

**A Resolution of the Marshall County Fiscal Court Relating to the Continuity of
Government for Marshall County in the Event of a Disruption of Government Services
Due to a Disaster or Emergency**

Be it resolved by the Marshall County Fiscal Court:

WHEREAS the Marshall County Fiscal Court deems it necessary to provide for the continuous operation of the county government and;





WHEREAS under Kentucky Law KRS 39D.030, the governing body of each county shall enact the ordinances and resolutions necessary to provide for the continuity of government throughout the duration of a state of emergency; and

WHEREAS, the provisions for the continuity of the Marshall County government contained in this resolution are to insure that the county government is able to serve the county residents;

NOW THEREFORE BE IT RESOLVED that in an event that threatens or disrupts county government services, the Marshall County Government will follow the guidance contained within this resolution.

BE IT FURTHER RESOLVED that this resolution shall be reviewed by the governing body of the county annually or whenever a change in the government structure or a change in personnel of the essential positions occurs.

THIS RESOLUTION IS FORMALLY ADOPTED THIS 6th DAY OF JUNE, 2023 BY THE FOLLOWING OFFICIALS:

Signature	Name	Title
	Kevin Spragg	Judge/Executive
1 	Eddie McBrine	Dist. 1 Commissioner
2 	Marty Barrett	Dist. 2 Commissioner
3 	Monty R. Collins	Dist. 3 Commissioner
Signature	Name	Title

Marshall County Government Structure

The structure of the Marshall County Government is as follows:

Description:

Marshall County Local Government oversees the operation and development of the local government system and provides the policy framework within Marshall County for local authorities work and to deliver services to the communities that they represent and serve.

Identification of Essential Offices/Positions:

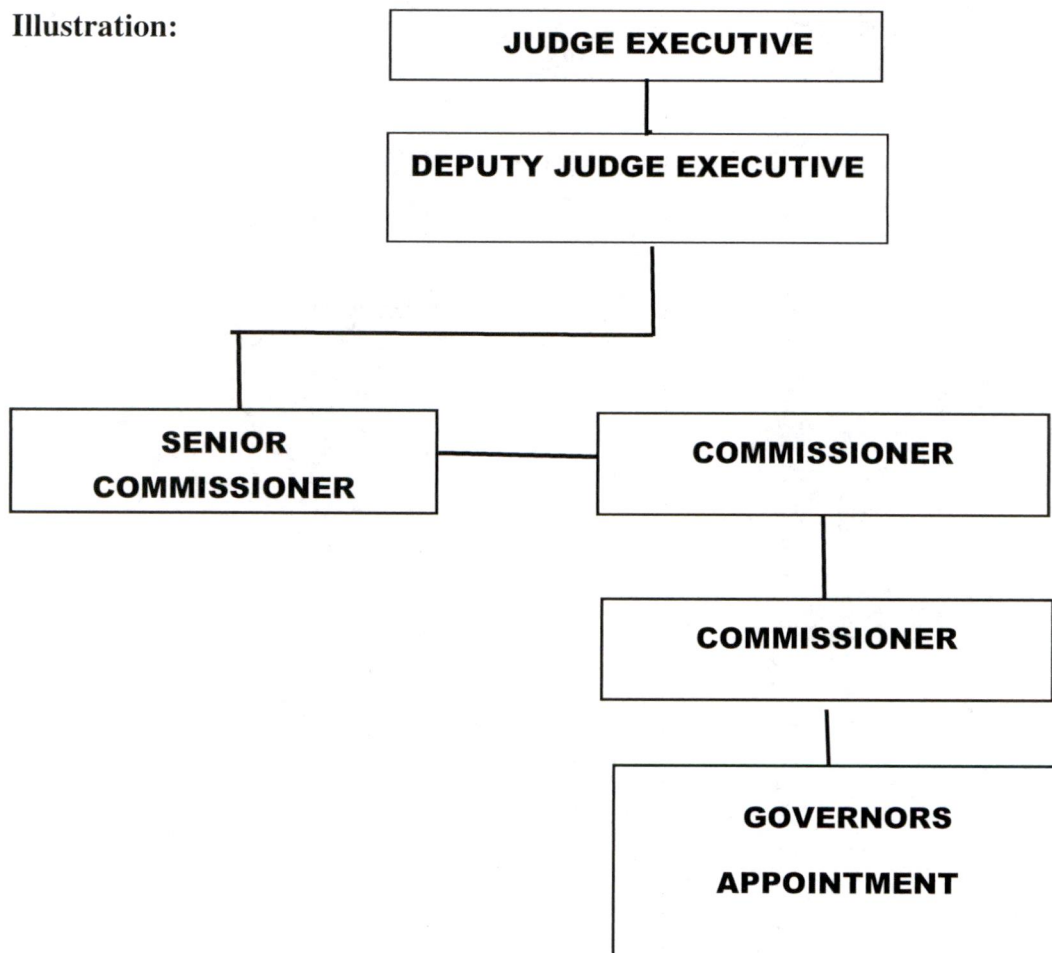
County Judge Executive

Deputy Judge Executive

3 Commissioners

Governor's Appointment

Illustration:



Emergency Interim Successors and Orders of Succession

The Marshall County Fiscal Court deems it necessary to provide for the orderly succession of the Office of the Judge/Executive in the event of the absence or disability of the judge/executive as defined in KRS 67.725 when involving a national, state, or local emergency.

Under Kentucky Law KRS 63.190, any vacancy in the Office of the Judge/Executive is filled by the Governor. When a vacancy occurs, the Office of the County Clerk is responsible for notifying the Governor of the vacancy under KRS 63.210. A county judge/executive appointed in this manner serves in accordance with Section 152 of the Kentucky State Constitution.

In accordance with KRS 67.730, when the absence or disability of the Marshall County Judge/Executive shall prevent his/her serving in the office during national, state, or local emergencies, the duties and responsibilities of the county judge/executive shall be administered temporarily by the deputy judge/executive, if one has been appointed by the county judge/executive.

If neither the county judge executive nor the respective above-mentioned is able to serve in the Office of the Judge/Executive by reason of absence or disability, then the duties of the Office of the Judge/Executive shall be assumed temporarily in succession by the positions listed below.

1. Deputy Judge Executive
2. Commissioner (SENIOR)
3. Commissioner
4. Commissioner
5. Governors Appointee

Furthermore, the Marshall County Government deems it necessary to provide for the orderly succession of all essential offices identified in the previous section of this resolution, in the event of the absence or disability of the essential position as defined in KRS 39D.040 when involving a national, state, or local emergency.

Therefore, the essential offices for the Marshall County Government and their identified successors are listed below:

Essential Offices:

Coroner

1. Charles K. Pratt
2. Deputy Coroner
3. Deputy Coroner

County Attorney

1. Jason Darnell
2. Assistant County Attorney

Emergency Management

1. Curt Curtner
2. Deputy Director
3. Administrative Assistant

EMS

1. Bryan Cutsinger
2. Shift Captain
3. Shift Captain

GIS/IT

1. Andy Lepisto
2. Assistant
3. Assistant

Jail

1. Roger Ford
2. Shawn Goard
3. Supervisor

Road Department

1. Roy Wadkins
2. Supervisor
3. Administrative Assistant

Sherriff

1. Matt Hilbrecht
2. Chief Deputy
3. Sheriff's department Captain

Treasurer

1. Erica West
2. Judges appointment

911/Dispatch

1. Director
2. Assistant Director
3. Supervisor

The lines of succession contained in this resolution are to ensure that a county government official is available to serve in the absence or disability of the essential officer or any successor.

In accordance with KRS 39D.040 (4), emergency interim successors, in the order of their successions, shall have the full power to exercise all powers of the office, department, or agency and to commit its resources during a time of emergency or disaster if the person normally exercising the position is unavailable. If the preceding emergency successor becomes available, he or she shall resume the duties being performed by the emergency interim successor, unless he or she chooses to permit the emergency interim successor to remain in the position until relieved. The administrative orders and ordinances shall not be inconsistent with this section.

**Designation of Alternate Locations for the
Marshall County Government**

In accordance with KRS 39D.020, when, during a state of emergency, it becomes imprudent, inexpedient, or impossible to conduct the affairs of local government at the regular or usual places, the Marshall County government will conduct public business at one or all of the following alternate locations.

The following essential facilities for Marshall County Government, as well as their alternate locations, are identified below:

1. CFSB (Upper level)
221 West 5th Street
Benton, Ky. 42025 270-527-6411 GPS: N 36.865768 W 88.359695
(Open, multiple independent work stations, wireless, phone, rehab on site)

2. Marshall County Rescue/DES
201 Ash Street
Benton, Ky. 42025 270-527-9092 GPS: N 36.862318 W 88.360581
(Open, multiple independent work stations, wireless, phone, rehab on site)

3. 911 Center
591 US-68
Benton, KY 42025 GPS: N 36.931536 W 88.351893
(Open, multiple independent work stations, wireless, phone, rehab on site)

While the public business is being conducted at one of these temporary locations, the Marshall County Government shall have and exercise, at that location, all of the executive, legislative, administrative, and judicial powers and functions conferred upon that body and officers under state and county law. The powers and functions, except judicial, may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time-consuming procedures and formalities prescribed by law and pertaining thereto. If the alternate location lies outside of the county limits, all acts of the body and officers shall be as valid and binding as if performed within the territorial limits of their county, urban-county, charter county and city.

Preservation of Essential County Public Records

The Marshall County Government deems it necessary to provide for the preservation of essential public records.

In accordance with 39D.050, the state Archives and Records Commission has advised the Marshall County Government on the preservation of essential public records. The Marshall County Government has conferred with the Archives and Records Commission and the following essential records were identified, as well as a system for preservation, as described on the following form.

