Fulton County Fiscal Court

Regular Session

April 12, 2021

The meeting was called to order at 9:00 AM by Judge Jim Martin. The Pledge was led by Wade Adams and invocation given by Hugh Caldwell.

**Attendance:** Jim Martin, Hugh Caldwell, Wade Adams, Jim Paitsel, Shaun Parks, Naomi Jones, Leslie Woods, Barbara Atwill, Derek Goodson, Steven Williams, J L Atwill, Rick Major, Alan Coffey, David Thomas, Milton Garrigus, Kayla Mullis and Charles Choate.

**BUSINESS**

Milton Garrigus addressed the court about police matter concerning stolen property. This is a family dispute that has been going on for an extended period of time. The Court advised that Mr. Garrigus file a complaint with the County Attorney and a Judge would handle this in a court of law.

**INRE: Minutes (Rec. Minute BK 2 PG 123)**

Motion made by Wade Adams, 2nd by Jim Paitsel, carried by all members present to approve the minutes.

**INRE: County Attorney’s Report**

No report given. Jim Martin asked about the Opioid legislation, there are funds that will be given to Fulton County and must be used for drug related offenses. Jim Martin asked Steven Williams to look into trade training for inmates who are incarcerated in our Detention Center for drug related offenses.

**INRE: County Clerk’s Quarterly Report (Jan-Mar 2021) (Rec. Order BK 27 PG 422)**

Motion made by Wade Adams, 2nd by Hugh Caldwell, carried by all members present to approve the County Clerk’s 2021 1st quarter report.

**INRE: County Clerk’s Quietus 2020 (Rec. Order BK 27 PG 435)**

Motion made by Shaun Parks, 2nd by Wade Adams, carried by all members present to approve the County Clerk’s 2020 Quietus.

**INRE: Fulton County Sheriff’s Quarterly Report (Oct-Dec 2020) (Rec. Order BK 27 PG 436)**

Motion made by Hugh Caldwell, 2nd by Wade Adams, carried by all members present to approve the Sheriff’s 2020 4th quarter report.

**INRE: Fulton County Sheriff’s 2020 Year End Budget (Rec. Order BK 27 PG 440)**

Motion made by Wade Adams, 2nd by Shaun Parks, carried by all members present to approve the Sheriff’s 2020 year end budget.

**INRE: County Treasurer’s Report (Rec. Order BK 27 PG 444)**

Motion made by Hugh Caldwell, 2nd by Wade Adams, carried by all members present to approve the treasurer’s report. Jim Paitsel asked if this would be the last month for interest payments on the credit card bills. Leslie Woods stated that she expected it to take two months to get the due date changed and this should be the last month for those charges. Hugh Caldwell asked about the extra Detention Center expenses. Steven Williams stated there were some HVAC unit repairs that needed to be taken care of.

**INRE: Bills**

Motion made by Wade Adams, 2nd by Hugh Caldwell, carried by all members present to approve the bills. Jim Paitsel asked what the NBI settlement bill was for. Jim Martin stated that was the Febco account at Citizens Bank, and there is a settlement fee for that account. Jim Paitsel stated that this account should be moved to Security Bank.

**INRE: Transfers (Rec. Order BK 27 PG 452)**

Motion made by Shaun Parks, 2nd by Wade Adams, carried by all members present to approve the transfers.

**INRE: Fulton County Employees (Rec. Order BK 27 PG 455)**

Motion made by Jim Paitsel, 2nd by Wade Adams, carried by all members present to approve the employees. Jim Martin added a resignation for the janitorial employee at the courthouse. Jim Martin requested that the Fiscal Court hire Wendy Duncan, previously furloughed from the Detention Center, as the janitorial employee to cover the Courthouse, County Office Building and the Carnage Library at a rate of $15.29 per hour. $14.29 of the pay for Ms. Duncan would be reimbursable through AOC.

**INRE:** **Authorize Change Order for Upper Bottom Road Ditch Restoration Project (Rec. Order BK 27 PG 434)**

Motion made by Hugh Caldwell, 2nd by Shaun Parks, carried by all members present to approve the change order for the Upper Bottom Road in the amount of $ 12,752.00. This includes additional surveying for moving the right a way, and for gravel work reconstruction of the haul road.

**INRE: Bids for Fulton County Road Department Materials for FY 2021/2022**

Motion made by Hugh Caldwell, 2nd by Wade Adams, carried by all members present to award Riverfront Limestone the contract for rock and limestone.

Motion made by Wade Adams, 2nd by Jim Paitsel, carried by all members present to award Yates the contract for all pipes.

Motion made by Shaun Parks, 2nd by Hugh Caldwell, carried by all members present to award the contract to Heritage Petroleum for fuel. Jim Paitsel asked why the Road Dept. used grade 89 fuel instead of grade 87. Alan Coffey explained that grade 89 fuel doesn’t have the alcohol content that would mess up the small engine machines that the Road Dept. uses.

**INRE: Discussion of HRA Plan Service Agreement with BMS (Rec. Order BK 27 PG 4427)**

Motion made by Wade Adams, 2nd by Jim Paitsel, carried by all members present to approve the HRA plan service agreement effective July 1, 2021.

Motion made by Jim Paitsel, 2nd by Wade Adams, carried by all members present to approve the Fiscal Court to bid out the Febco Account to all three banks.

Motion made by Jim Paitsel, no second and motion dies to bid out the County’s Federal Grant Account.

**INRE: Discussion of proposed amendment to our Administrative Code Chapter 6 at 6.6(C)**

Motion made by Hugh Caldwell, 2nd by Shaun Parks, carried by all members present approve amending the Administrative Code to strike farmers and add landowners. Add the following: Any future replacement of a drainage pipe installed by County Road Department shall be done at landowner’s expense. In the event the drainage pipe becomes ineffective or damaged and requires replacement, the Road Supervisor shall five the landowner, or in the case of farmland, the farm operator (tenant), a written two week notice to remove and replace the pipe. The replacement shall be completed by the landowner subject to approval of the Road Supervisor. If the damaged or ineffective drainage pipe is not replaced by the landowner and is causing damage or flooding of the county road, the Road Supervisor shall remove the drainage pipe from the ditch and restore the ditch to a condition that will accommodate the drainage required. Any replacement of drainage pipes that have been removed by the Road Supervisor in connection with this policy shall be completed by the landowner subject to approval by the Road Supervisor. This section pertains only to ditches and County right-of-way. No action shall be taken in accordance with this section on private property without the approval of the Fiscal Court and the property owner.

**INRE: Discussion of Sheriff Settlement with Fiscal Court & Future Payment of Employee Fringes**

Motion made by Wade Adams, 2nd by Hugh Caldwell, carried by all members present to approve the Fiscal Court to set up a contingency fund in the current budget for the Sheriff’s Office, not to exceed $50,000.00 to cover expenses not covered by the Sheriff’s fee account, subject to Fiscal Court approval, and to authorize the Treasurer to prepare a budget amendment for the Fiscal Court. The Fiscal Court received Cares monies in 2020 that was given to the Sheriff’s Office to help with the debt the Sheriff had incurred during the pandemic. The Sheriff had excess fees for FY 2020 due to the Cares monies, and is asking that these monies be held by the Fiscal Court as a contingency fund for the Sheriff in case the Sheriff experiences decreased funds in FY 2021.

**INRE: Dates for Budget Workshops**

Jim Martin requested that the Fiscal Court have a personnel budget workshop on Friday, April 16, 2021 at 10 AM.

Jim Martin stated that the 2017; 2018; 2019 audits are complete with some non-modified statements, which means all these audits are good.

Jim Martin stated that the American Rescue Act monies will be coming soon, though uncertain if it will hit the account in FY 2020/2021 or FY 2021/2022. There will not be a budget amendment until the monies are actually in hand.

Shaun Parks addressed the court with concerns about Beech Groove Road. He asked if some of the American Rescue Act monies could be used to fix this road, and Jim Martin stated that it could not. The damage to the road will cost approximately $1,000,000.00 and the court would look into ways to either fix this road or abandon this road. Jim Martin stated that this road wouldn’t qualify for the 80/20 funds but could qualify for the emergency discretionary funds, but those funds can’t exceed $500,000.00 which means the County will be responsible for the other $500,000.00. The court will continue to look into this road.

Wade Adams stated it is spring and we need to set a date for spring dumpster pickup.

Jim Martin stated that some of the Cares Money is going to be set for broadband, in the tune of $300,000,000.00. Fulton, Hickman and Carlisle counties have filed a proposal in the Governor’s Office for broadband buildout. There is a 50% match on this type of project.

**INRE: Election process changes created by HB 574**

Naomi Jones addressed the Fiscal Court concerning HB 574. This bill was signed by the Governor last week. It allow counties to utilize drop boxes for mail in absentee ballots, allows for signature curing for absentee voting, allows for vote centers in counties if they so choose, with the stipulation that each voting center handles 75,000 voters or less. There were some last minute amendments to the bill that we haven’t been able to review, but this bill takes the best of what worked from the 2020 emergency regulations and puts those to law for all future elections. The use of voting centers will be able to reduce the amount of voting equipment that counties will have to purchase, thus saving tax payer dollars for all future elections. The question was raised about redistricting, and that have been postponed until 2022.

David Thomas asked for an update on the Hickman Clinic. Jim Martin stated that insurance has been working on fixing the damage, and Fiscal Court has approved those. Jim expects it to be open in a week or so. The Fulton Clinic had the new roof put on, but are still experiencing leaking, so there will be more work to be done there.

There was no closed session.

Motion made by Hugh Caldwell, 2nd by Shaun Parks, carried by all members present to adjourn at 10:22 AM.

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Naomi T. Jones, Fulton County Clerk