

**POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING  
JANUARY 10 TH, 2017  
6:00 p.m.**

Present: James Anderson, County Judge Executive  
Connie Crabtree, Fiscal Court Clerk  
Gary West, Road Foreman  
Steve Asbury, DES  
Arlene Rogers, Asst. Ambulance Director  
Robert King, County Attorney

Judge Anderson called the meeting to order:

Judge Anderson asked the Clerk to call roll:  
Magistrate Donna Gabbard – Present  
Magistrate Keith Hall – Absent (working)  
Magistrate Mike Lockard – Present  
Magistrate Kenneth Rice – Absent (sick)  
Magistrate Timmy Tipton – Present

The meeting began with the Powell County Extension office giving their 2016 Report to the People presentation. Powell County Extension Agent for Agriculture Lawrence Caudle, Powell County Extension Agent for Family Consumer & Science Pam Dooley and Powell County Extension Agent for 4-H and Youth Development Valarie Stewart was present to give the presentation. Country ham & biscuits along with cold Ale 8's were provided. The Court thanked them for all the things they do for the county.

After the presentation was given the court moved on to the business part of the meeting.

A motion was made by Magistrate Lockard seconded by Magistrate Tipton to approve the Clerk's report of the December 13<sup>th</sup>, 2016 regular called meeting.

Magistrate Gabbard – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Judge Anderson and county employee Darrell Randall have been monitoring the usage and we seem to be in the range that we thought we were. The Judge said *he felt the estimating may have went on for sometime possibly years.*

Judge Anderson told the court that the water bills is on the counties reoccurring list so he signs the check and has got in tuned to what they are on a monthly basic. We should have been reviewing them a little harder in the past because after looking over them two of the six meters we are paying more for water than we are sewage so there is a problem somewhere in their system.

Judge Anderson said he called the Mayor to ask him for a meeting to see what we could do to resolve this issue. The Judge said *he had* been told by several citizens and some businesses that *they had*

*experienced similar issues but that the city reduced their bill back to what they had been paying.* The Judge was told that it ~~wasn't the~~ whole district but it seems to him that it wasn't across the board it was more or less pick and choose and appears the way they are dealing with this problem is not standard across the board either. This is a lot of taxpayer's money and

*is not fair for us to just write a check.* The Judge said he encouraged the Mayor to check and see if the people were bonded that they had contracted to read the meters or if their insurance had an errors and emissions. It checking the Judge has some concerns only one of the three water districts has to adhere to the Public Service Commission which is Powell's Valley Water District.

Judge Anderson said his main concern is that the water bill's is due by the 15<sup>th</sup> of the month and he suggests that they don't pay them. Magistrate Lockard questioned if they could turn the water off for nonpayment. The Judge said *he supposed they could but he could see what ability an emergency order would allow if this arose.* Judge Anderson said if they do not have the meeting should we pay what we have been paying per month?

Magistrate Tipton said if they are truly estimating the bills it should be the same every month. Judge Anderson said that was his thought too.

County Attorney Robert King asked how they was justifying the huge jail bill we got. Judge Anderson said he had confirmed that the meter reading was in line with what the end meter reading was with the billing cycle ending 12/22/16. Somewhere between whenever this supposedly started and now the difference in the meter reading is 1,570,000 gallons and the animal shelter went from \$52.00 to \$1657.00.

Magistrate Tipton said there is no way we used a 1,570,00 gallons in one month so if they estimate the bill then they should consistently estimate it then you could look and see that it is the same usage every month which is a giveaway. If you are estimating different numbers what is the justification to it? Magistrate Tipton went on to say that the usage trail doesn't indicate to him that it's being estimated.

the businesses come in and pay the Sheriff's office then the money is distributed out to the proper entity.

Magistrate Tipton said he was given a report that shows a breakdown of what each entity was to receive. Mr. Tipton asks the Treasurer if the county had received any money this fiscal year for the franchise tax. The treasurer told the court they the county had not received any money at this time. Judge Anderson reads some amounts that we had received for franchise fee in the past years.

Magistrate Tipton said before he votes to approve any budget for the fee offices he would like to see a commitment and a time line from these people to get the bills prepare and mailed out. Mr. Tipton questioned if we received all the money that we were supposed to and would like to see a report similar to the one he had for 2014.

Judge Anderson said the problem they are discussing tonight is very bad because we have been on this for two years. We are just trying to understand who's responsible for what. He said he can tell the court that he has spent quite a bit of time calling numerous places in Frankfort to find out the initial generation of these assessments come and who they come too. He was told that they come from the Department of Revenue and he had talked to two different people and left numerous voice mails and finally got a little information today and actually is the Public Service Commission that has these assessments which are a branch of the revenue cabinet. It is to his understanding at that time that they are electronically sent to the county clerk's office and after they are prepared they *sent on to the sheriff's office to be billed and collected.* The Judge said *the problem he has with it is we shouldn't be this far behind on it and they are some blame for both sheriff and clerk.* Another side effect to this is if the other taxing district had to implement tax raises this may not have had to happen if they had received their franchise money. Judge Anderson reads some amounts that some taxing districts should have *received*. He also said he had gotten a print out from the department of revenue that listed the amounts for 2014, 2015, 2016 and 2017.

Judge Anderson said that the fee offices are not held accountable as the office such as his. If we don't do something they will shut our road money off.

After a long discussion the court did not feel comfortable approving the Clerk or the Sheriffs budget as this time.

The court set a special meeting for Friday January 13<sup>th</sup>, 2017 at 8:00 a.m. to discuss Clerks and the Sheriffs budget. Judge Anderson said he would request that both the sheriff and clerk attend this meeting.

#### Department Head Updates:

Road Foreman Gary West made the court aware that the shop now had all the insulation in and was very happy with it. They have installed a new entrance and garage door. He also had a

Landfill employee Tim Snowden told the court that the recycling had picked up and requested that the county purchase new boxes to put at business for their recycling materials.

A motion was made by Magistrate Lockard seconded by Magistrate Tipton to go into closed session. KRS 61.810 sub-section F.

Magistrate Gabbard – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson - Aye

A motion was made by Magistrate Lockard second by Magistrate Gabbard to come out of closed session.

Magistrate Gabbard – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Court Resumes

No Action was taken in closed session

A motion was made by Magistrate Lockard seconded by Magistrate Gabbard to adjourn the meeting.

Magistrate Gabbard – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye