

MARSHALL COUNTY FISCAL COURT
ORDINANCE NO. 2017-03
911 EMERGENCY TELEPHONE SERVICE ENABLING ORDINANCE
AMENDED APRIL 8, 2019

WHEREAS, KRS 65.760 provides that a local government may, by ordinance, establish an emergency telephone service and provide for the governance of its administration and operation;

WHEREAS, KRS 65.760 provides that a local government may levy fees to raise the necessary funds for the administration and operation of an emergency telephone service;

WHEREAS, the Marshall County Fiscal Court wishes to take advantage of these provisions in order to provide its citizens with a quality emergency telephone service;

NOW THEREFORE, Be it Ordained by the Fiscal Court of Marshall County as follows:

SECTION I – TITLE

There is hereby enacted the 911 Emergency Telephone Service of Marshall County, which may be referenced by the short title “Marshall County 911.”

SECTION II – ADMINISTRATION

- A. PERSONNEL – The appointing authority for the Marshall County 911 Director and subordinate personnel shall be the Marshall County Judge-Executive with approval of the Marshall County Fiscal Court. The Marshall County 911 Director and other subordinate employees of Marshall County 911 shall be subject to the policies and procedures of the Marshall County Administrative Code as adopted by the Marshall County Fiscal Court.
- B.
1. OPERATIONS – Day-to-operations and administration of Marshall County 911 shall be the responsibility of the Marshall County 911 Director, who shall also be “Department Head” as that term is used in the Marshall County Administrative Code. These duties include, but are not limited to: (1) preparing an annual budget to present to the Marshall County Fiscal Court; (2) keeping the Marshall County Fiscal Court informed as to ongoing affairs of Marshall County 911; (3) preparing work schedules for subordinate employees of Marshall County 911; (4) ensuring that all personnel are kept current on any and all required licenses and certifications; (5) preparing supplemental policies and procedures, if necessary, not in conflict with the Marshall County Administrative Code, and with approval of the Marshall County Fiscal Court; and (6) any and all other necessary duties to provide for the operation of an efficient emergency telephone service.

2. An Advisory Board consisting of the individuals named below shall meet as necessary with the Marshall County 911 Director to advise on policies and procedures of Marshall County 911 not involving personnel or Criminal Justice Information System/LINK/NCIC. The Marshall County 911 Director may call for a meeting, or three (3) or more members of the Advisory Board may call for a meeting. The meetings shall be subject to Kentucky Open Meetings and Open Records requirements. As this is an advisory board only, no quorum requirements are necessary to hold a meeting and no formal records of meetings shall be required. The members of the Advisory Board are as follows:

- i. Marshall County Sheriff or his/her designee.
- ii. Chief of Police of Calvert City or his/her designee.
- iii. Chief of Police of Benton or his/her designee.
- iv. Three (3) members as chosen by the Chiefs of the Fire Departments.
- v. Marshall County Emergency Management Director or his/her designee.
- vi. Marshall County EMS Director or his/her designee.
- vii. Marshall County Animal Control Director or his/her designee.

C. CRIMINAL JUSTICE INFORMATION SYSTEM/LINK/NCIC – Management and control of the Criminal Justice Information System/LINK/NCIC shall be the responsibility of the Marshall County Sheriff in accordance with the Criminal Justice Information Services Security Policy. These duties include, but are not limited to: (1) ensuring Management Control Agreement and the policies and procedures incorporated therein; (2) adopting additional policies and procedures, if necessary, not in conflict with minimum required security policies; (3) complete control over personnel who operate the terminals with respect to discipline, hiring and termination in regards to CJIS/LINK/NCIC and (4) keeping the Marshall County Fiscal Court informed as to any issues that might arise with CJIS/LINK/NCIC.

D. GRIEVANCE BOARD – For disputes that are otherwise unable to be resolved with respect to Operations of Marshall County 911 not involving personnel, a grievance procedure is hereby established to facilitate resolution of these disputes. The grievance procedure shall take place as follows:

1. The head of an agency utilizing Marshall County 911 services may initiate a grievance by providing written notice to the Marshall County 911 Director, and delivering forthwith a

copy to the Marshall County Judge Executive's Office and the Marshall County Fiscal Court Commissioners.

2. The grievance shall contain a statement outlining the substance of the grievance and a brief explanation of the events that precipitated the grievance.
3. For each grievance filed with respect to Operations of Marshall County 911 not involving personnel, a three-member Grievance Board shall hear the grievance, with the three-members to be chosen among the following individuals:
 - a. Chiefs of the Fire Departments
 - b. Chief of Police of Benton
 - c. Chief of Police of Calvert City
 - d. Marshall County EMS Director
 - e. Marshall County Coroner
 - f. Marshall County Animal Control Director
 - g. Marshall County Emergency Management Director
 - h. Marshall County Sheriff
4. The three-member board for each grievance shall be chosen by the Marshall County Judge/Executive or his/her designee with the approval of the Marshall County Fiscal Court at the next scheduled meeting of the Marshall County Fiscal Court.
5. The three-member board shall be chosen so that there are no conflicts of interest between the members of that particular three-member board and the agency that initiated the grievance.
6. Within five (5) working days following formation of a particular Grievance Board, the three-members chosen to form that particular Grievance Board shall meet at a designated time and place to hear the grievance. The hearing before the Grievance Board shall be informal. Hearing shall be recorded. One person on that Grievance Board shall be chosen by the three members to act as Chair and may administer oaths. Decisions by the Grievance Board shall be in writing, issued within two (2) working days following the hearing, and shall be final.

7. Hearings before the Grievance Board shall be subject to Kentucky Open Meetings and Open Records requirements.

Passed this the ____ day of _____, 2019

KEVIN NEAL, JUDGE-EXECUTIVE
Marshall County Fiscal Court

ATTEST: _____
Clerk, Marshall County Fiscal Court

FIRST READING: April 8, 2019

SECOND READING: _____

PUBLICATION: _____