

**POWELL COUNTY FISCAL COURT  
SPECIAL CALLED MEETING  
SEPTEMBER 26<sup>TH</sup>, 2015  
8:00 a.m.**

**A G E N D A**

- I. Call Meeting To Order
- II. Roll Call

**ITEMS TO ADDRESS**

- County Garbage
- Road Slips
- Emergency Bridge
- Personnel

**POWELL COUNTY FISCAL COURT  
SPECIAL CALLED MEETING  
SEPTEMBER 26, 2015  
8:00 a.m.**

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

Judge Anderson called this special meeting to Order

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

**Donna Gabbard – Present**

**Keith Hall – Present**

**Mike Lockard – Present**

**Kenneth Rice – Present**

**Timmy Tipton – Present**

First item on the agenda was the garbage contract with Rumpke.

Judge Anderson told court members that he had spoken with the President of the company about his concerns with the price increase as well as the professionalism with Ms. Chambers. After the discussion the Judge told court members that the gentlemen he had spoken with said he felt like the county had received a fair bid. Magistrate Timmy Tipton said the county should explore other options in the future.

A motion was made by Magistrate Timmy Tipton and was seconded by Magistrate Mike Lockard to go with the three (3) year thirty (30) day OPT out plan contract. The cost for residential customers on a monthly basis will be \$17.00. The cost of commercial customers on a monthly basis will be \$35.27. The contract will begin October 1, 2015 and continue through September 30<sup>th</sup>, 2018. This contract also states it may be renewed for additional option years upon mutual agreement of both parties.

**Motion passes unanimously**

**6-0**

During the last months regular called meeting court members discussed two (2) bids received for road slip repairs on Star Gap Road, Sand Lick Road and Halls Hill Road. The bids received were submitted from King-Crete and Hinkle Environmental Services LLC. The court decided to take no action at that time.

Road Slips once again was put on the agenda for this special called meeting. After discussing both bids received the court voted to go with the lowest bid received from King-Crete. The court discussed appointing an inspector to over-see the work progress for these project's until completion.

A motion was made by Magistrate Mike Lockard and then was seconded by Magistrate Kenneth Rice to award the lowest bid received from King-Crete.

**Motion passes unanimously**

**6-0**

This motion was amended to also state that the repairs on the roads must be completed within 45 days and Danny McCormick will over-see the work progress on a daily basis.

**Motion passes unanimously**

**6-0**

Next item on the agenda was two (2) emergency bridge repairs.

The two bridges in need of repairs are Upper Cane Creek and Popular Bluff.

Judge Anderson said that Rural Secondary Road Director Craig Lindon had submitted the Petition to the state but hadn't received an award letter at this time.

Mr. Lindon recommended that we move forward in the replacement of Popular Bluff Bridge. Judge Anderson opened the seal bid that was submitted from John Baker, Shane Bowen and Barry Ewen to do the replacement of the bridge. The bid amount was \$24,900.00.

A motion was made by Judge Anderson and then was seconded by Magistrate Keith Hall to wait on the replacement of the bridge until we know the county will be awarded funding for this project.

**Motion passes unanimously**

**6-0**

The discussion of the Clay City Business Park was the next item of business.

Judge Anderson along with John Brewer and Craig Dawson went to Frankfort to secure the Powell County Fiscal Court Clay City Business Park Water and Sewer Extension Project. Judge Anderson presented court members with several documents for court approval. The first one was a document was a Resolution for this project.

Appalachian Regional Commission has approved the Powell County Fiscal Court Clay City Business Park Water and Sewer Extension Project, Powell County Kentucky (ARC number KY-18276), and extended a grant offer in the amount of \$250,149 for the project to be administered by USDA Rural Development: Now therefore, the Fiscal Court hereby resolves to accept this grant offer of \$250,149.

In witness whereof, the Fiscal Court has duly adopted this resolution and caused execution by the officers below in duplicate on this 24<sup>th</sup> day of September, 2015.

A motion was made by Magistrate Donna Gabbard and then was seconded by Magistrate Kenneth Rice to adopt this said Resolution.

**Motion passes unanimously**

**6-0**

Second document presented for this project was the Operating Budget of this project.

A motion was made by Magistrate Keith Hall and then was seconded by Magistrate Timmy Tipton to accept and approve the Operating Budget for this project.

**Motion passes unanimously**

**6-0**

Third document presented for this project was the United State Department of Agriculture Equal Opportunity Agreement. The contractor will not discriminate against race, color, religion, sex or national origin.

A motion was made by Magistrate Mike Lockard and then was seconded by Magistrate Donna Gabbard to accept and approve the United State Department of Agriculture Equal Opportunity Agreement.

**Motion passes unanimously**

**6-0**

Forth document presented for this project was the Assurance Agreement.

Recipient hereby assures the U.S. Department of Agriculture that recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964.

A motion was made by Magistrate Kenneth Rice and then was seconded by Magistrate Donna Gabbard to accept and approve the Assurance Agreement.

**Motion passes unanimously**

**6-0**

Fifth document presented for this project was the Certification for Contracts, Grants and Loans

A motion was made by Magistrate Mike Lockard and then was seconded by Magistrate Donna Gabbard to accept and approve the Certification for Contracts, Grants and Loans.

**Motion passes unanimously**

**6-0**

A motion was made by Magistrate Keith Hall and then was seconded by Magistrate Mike Lockard to go into close session KRS 61.810 paragraph F.

**Motion passes unanimously**

**6-0**

A motion was made by Magistrate Mike Lockard and then was seconded by Magistrate Keith Hall to come into session.

**Motion passes unanimously**

**6-0**

**No Action taken in close session**

Judge Anderson presented a proposal for court approval to address employee staffing. Judge Anderson asked the Clerk to call roll for approval of the Proposal as presented. (Proposal sheet will follow minutes)

Magistrate Donna Gabbard – Nay

Magistrate Keith Hall – Aye

Magistrate Mike Lockard- Nay

Magistrate Timmy Tipton – Aye

Magistrate Kenneth Rice – Aye

Judge Anderson – Aye

**Motion passes**

**4-2**

The new Ambulance Director Nathan Hall will work under the Former Ambulance Director Brinton Epperson for the next thirty (30) days.

These employee's will be given a six (6) month evaluation. No one can be dismissed without court approval.

A motion was made by Magistrate Kenneth Rice and then seconded by Magistrate Mike Lockard to adjourn this meeting.

**Motion passes unanimously**

**6-0**

*James Anderson*

James Anderson

*Donna Gabbard*

Donna Gabbard

*Keith Hall*

Keith Hall

*Mike Lockard*

Mike Lockard

*Kenneth Rice*

Kenneth Rice

*Timmy Tipton*

Timmy Tipton