

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING
JULY 14TH, 2015
6:00 p.m.**

Present: James Anderson, County Judge Executive
Connie Crabtree, Fiscal Court Clerk
Robert King, County Attorney

Judge Anderson called meeting to Order

Judge Anderson asked the Clerk to call roll for Magistrates in attendance for this Meeting.

**Magistrate Donna Gabbard
Magistrate Keith Hall
Magistrate Mike Lockard
Magistrate Kenneth Rice
Magistrate Timmy Tipton**

The meeting opened up with public comments.

Several residents living on Hatcher's Creek was present at the meeting complaining about a resident who basically appears to have a gun range on his property. According to those present, the resident and some of his friends apparently like to shoot guns at all hours of the night and even use exploding rounds or cause some form of explosions on the property. When asked by the court who owned the property, the residents said that the previous owner had passed away and that a relative lives there now.

Mr. York asked the court is a noise ordinance could be voted on. He said that calls to police and sheriff's deputies are futile as there is no ordinance that covers excessive noise in the county. He told court members that he wasn't against shooting guns but shooting them during the late hours bothered him. After hearing from the residents Judge Anderson stated that he did not think there was an ordinance that could handle this situation and asked County Attorney Robert King to look into the matter. Mr. King said that he was not sure if the nuisance ordinance already in place covered such an issue, but he would research it. Judge Anderson said he would do all they could to look for an answer to the problem.

Next was the approval of the Clerk's reports from the prior month.

A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Kenneth Rice to approve the Clerk's report for the meeting dated June 9th, 2015.

Motion passes unanimously

6-0

A motion was made by Magistrate Mike Lockard and then was seconded by Magistrate Keith Hall to approve the special meeting dated June 29th, 2015.

Motion passes unanimously

6-0

Approval to pay all bills submitted with no objections

The financial statement was presented to court for their approval.

A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Mike Lockard to approve all of the Treasurer's interfund transfers and the Treasurer's request for transfers as presented.

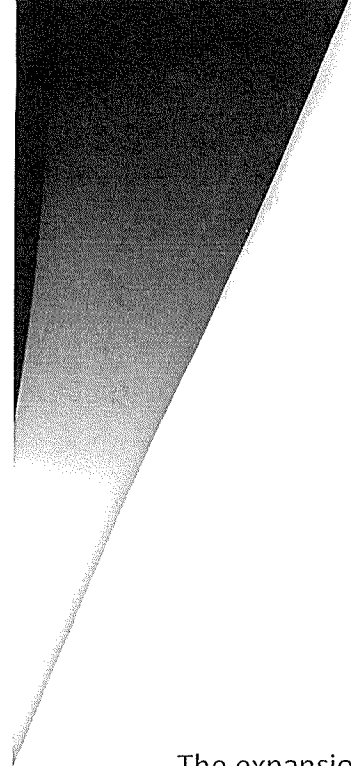
Motion passes unanimously

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Next item on the agenda to be addressed was the new jail expansion project.

Summit Architectural Services was present for the meeting to go over the plans for the project. The plan would have the new addition being constructed to the front of the existing structure. Parking areas would be moved toward the side, as the county has recently purchased property surrounding the jail. There would be a secured sally port area where new arrivals would enter into the intake area. The new part of the building would be in a four dorm style. Two dorms would have 30 beds and two other would hold 20 beds. There would also be a 10 bed isolation area. The additional would add 110 beds to make the housing capabilities of the jail rise to 215. The design also shows a new front door and entry way for visitors. There would also be five new offices. The new structure would connect to the old structure and during construction all security issues would be in place as the state has stated should be until the two structures are connected.

R.J. Palmer with Civic Finance Advisors was present for the meeting to go over the financials for the new addition.



The expansion will cost \$3.5 million and the current debt service owed for other construction over the years at the facility will raise the debt to \$4.9 million. Before the expansion the county is currently paying \$399,809.00 per year toward the debt. Even when adding the debt to the new expansion the payment on the 4.9 million would be \$370,000 as the market stands today. This means the county would get the expansion to the jail and actually save over \$29,000 in payments each year. The construction would start this coming January and is expected to be finished by February 2017. There would be a day for a day clause where any day lost to weather would be made up with added day. The change order would come before the court each month and the court could agree to accept or deny such a request.

After the presentation the court was presented a Resolution approving an interlocal cooperation agreement between the county of Powell and other parties thereto regarding the Kentucky Association of counties interlocal finance corporation.

A motion was made by Magistrate Kenneth Rice and then was seconded by Magistrate Donna Gabbard to approve the Resolution and give Judge Anderson the authority to sign the Interlocal Agreement as presented.

Motion passes unanimously

6-0

An Ordinance approving a lease for the financing of the jail expansion was also presented to court for the 1st reading.

The court moved onto on Old Business where they were made aware of some updates.

Judge Anderson made court aware that he had received the Health Department's budget for their review.

Judge Anderson made the court aware that he had received the city water report for their review.

Judge Anderson told court that they were working with FEMA and should be receiving funding soon.

Judge Anderson discussed the road slips on Star Gap Road. He said FEMA wants push points and he was working on resolving the issue.

Judge Anderson told members that the NCRS would help qualified county landowners that had damage to their property. The funding would be 75% with the county being the Fiscal agent matching 25%.

Wallace Reed was present for the meeting to discuss with the court about the flooding damage at his resident on Black Creek Road. A bridge from the highway to his home built in 1947 was severely damaged by recent flash flooding. Mr. Reed said he believes that the old policy of the county assisting in cleaning debris out of the creeks needs to be re-instituted to stop this from happening. Judge Anderson said that the county's push of going way from the old culverts to the new box type may help on some situations. He said that the county would look into what they could do to help with the bridge and other issues the flooding created. He also stated that FEMA and state agencies were assisting with several weather events over the year that has affected roads and bridges in the county.

Judge Anderson said he would like to thank the road department for all they do and the citizens of Powell County for being patience during that weather event.

The County garbage issue was the first item to address under New Business.

Judge Anderson told court members that Stacy with Rumpke had requested to present a renewal for the garbage. The county wanted to keep the rates the same and the court felt that Rumpke did not honor the contract by trying to skip the second year of the contracts rates and move on to the third. The county and Rumpke had an agreement that they would still pick up the trash and the county would refute the charges on the fees. Judge Anderson advised the court that the contract would be up soon and that bids could be taken next month. He said he had spoken with Stacy with Rumpke and she did not see any downturn in rates and the only other companies who bid last time was Advanced Disposal which also had high rates. Judge Anderson said that we have residents who are on fixed incomes and the rate increase would be too much for many of them. The judge suggested that the county could have the option to start collecting the garbage but knew that the startup cost would be big. Magistrate Tipton who sat on the court when the count used to collect the garbage agreed it could be costly. He recommended doing a budget to see what we could do it for so when the bids do come in we could compare them.

Judge Anderson suggested that he and 2 members of the court have a meeting to discuss the issue. The court agreed to place the bid announcement for garbage collection in the newspaper and to also get some estimates if they decided to do it themselves.

Next a Resolution was presented from Peoples Exchange Bank.

A motion was made by Donna Gabbard and then was seconded by Judge Anderson to allow the six month agreement with Peoples Exchange Bank to be rolled into a five year term payment plan.

Motion passes unanimously

6-0

Clay City Volunteer Chief Nathan Hall was present at the meeting to ask the court to consider a fire district tax to help the departments be able to purchase equipment they need. He provided a list of needed equipment to the Magistrates. Mr. Hall said that last year they took in about \$25,000.00 and spent \$24,900.00. The department had a failed pump test on the county truck housed in Clay City. He presented estimates on the repair cost to the court. Judge Anderson told Mr. Hall that they are looking into a way to start a funding mechanism in lieu of a tax to help.

911 Coordinator Cory Graham presented a Resolution for Kentucky Office of Homeland Security Project.

A resolution of the County of Powell authorizing the Judge Executive to make application for and upon approval to enter into agreement with the Kentucky Office of Homeland Security (KHS) to execute any documents which are deemed necessary by KOHS to facilitate and administer the project and to act the authorized correspondent for this project.

A motion was made Judge Anderson and then was seconded by Magistrate Donna Gabbard to allow Mr. Graham to apply for funding for a mobile repeater which would enable better radio coverage for emergency personnel in rural areas of the county during an emergency and a four wheel drive vehicle that will carry it.

Motion passes unanimously

6-0

The court also approved a policy and procedure change at dispatch that allows them to notify the head of a law enforcement department of there is a call in their area and no one is on duty. This is an issue since not every department in the county can keep up 24 hour, seven day a week patrols. Mr. Graham explained that they had already been doing this, but there was no written official policy on it.

A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Mike Lockard to allow this change in the policy and procedure manual.

Motion passes unanimously

6-0

Last was item to discuss under other business:

Jail employee Lonnie McCall gave his notice to Jailer Travis Crabtree that he would be resigning from his employment due to relocation. He gave this notice weeks prior to the change in the policy regarding an employee to be paid out for his sick hours therefore the court agreed to pay Mr. McCall for his sick hours earned during his employment.

A motion was made by Judge Anderson and then was seconded by Magistrate Timmy Tipton to allow Mr. McCall to be paid for his sick hours earned.

Motion passes unanimously

6-0

Next item up for discussion was concerning a payroll error.

The new payroll Clerk found errors in the payroll where at least five salaried employees did not receive their raise last year. The court clarified that all salaried employees got a two percent raise last year and hourly received a 50 cent raise.

A motion was made by Magistrate Timmy Tipton and then was seconded by Magistrate Donna Gabbard to allow these employees to receive a 2 percent raise on top of last year's salary.

Motion passes unanimously

6-0

Judge Anderson told court he had received a request from Paula Snowden from Powell's Valley Water District to reappoint Gary Baker to the Beech Fork Water Commission.

A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Mike Lockard to honor the request to reappoint Gary Baker to the Beech Fork Water Commission.

Motion passes unanimously

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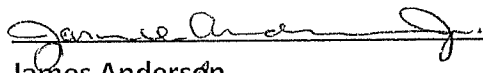
Mike Lockard had a brief discussion about the disengaging the emission on the box ambulance. He will check on this and follow up at the next meeting.

No action taken

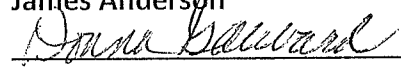
A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Kenneth Rice to adjourn.

Motion passes unanimously

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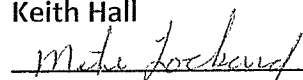
James Anderson



Donna Gabbard



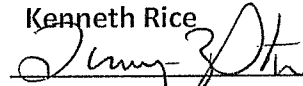
Keith Hall



Mike Lockard



Kenneth Rice



Timmy Tipton