to accept the Sheriff's excess fees in the amount of \$3,792.36 for the tax year 2021, was made by Magistrate Jared Goforth and seconded by Magistrate Derrick Stepp. All votes were in favor.

Sheriff John Kirk was present and requested the Fiscal Court use the excess fees to purchase equipment or pay for some items his office is in need of. A copy of the settlement is included within the records of the meeting.

COUNTY CLERK'S EXCESS FEES

County Clerk Susie Skyles presented a check for \$35,000.00 in excess fees to the court. She stated that this was a partial settlement, due to an ongoing audit which prevents her from closing out the 2021 account. An estimate of an additional \$5,000 to \$10,000 will be returned after the account is closed out.

Motion to accept the County Clerk's excess fees was made by Magistrate Junior Hunt and seconded by Magistrate Derrick Stepp. It was a unanimous vote.

OPEN BIDS FOR FLEET MANAGEMENT

One sealed proposal was received from Enterprise Fleet Management. No amount was listed as the cost would depend on different factors. Magistrate Derrick Stepp made the motion to table this item until the April 21, 2022 regular meeting in order to review the documentation provided. Magistrate Jared Goforth seconded the motion. All votes were in favor. A copy of the proposal is included within the records of the meeting.

OPEN BIDS FOR PARK MOWING

One sealed bid was received from B&B Contracting, LLC in the amount of \$41,975.00. Proof of Liability Insurance was included.

Magistrate Junior Hunt made a motion to re-advertise for bids. No second was made.

Magistrate Jared Goforth made the motion to accept the bid from B&B Contracting, LLC. Magistrate Mark Blackburn seconded the motion. Magistrates Derrick Stepp and Roger Preece voted yes. Magistrate Junior Hunt voted no. The motion carried. A copy of the bid is included within the records of the meeting.

OPEN BIDS FOR TRACE RIDGE DUMP CLEANUP

Three sealed bids were received for the Trace Ridge Dump Cleanup.

- 1.) Dirt Slinger, LLC (Grayson, KY) in the amount of \$62,731.00
- 2.) Howell's Recycling, LLC (Inez, KY) in the amount of \$57,000.00
- 3.) Roy M. Kirk II (Inez, KY) in the amount of \$50,000.01

Magistrate Derrick Stepp made the motion to accept the lowest bid of \$50,000.01 from Kirk Excavating, pending proof of insurance being provided. Magistrate Mark Blackburn seconded the motion. All votes were in favor.

A copy of each bid is included within the records of the meeting.

AMEND CONSTABLE VEHICLE ORDINANCE- FIRST READING

Judge Kirk read the amendment to Ordinance # 2020-07-16-ORD Related to Public Safety and Minimum Training for Constables into record. The amendment to the ordinance reflects the specifications of the new constable vehicle.

No action was necessary for the first reading. The second reading will take place at the April 21, 2022 regular court meeting.

A copy of the Amendment to the Ordinance is included within the records of the meeting.

SET SALARIES FOR COUNTY OFFICES

Magistrate Jared Goforth made the motion to approve the salary schedules for county offices as presented, with Magistrate Mark Blackburn seconding the motion. All votes were in favor.

The salary schedule includes: Magistrates, Magistrates Expense, Jailer, Coroner, Deputy Judge, Finance Officer, Judge's Admin, County Attorney, Assistant County Attorney, County Attorney Secretary, Law Librarian, Emergency Management Director, Economic Development Director, Road Foreman, Road and Bridge Secretary, Deputy Coroner, Flood Plain Coordinator, Occupational Tax Director, and 911 Director.

A full copy of the salary schedule is included within the records of the meeting.

PERMISSION TO ADVERTISE FOR ASPHALT

Magistrate Derrick Stepp made the motion to advertise a request for Asphalt bids. Magistrate Jared Goforth seconded the motion. All votes were in favor.

MARTIN COUNTY WATER AND SANITATION BOARD APPOINTMENTS

Judge Kirk recommended the appointment of John Hensley to the Martin County Water and Sanitation Board for a four-year term. Magistrate Derrick Stepp made the motion to approve the appointment, with Magistrate Mark Blackburn seconding the motion. All votes were in favor.

Judge Kirk recommended the appointment of Greg Crum to the Martin County Water and Sanitation Board for a four-year term. Magistrate Mark Blackburn made the motion to approve the appointment, with Magistrate Jared Goforth seconding the motion. All votes were in favor.

HISTORIC MARTIN COUNTY COURTHOUSE- HB 192 PROJECT- RESOLUTION

Judge Kirk read the Resolution into record which authorizes the filing of a Kentucky Local Government Economic Development Fund ("LGEDF") HOUSE BILL (HB) 192 Project proposal/grant application for up to \$65,000.00 in Local Government Economic Development Single County Funds with the Department for Local Government (DLG); authorizing and directing the Martin County Judge/Executive to execute any documents which are deemed necessary by DLG to carry out the project; and authorizing the Judge/Executive to act as the authorized correspondent for the Historic Martin County Courthouse Improvements Project.

Magistrate Jared Goforth made the motion to approve the resolution, with Magistrate Derrick Stepp seconding the motion. All votes were in favor.

Magistrate Jared Goforth also made the motion to permit advertising for bid requests to improve the heating and cooling and electrical infrastructure in the Historic Martin County Courthouse. Magistrate Roger Preece seconded the motion. All votes were in favor.

A full copy of the resolution and application are included within the records of the meeting.

PERMISSION TO ADVERTISE FOR ROADSIDE MOWING

Due to the inability to get the equipment necessary for the county to complete roadside mowing during the upcoming season, Magistrate Junior Hunt made the motion to advertise a request for proposals on County Roadside Mowing, with Magistrate Jared Goforth seconding the motion. All votes were in favor.

PERMISSION TO APPLY FOR RUBBER MODIFIED ASPHALT GRANT

Magistrate Jared Goforth made the motion to give permission to apply for the 2022 Rubber Modified Asphalt grant. Magistrate Roger Preece seconded the motion. All votes were in favor.

RESOLUTION TO SPEND ARPA FUNDS

Judge Kirk read the Resolution into record authorizing the transfer of a \$28,600 portion of the Coronavirus State and Local Fiscal Recovery Funds available to the county through the ARPA of 2021 to the Martin County Public Library for the purpose of making improvements to the Roy F Collier Community Center, and further authorizing the applicable county officers and staff to take such other action as necessary or required to transfer the aforementioned portion of the funds for the authorized purposes and to comply with the ARPA Act and all other laws, regulations, and program guidelines relating to such act.

With the Resolution, a quote was provided showing the cost of making the upgrades to the Roy F Collier Community Center in the amount of \$28,600.00

Magistrate Derrick Stepp made the motion to approve the resolution, with Magistrate Jared Goforth seconding the motion. All votes were in favor.

A full copy of the resolution and quote are included within the records of the meeting.

AMEND FLOOD PLAIN ORDINANCE- FIRST READING

Magistrate Jared Goforth made the motion to table this item until April 21, 2022 regular meeting so that Emergency Management Director, Kayla May could provide a summary of the ordinance. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

DESIGNATION OF APPLICANT AGENT RESOLUTION

Judge Kirk read the Resolution into record designating Kayla May, Emergency Management Director, as Applicant's Agent for the Martin County Fiscal Court. Magistrate Derrick Stepp made the motion to approve the Resolution, with Magistrate Mark Blackburn seconding the motion. All votes were in favor.

BUDGET AMENDMENT ORDINANCE #3—SECOND READING

Judge Kirk read the second reading of Budget Amendment #3. The budget amendment included unbudgeted receipts from the Commonwealth of Kentucky, KaCo Underwriters Safety, and Interstate Lodging in the amount of \$350,484.20 and increasing expenditures in the areas of road contracted services, sanitation land improvement, tourism commission, and dog kennel.

Magistrate Jared Goforth made the motion to approve the Budget Amendment, with Magistrate Derrick Stepp seconding the motion. All votes were in favor. A full copy of the amendment is included within the record of the meeting.

DEPARTMENT HEAD MEETING

Notes from the March 14th, 2022 Department Head Meeting were included in the court packet. The meeting was attended by Judge Kirk, Code Enforcement Officer Paul McCoy, 911 Director Jordan Wheeler, Road Foreman Titus Marcum, EM Director Kayla May, Finance Officer Christina Frazier, and Treasurer Susan Hale. A copy is included within the record of the meeting.

FINANCIALS


Magistrate Derrick Stepp made the motion to approve the Appropriation transfer list, with Magistrate Jared Goforth seconding the motion. All votes were in favor.

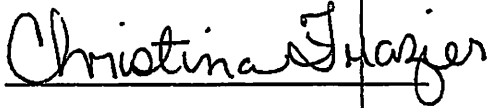
Magistrate Derrick Stepp made the motion to approve the Cash transfer list, with Magistrate Mark Blackburn seconding the motion. All votes were in favor.

Magistrate Jared Goforth made the motion to approve the Claims list with Attachment #1. Magistrate Mark Blackburn seconded the motion. All votes were in favor. Magistrate Stepp voted yes with reservations.

ADJOURN

Motion to adjourn was made Magistrate Mark Blackburn and seconded by Magistrate Jared Goforth. All votes were in favor.


Colby Kirk, Judge/Executive


Christina Frazier, Court Recorder

MARTIN COUNTY "REGULAR" FISCAL COURT MEETING

THURSDAY, APRIL 21, 2022

5:00 P.M.

OPENING OF THE COURT/ROLL CALL

The meeting was called to order at 5:02 pm by Judge/Executive, Colby Kirk.

Those present were: Magistrate Roger Preece of District #2, Magistrate Derrick Stepp of District #3, Magistrate Junior Hunt of District #4, Magistrate Mark Blackburn of District #5, and County Attorney Melissa Fannin Phelps. Magistrate Jared Goforth of District #1 was unable to attend the meeting due to illness.

Magistrate Junior Hunt led everyone in prayer. Magistrate Derrick Stepp led everyone in reciting the pledge of allegiance.

APPROVE MINUTES FROM MARCH 17, 2022 REGULAR MEETING

Magistrate Derrick Stepp made the motion to approve the minutes from the March 17, 2022 regular meeting. Magistrate Mark Blackburn seconded the motion. All votes were in favor.

RESOLUTION: RECOGNIZE 911 TELECOMMUNICATORS AS FIRST RESPONDERS

Judge Kirk read the Resolution into record recognizing Martin County 911 Telecommunicators as First Responders and as being a part of the critical infrastructure of the public safety framework.

Magistrate Roger Preece made the motion to approve the Resolution, with Magistrate Junior Hunt seconding the motion. All votes were in favor.

A full copy of this resolution is included within the records of the meeting.

RECOGNIZE PROMOTION OF ROAD AND BRIDGE EMPLOYEES

Justin Marcum and Travis Johnson from the Road and Bridge Department were also presented with plaques from Road Foreman, Titus Marcum, to recognize their achievements of being promoted to Heavy Equipment Operators. Both employees were hired as general laborers and have trained under the Road Foreman to operate equipment.

INDIVIDUALS/DELEGATIONS

A sign-in sheet was provided for those who wished to speak.

Luster Jude, Doris Jude and Delbert Muncy addressed the court about issues with Joe's Garbage Removal. Joe Robinson addressed the court about the issues raised by those customers. Sheriff John Kirk stated that all issues could be solved by enforcing the Solid Waste Ordinance.

Joe Robinson also addressed the court about being turned away from Howell's Recycling, and questioned whether this was allowed. Judge Kirk explained that Howell's Recycling is allowed to turn away business based on non-payment. County Attorney Melissa Fannin Phelps explained that the Fiscal Court could not get involved in side-deals between the two business owners, and that the garbage must be picked up because customers have paid for the service. She also stated that a letter had been mailed to Mr. Howell explaining his non-compliance. A copy of this letter is included within the record of the meeting.

Discussion continued about District 4 Solid Waste issues, with Judge Colby Kirk explaining that numerous complaints had been received over the past several months, but had increased exponentially over the last three weeks. Multiple households were without garbage pickup for 2-3 weeks in District 4. He stated that after a January 21st meeting with Joe, a plan was made that the Fiscal Court would do certain things and the hauler would meet certain requirements; Generate monthly reports immediately and turn in dump receipts, pay current franchise fees monthly, delinquent fees would be addressed three months from the date of signed agreements. As of today's date, this action plan has not been signed and the hauler has not turned in any dump receipts, reports, or paid any fees, and now the hauler has failed to pick up garbage reliably from paying customers or provide proof that garbage had been taken to a transfer station. The County Ordinance and KRS requires trash to be dumped at proper facilities. A copy of a letter sent to Mr. Robinson from the County Attorney's office explaining his non-compliance is included within the record of the meeting.

Judge Kirk stated that nothing could be voted on to change the ordinance tonight, but mediation meetings could be set up and proposed amendments could be done for a future meeting. No action was taken.

Ricky Alley, member of the Warfield Park Board, addressed the court about vandalism taking place at the park. Sheriff Kirk offered to provide some wireless cameras to install in the area which would send the video to a phone/computer and not stored on the camera. County Attorney Phelps stated that if caught, those vandalizing the park could be prosecuted.

Bill Murphy addressed the court about a drain in the creek at Collins Creek. It was determined that this drain is located on private property and is not legal for the Fiscal Court to work on. County Attorney Melissa Fannin Phelps suggested Mr. Murphy should see an attorney to have them send the Fiscal Court a letter explaining that the Fiscal Court has caused the damage to the property, to be sent to our insurance company to investigate.

OPEN BIDS FOR ASPHALT

Sealed bids were received from BTI Contracting, American Asphalt of WV, and Mountain Enterprise.

Bid #1 from BTI Included Class 2 Surface at \$130/ton, Class 2 Binder at \$128/ton, and Class 2 Base for \$126/ton. The pricing includes asphalt material, clean and sweep, tack coat, trucking and quality assurance testing.

Bid #2 from American Asphalt of WV included price per ton of materials only: Class 2 Surface \$85/ton, Class 2 Binder \$83/ton, and Class 2 Base \$81/ton. Delivery would be with a rate of \$100 per hour.

Bid #3 from Mountain Enterprises included Class 2 Surface at \$130/ton, Class 2 Binder at \$120/ton, and Class 2 Base for \$115/ton. This bid also includes asphalt material, clean and sweep, tack coat, delivery, placement and compaction.

Motion to accept the bid from BTI, Inc. was made by Magistrate Derrick Stepp and seconded by Magistrate Junior Hunt. A full copy of each bid is included within the record of the meeting.

OPEN BIDS FOR ROADSIDE MOWING

One sealed bid was received from Dennis Moore/Lisa Kirk in the amount of \$13,998.00.

Magistrate Roger Preece made the motion to accept the bid, with Magistrate Derrick Stepp seconding the motion. All votes were in favor. A copy of the bid is included within the record of the meeting.

Proof of insurance was not included with the bid and will need to be provided before work begins.

OPEN BIDS FOR REPAIRS TO PRESTON FARM ROAD BRIDGE

One sealed bid to repair Preston Farm Road Bridge was received from J&L Trucking and Excavating in the amount of \$32,000.00.

Magistrate Derrick Stepp made the motion to accept the bid from J&L Trucking and Excavating. Magistrate Roger Preece seconded the motion. All votes were in favor. A copy of the bid is included within the record of the meeting.

OPEN BIDS FOR REPAIRS TO DANIEL ROAD BRIDGE

One sealed bid to repair Daniel Road Bridge was received from J&L Trucking and Excavating in the amount of \$26,400.00 (without steel beam replacement) or \$34,400.00 with steel beam replacement.

Magistrate Derrick Stepp made the motion to accept the \$34,400.00 bid with replacement of steel beams from J&L Trucking and Excavating if is approved by FEMA, and to accept the original bid if replacement of beams is not approved by FEMA. Magistrate Roger Preece seconded the motion. All votes were in favor. A copy of the bid is included within the record of the meeting.

OPEN BIDS FOR HISTORIC COURTHOUSE IMPROVEMENTS

Two sealed bids were received for Historic Courthouse Improvements.

Bid #1 was received from Mooney's HVAC in the amount of \$62,000.00.

Bid #2 was received from Howell's Heating and Cooling in the amount of \$55,682.16

Judge Kirk recommended tabling this item until the specifications of each bid could be reviewed and discussed with each bidder. Magistrate Derrick Stepp made the motion to table, with Magistrate Junior Hunt seconding the motion. All votes were in favor.

Both bids are included within the record of the meeting.

PROPOSAL FROM ENTERPRISE FLEET MANAGEMENT

Judge Kirk recommended the Fiscal Court accept the proposal from Enterprise for Fleet Management Services. Magistrate Junior Hunt made the motion to accept the proposal, with Magistrate Derrick Stepp seconding the motion. All votes were in favor.

The bid submitted is included within the record of the meeting.

SURPLUS PROPERTY RESERVES

Judge Kirk stated that all surplus property had been sold at auction with the exception of The Grade-all, with a reserve of \$6,000.00 and the Mack Truck with a reserve of \$55,000.00.

Magistrate Derrick Stepp stated that Charles Likens offered \$5000.00 for the Grade-all. Magistrate Junior Hunt made the motion to allow the sale of the Grade All to Mr. Lykins. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

Magistrate Roger Preece made the motion to allow Enterprise to help the Fiscal Court dispose of the surplus property Mack truck. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

RESOLUTION: IN SUPPORT OF NATIONAL HERITAGE AREA DESIGNATION

Eastern Kentucky PRIDE is working toward the 41 Counties of Appalachia, known as "The Kentucky Wildlands," to achieve a National Heritage Area Designation. Representatives from the organization have asked the Fiscal Court to pass a resolution in support of the effort. Judge Kirk read the resolution into record.

Magistrate Mark Blackburn made the motion to approve the resolution, with Magistrate Roger Preece seconding the motion. All votes were in favor. A full copy of the resolution is included within the record of the meeting.

RESOLUTION: AUTHORIZING JUDGE/EXECUTIVE TO APPLY FOR GRANT FUNDING FOR REDEVELOPMENT OF CANEY SHAFT

Judge Kirk stated that the Fiscal Court is in the process of writing two grants for development of the Caney Shaft property. One is through the Appalachian Regional Commission for Technical Assistance, the other is through United States Economic Development Administration with the goal of extending utilities to the site.

Judge Kirk read the resolution into record authorizing the Judge/Executive to act on behalf of the Martin County Fiscal Court and the County of Martin, Kentucky in applying for federal grants supporting the redevelopment of the Caney Shaft industrial site to an outdoor events area and to sign for and perform any and all responsibilities in relation to such applications.

Magistrate Mark Blackburn made the motion to approve the resolution, with Magistrate Roger Preece seconding the motion. All votes were in favor. A full copy of the resolution is included within the record of the meeting.

PERMISSION TO ADVERTISE FOR PROPOSALS TO OPERATE THE CAMPGROUND ON THE FORMER CANEY SHAFT MINE SITE

Magistrate Roger Preece made the motion to allow advertising a request for proposals to operate the campground on the former Caney Shaft mine site. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

MARTIN COUNTY WATER AND SANITATION DISTRICT BOARD APPOINTMENT

Judge Kirk explained that his office had received numerous calls from concerned citizens related to a video circulating on Facebook and an article in the newspaper about the Martin County Water District requesting proof of security deposits for customers. Judge Kirk stated he is drafting a letter to discourage them from trying to collect these security deposits from existing customers and feels that it is wrong to do this after rates have risen and the Water District is collecting more money now than in the past. He offered to allow the Magistrates to sign on to this letter as well.

Judge Kirk recommended Nina McCoy as an appointment to the Martin County Water and Sanitation District Board to fill Lee Mueller's expiring term. Magistrate Roger Preece made the motion to approve the appointment, with Magistrate Derrick Stepp seconding the motion. All votes were in favor.

APPROVE MARTIN COUNTY CONSERVATION DISTRICT BUDGET

Magistrate Derrick Stepp made the motion to approve the Martin County Conservation District budget as presented. Magistrate Roger Preece seconded the motion. All votes were in favor.

A full copy of the budget is included within the record of the meeting.

APPROVE MARTIN COUNTY EXTENSION DISTRICT BUDGET

Magistrate Roger Preece made the motion to approve the Martin County Extension District budget as presented. Magistrate Derrick Stepp seconded the motion. All votes were in favor.

A full copy of the budget is included within the record of the meeting.

AMEND CONSTABLE VEHICLE ORDINANCE- SECOND READING

Judge Kirk read the second reading of the amendment to Ordinance # 2020-07-16-ORD Related to Public Safety and Minimum Training for Constables into record. The amendment to the ordinance reflects the specifications of the new constable vehicle.

Magistrate Derrick Stepp made the motion to approve the amendment to the Ordinance, with Magistrate Mark Blackburn seconding the motion. All votes were in favor.

A copy of the Amendment to the Ordinance is included within the records of the meeting.

BUDGET AMENDMENT ORDINANCE #4—FIRST READING

Judge Kirk read the first reading of Budget Amendment #4. The budget amendment included unbudgeted receipts from The Clerk, Kentucky, Various (Surplus Equipment), FEMA, DLG, Big Sandy ADD, The Sheriff in the amount of \$749,777.26 and increasing expenditures in the areas of General Reserve Fund, LGEA Reserve Fund, Road Reserve Fund, Federal Grant Reserve Fund, Economic Development Contract, Courthouse Contracted Services, Parks Projects, and Sheriff Reimbursement.

Magistrate Mark Blackburn made the motion to approve the Budget Amendment, with Magistrate Derrick Stepp seconding the motion. All votes were in favor. A full copy of the amendment is included within the record of the meeting.

DEPARTMENT HEAD MEETING

Notes from the April 18th, 2022 Department Head Meeting were included in the court packet. The meeting was attended by Judge Kirk, Code Enforcement Officer Paul McCoy, Road Foreman Titus Marcum, EM Director Kayla May, County Attorney Melissa Fannin Phelps, and Treasurer Susan Hale. A copy is included within the record of the meeting.

FINANCIALS

Magistrate Mark Blackburn made the motion to approve the Appropriation transfer list, with Magistrate Roger Preece seconding the motion. All votes were in favor.

Magistrate Mark Blackburn made the motion to approve the Cash transfer list, with Magistrate Roger Preece seconding the motion. All votes were in favor.

Magistrate Derrick Stepp made the motion to approve the Claims list with Attachment #1. Magistrate Mark Blackburn seconded the motion. All votes were in favor.

DISCUSSION

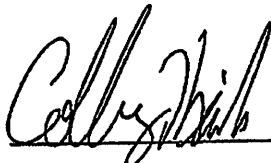
The Magistrates discussed various roads that need to be looked at for road work.

Magistrate Derrick Stepp stated that he talked to Terrell Crum about plastic side rails to place at City Park.

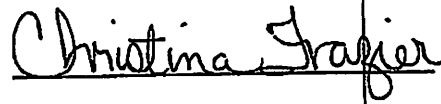
Mr. Alley from the Warfield Community Center Board stated that the heating and cooling system needed work done to it at the Warfield Park Community Center.

ADJOURN

Motion to adjourn was made Magistrate Junior Hunt and seconded by Magistrate Derrick Stepp All votes were in favor.

A handwritten signature in cursive script, appearing to read "Colby Kirk", written over a horizontal line.

Colby Kirk, Judge/Executive

A handwritten signature in cursive script, appearing to read "Christina Frazier", written over a horizontal line.

Christina Frazier, Court Recorder

MARTIN COUNTY FISCAL COURT MEETING

THURSDAY, OCTOBER 17, 2024

5:00 P.M.

OPENING OF THE COURT/ ROLL CALL

The meeting was called to order at 5:00 p.m. by Judge/ Executive, Lon Lafferty.

Emergency Management Director, Clyde Adams led everyone in prayer. Everyone recited the pledge of allegiance together. All magistrates were present. Cody Slone was present for District #1, Kermit Howell was present for District #2, Tracy Spence was present for District #3, Junior Hunt was present for District #4, Ronald Workman was present for District #5, and also present was Melissa Phelps, Martin County Attorney.

APPROVE MINUTES FROM SEPTEMBER 19, 2024 REGULAR MEETING

Magistrate Kermit Howell made the motion to approve minutes from the September 19, 2024 meeting. Magistrate Tracy Spence seconded the motion. All votes were in favor. Magistrate Cody Slone ask that the minutes reflect that he did vote yes on Septembers Water Board Appointments.

BOARD APPOINTMENTS

Judge Lafferty speaks on the water board needing to replace Greg Crum. He suggests the name of Colby Kirk. A motion was made by Magistrate Cody Slone to accept Colby Kirk as a board member. Magistrate Tracy Spence seconded the motion. All votes were in favor.

APPROVE CLERKS 2023 QUARTERLY SETTLEMENT

Martin County Clerk, Susie Skyles states that her 2023 Quarterly Settlement is included and needs to be approved. Magistrate Cody Slone makes a motion to approve the Settlement for the County Clerk's Office. Magistrate Junior Hunt seconded the motion. All votes were in favor.

APPROVE LMPP MOA FOR GENERATORS

Judge Lafferty states that this memorandum of understanding has to do with the generators for the Water Board. This is not any funds for us, but they do have to pass it through the Fiscal Court. Magistrate Ronald Workman makes a motion to approve LMPP MOA for Generators. Magistrate Tracy Spence seconded the motion. All votes were in favor.

APPROVE RESOLUTION FOR ARPA FUNDS TO BE USED FOR FIRE DEPARTMENT (MATCHED FUNDING)

Judge Lafferty states that the next item on the agenda is to approve the Resolution for ARPA funds to be used for matching the Fire Department. The court is aware the Inez Volunteer Fire Department has applied for many grants allowing them to get a boat and 20 or more air packs that is very critical for the firefighters to have. We have previously spoke of ARPA matching a 10% total for the Fire Department, as they are a crucial part of the community and its safety. Magistrate Tracy Spence makes a motion to approve the Resolution. Magistrate Kermit Howell seconded the motion. All votes were in favor.

APPROVE FY25 FLEX FUND AGREEMENT FOR ROADS

Judge Lafferty states that the FY25 agreement for the roads needs approval. This agreement has to be approved every year. This year the amount is \$88,000.00, which is divided between the districts. Magistrate Tracy Spence makes a motion to approve the 2025 Fund agreement. Magistrate Ronald Workman seconded the motion. All votes were in favor.

APPROVE RESOLUTION FOR FLEX FUNDS

Judge Lafferty states that the Resolution needs approval for flex funds. He asks County Attorney, Melissa Phelps to read the resolution. After the reading, the resolution quickly had a motion made for approval but discussion is brought up by Magistrate Cody Slone that CR1329, Hammond Loop needs removed from the Resolution. Hammond Loop was removed from the County Road list in a prior meeting, and should be removed from the Resolution. Magistrate Tracy Spence is asked to resend his original motion. A new motion is now needed to approve the Resolution with striking out Hammond Loop. Magistrate Tracy Spence makes a motion. Magistrate Cody Slone seconded the motion. All votes were in favor.

FINANCIALS

Magistrate Tracy Spence made the motion to approve the Claims list. Ronald Workman seconded the motion. All votes were in favor.

Magistrate Tracy Spence made the motion to approve the Appropriation transfer list. Magistrate Kermit Howell seconded the motion. All votes were in favor.

Magistrate Tracy Spence made the motion to approve the Cash transfer list. Magistrate Kermit Howell seconded that motion. All votes were in favor

DISCUSSION

Judge Lafferty asks if there is any discussion that is needed amongst the Magistrates. Magistrate Kermit Howell asks about the weed cutting. Eric Phelps is able to announce that District two was in the plan for the following week, for weed cutting. Magistrate Ronald Workman wanted to thank Eric Phelps for the work that was done on 2031. The public was then asked to speak if anyone needed to.

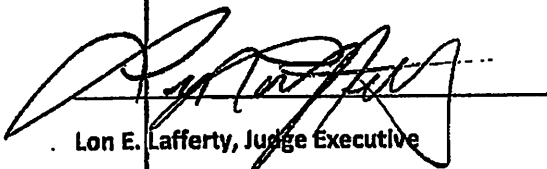
Martin County Citizen, Gina Patrick asks if any of the Magistrates had actually read the entire ordinance. Her concern is that there is not even an 11,000-population county within the county. She is worried about not only family members but also the elderly being able to abide by the ordinance. Judge Lafferty states that it is not in any way a purpose of hurting our citizens. The Fiscal Court created a board to handle the issues that come along with the Ordinance being followed. County Attorney, Melissa Phelps states that a lien will only be added if the county has to clean up the property. Gina insists that something be put into the Ordinance to help these people. Judge Lafferty states that we are willing to help in any way possible. The concern is health hazards and danger for the county. This Ordinance is to only help clean up, no harm.

Judge Lafferty talks of how there will be a Facebook Live video that will be done the next day with Clyde Adams to focus on Emergency Management. The devastations and disasters that are occurring around us could very well include us. We need to prepare for all possible disasters in our community. They are asking for Volunteers to come out and create an Emergency Prepared Volunteer Army.

Judge Lafferty wants to end the meeting with a special hello to his Mother, who is said to be watching the live video. She has recently had a stroke and is in a rehab facility in Huntington.

ADJOURN

Motion to adjourn was made by Ronald Workman and seconded by Magistrate Cody Stone. All votes were in favor. The meeting adjourned at 5:34 p.m.



Lon E. Lafferty, Judge Executive



Alisha Horn, Court Recorder

MARTIN COUNTY FISCAL COURT MEETING

MARTIN COUNTY
FCO54 PG715

THURSDAY, SEPTEMBER 19, 2024

5:00 P.M.

OPENING OF THE COURT/ ROLL CALL

The meeting was called to order at 5:00 p.m. by Judge/ Executive, Lon Lafferty.

Magistrate Kermit Howell led everyone in prayer. Everyone recited the pledge of allegiance together. All magistrates were present. Cody Slone was present for District #1, Kermit Howell was present for District #2, Tracy Spence was present for District #3, Junior Hunt was present for District #4, Ronald Workman was present for District #5, and also present was Melissa Phelps, Martin County Attorney.

JUDGES REMARKS

Judge Lafferty wants to thank and congratulate the Kiwanis Club for such an amazing turnout for the Harvest Festival. It was one of the very best festivals that has been held and brought so much of the community out for involvement. Judge Lafferty speaks of the Opening of the Trails Ride that took place as well. The ride was an honor and memory of former Judge, Victor Slone. Judge Slone had a dream of the trails one day being a part of Martin County and his dream was fulfilled by the opening on Saturday. Judge Lafferty mentions the opening of Murray bridge and how quick and efficient the work was done in District 1, using Emergency Funds. Judge Lafferty also speaks of Foothills coming into the area to give option to the community on internet providers. Judge Lafferty also wanted to take a moment to recognize Andrew Gess, who has truly shown his talent for the artwork and photography he has done for the county. A lot of his artwork is displayed across the county, and doesn't go unnoticed. The Fiscal Court recognizes Andrew and presents to him a certificate of appreciation and being such a positive light to show off our town with his creativeness.

APPROVE MINUTES FROM AUGUST 15, 2024 SPECIAL MEETING

Magistrate Tracy Spence made the motion to approve minutes from the August 15th, 2024 meeting. Magistrate Ronald Workman seconded the motion. All votes were in favor.

BOARD APPOINTMENTS

Judge Lafferty speaks on the water board having two members with their term being finished. He states that both Jimmy Don Kerr and BJ Slone dedicated a lot of time and helped to recover the financial status the water department was facing. Two individuals were suggested to the court to replace the members. These names were Tim Thoma and Vernon Robinson, who were both highly qualified to be beneficial to the Water Board. A motion was made by Magistrate Junior Hunt to accept Tim Thoma as a board

member. Magistrate Tracy Spence seconded the motion. All votes were in favor. A motion was made by Magistrate Cody Slone to accept Vernon Robinson as a board member. Magistrate Kermit Howell seconded the motion. All votes were in favor.

APPROVE FY 25 SALT AGREEMENT WITH STATE

Approving the Salt Agreement with the state is something that has to be done for each Fiscal Court year. This is needed for FY25. Magistrate Cody Slone makes a motion to approve the salt agreement with the state. Magistrate Junior Hunt seconded the motion. All votes were in favor.

APPROVE LITER ABATEMENT AGREEMENT

Judge Lafferty speaks of the approval of the Liter Abatement Agreement. A motion is made by Magistrate Cody Slone. Magistrate Ronald Workman seconded the motion. All votes were in favor.

OPEN SEALED BIDS FOR SENIOR CITIZEN VEHICLES

Judge Lafferty explains that two bids were submitted in order to help provide services for the Senior Citizens program known as Meals on Wheels. The two bids submitted were from Mann Toyota and Hutch Chevrolet. Hutch submitted a bid for a total of \$53,978 for the 2 vehicles and also including tax title and licensing. Mann Toyota submitted a bid for 2 vehicles combined at \$55,021 also including tax title and licensing. Magistrate Cody Slone made a motion to approve the bid from Hutch Chevrolet. Magistrate Junior Hunt seconded the motion. All votes were in favor.

FINANCIALS

Magistrate Tracy Spence made the motion to approve the Cash transfer list. Magistrate Kermit Howell seconded that motion. All votes were in favor.

Magistrate Tracy Spence made the motion to approve the Claims list. Junior Hunt seconded the motion. All votes were in favor.

Magistrate Tracy Spence made the motion to approve the Appropriation transfer list. Magistrate Junior Hunt seconded that motion. All votes were in favor.

DISCUSSION

Judge Lafferty wants to recognize that two new business openings have occurred in the county which we each are proud of and can't wait to be supportive of. Fletcher's Roadside Grill has opened on

Blackdog offering a new restaurant for the community. The Dogg House has also opened which is a new grooming salon & spa for our pets. He is hopeful for nothing but success for each of these businesses. Judge Lafferty states that before it is opened to the public, he will allow his magistrates to make anymore comments. Magistrate Cody Slone states that he is overwhelmed with the amazing outcome of the Harvest Festival and wants to thank Kiwanis for all of the hard work that has went into the festival. He also wanted to thank the Road & Bridge Department, Titus Marcum, the 911 and Emergency team for being so responsive to the Murray Bridge needing attention. Magistrate Kermit Howell thanks Kiwanis for the hard work that was put into place for the Harvest Festival to be possible. He also mentions that many of the citizens in his district are concerned about blacktop. Magistrate Junior Hunt only questions the status of the weed cutting. Judge Lafferty states that they are 3 days into starting the weed cut over again. Magistrate Ronald Workman also expresses his thankfulness to everyone who put work into the festival and making it possible. He takes the time to invite everyone to the Warfield Park for an Opioid Recovery Event that is Saturday from 4-7 pm. It will include inflatables, singing and a ton of food to come out and enjoy. Magistrate Tracy Spence has one concern and its when he will receive blacktop for his district. Martin County Attorney, Melissa Phelps wants to say that she is so thankful for all of the help and volunteers who make the festival come together so nicely. They are always blessed with the help and donations that are made so that Kiwanis is able to put together the festival for the community to enjoy. She also says that all feedback heard from others, even outside of our county was what a charming and lovely town we have here in Martin County. Melissa also wants people to make aware the situation in Letcher County and the concern for the situation and their citizens. She states it is never possible to be too safe or concerned even when around people we feel the most comfortable with.

Judge Lafferty wants to express how sorry the court is for the loss of Sheriff Kirk's father, and how thankful they are for his presence at the festival along with his officers. He was happy to report that there were no incidents at the Harvest Festival. Judge Lafferty then opens the floor to the audience. The public then starts to take stand and state concerns and announcements for the county. Madison Mooney who works with Likein, spoke on her getting together with Nita Collier and putting together a clean up which was done the weekend before the Harvest Festival. She also says that October the 5th they will have another event at the Warfield Community Center, and that there will be flyers with various ways to contact and register. Gina Patrick states her concern for the elderly and poor with the new Ordinance in place. She says that it seems very unclear to her and that there may need to be a provision for the disabled, poor, and elderly so that they are more understanding of the cleanup process. Mrs. Patrick says that the way it is written is that there is 14 days to clean your place up, but there is nothing in writing stating what can happen after those 14 days. She is concerned that there are many citizens who can not afford to clean up their homes. Her concern is to protect the citizens and their homes. Judge Lafferty explains that the purpose is not to impact the poor elderly. It is to cleanup the county. There are no intentions to punish or put citizens in a hard position. We have had churches offer to help cleanup, and organizations being formed to also be a help to those who need it. The ordinance can be worked on to be clearer to our community. County Attorney, Melissa Phelps states you are allowed to haul off things yourself as long as it is done in an appropriate way and proof that it hasn't just been dumped.

ADJOURN

Motion to adjourn was made by Tracy Spence and seconded by Magistrate Cody Slone. All votes were in favor. The meeting adjourned at 5:50 p.m.



Lon E. Lafferty, Judge Executive



Alisha Horn, Court Recorder