

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING
MAY 9TH, 2017
6:00 p.m.**

The Powell County Fiscal Court met at the Office of the Powell County Judge Executive on May 9th, 2017 for a regular called meeting.

Present: James Anderson, County Judge Executive
Connie Crabtree, Fiscal Court Clerk
Robert King, County Attorney
Arlene Rogers, Asst. Director Ambulance Service
Larry Patterson, Sheriff Office
Danny Rogers, Powell County Sheriff
Mayor Dale Allen
Steve Asbury, EMA Director
Tim Snowden, Solid Waste Coordinator

The meeting was called to order at 6:00 p.m. by Judge James Anderson
Judge James Anderson ask the Clerk to call roll for Magistrates in attendance:

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

Budget Hearing regarding Proposed Use of County Road Aid and Local Government Economic Assistance (LGEA) FUNDS.

A public hearing will be held by Powell County Fiscal Court at the Courthouse on May 9th, 2017 at 5:00 p.m. for the purpose of obtaining citizens comments regarding the possible uses of the County Road Aid (CRA) and Local Government Economic Assistance (LGEA) Funds.

All interested persons in Powell County are invited to the hearing to submit verbal or written comments on possible uses of CRA and LGEA funds.

A hearing was held at 5:00 p.m. before the regular called meeting began. No one was present for the hearing.

The regular meeting began with approving the Clerk's report for the prior meetings

A motion was made by Magistrate Gabbard seconded by Magistrate Lockard to approve the Clerk's report for the meeting dated April 11th, 2017

**Magistrate Gabbard – Aye
Magistrate Hall – Aye
Magistrate Lockard – Aye
Magistrate Rice – Aye
Magistrate Tipton – Aye
Judge Anderson - Aye**

A motion was made by Magistrate Tipton seconded by Magistrate Hall to approve the Clerk's report for the meeting dated April 28th, 2017.

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton – Aye

Judge Anderson - Aye

There were no objections in paying all bills submitted for payment

There were no objections in paying the bills submitted for payment for the new Jail Construction Project in the amount of \$231,599.29

There were no objection in paying an invoice to Doug Dees in the amount of \$12,000.00 for concrete for the new scales at the transfer station. (30% up front cost - \$3,600.00).

There were no objection in paying Rogers Hardware in the amount of \$4,800.00 for material for 8x10 office building with A/C heater combination.

A motion was made by Magistrate Lockard seconded by Magistrate Gabbard to approve the Treasurers transfers as presented.

1st Reading of Budget Amendment #4 increasing the General fund by \$236,888.00 for the Slade Welcome Center.

After the business part of the meeting was over it was now time Public Comments:

Bill Abner was the first one to speak with the court concerning the Powell County Tourism

Mr. Abner said he had come to the meeting to try and clear up some things he had been hearing in regards to the tourism issue. He passed out a copy of a KRS 91 1.360 in an effort to clear up questions about the composition of the Powell County Tourism. He said he wanted to do this to show why Clay City didn't formally have a member on the board but also wanted to show that despite what had been told, there had always been an effort to have someone from that area of the county on. He passed out a list that had ten names of people who had served from there. He pointed out that he thought several things about the way the City of Stanton had set up their new commission was illegal.

The Mayor of Stanton was also present for the court meeting. Mr. Abner questioned him why the city had a significant loan that they had only been paying interest on for the park.

Judge Anderson told the court that he did not think this was the appropriate place for this conversation and ordered that the court move on to the next person.

Ernest Foster was the next speaker. He was there to speak for residents on George Drake Road. He spoke about a letter he had received from the City of Stanton dated April 7, 2017 that was about the new sewer project the city is working on. He brought a petition with him to stop the City of Stanton from extending sanitary sewer service to their area. He said his understanding of the project now, is that it will be mandatory for the citizens to hook on to the service, and that was not the way it was initially presented. He also had concerns relating to the cost of this project as well as whom all would

have to pay for it. He also accused the mayor of misrepresenting some of the facts about the project to them in a previous meeting. This conversation got heated and words between Mr. Foster and Mayor Allen were exchanged. Mr. Foster also questioned Mayor Allen why and how the city should be able to come outside the city limits into the county and impact them.

Judge Anderson informed him that he thought expanding our sewer was important and had sent the Mayor a letter of support for the project, but that this had been done with the information that it would be optional for individuals to choose to hook on or not. Judge Anderson went on to say that if indeed it was going to be mandatory for everyone to hook on the current project he would have to reconsider it. The court said they would review the documents that Mr. Foster has brought.

Old Business:

Judge Anderson presented court with a resolution for Grievance Procedure for Complaints Relating to Suspected Allegations of Discrimination on the Basis Of Handicapped Status for the New Senior Citizens Project.

A motion was made by Magistrate Lockard seconded by Magistrate Hall to approve this Resolution as presented.

Magistrate Gabbard – Aye

Magistrate Hall- Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Judge Anderson requesting that the August 4th, 2016 meeting minutes be amended to reflect the correct measurements of Christmas Tree Circle and Jingle Bell Lane.

Also Darrell Randall went with the Judge and Magistrates to look at the roads instead of Randall Martin. A motion was made by Magistrate Lockard seconded by Magistrate Rice to amend the August 4th, 2016 meeting with these corrections.

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton - Aye

Judge Anderson – Aye

Updates:

Judge Anderson made the court aware that the SPARK rally will be May 13th from 6:00 to 9:00 p.m. here at the courthouse.

Judge Anderson made the court aware that he had attended an Estill County Fiscal Court public hearing on closing portions of Mtn. Springs road in Estill County. Their court voted to deny the petition and he would like to publically thank them for making that decision.

The last update was concerning the New Senior Citizens Center. AT&T came and removed their lines from the pole and when Mountain Rural removes theirs the grading can be finished.

New Business:

The first item on the agenda was the Tourism Ordinance.

A motion was made by Magistrate Hall seconded by Magistrate Lockard to go into closed session KRS 61.810 Paragraph C.

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

A motion was made by Magistrate Gabbard seconded by Magistrate Hall to come out of closed session.

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

No Action was taken in closed session

Judge Anderson made the court aware that he had met with both Mayors and there would be no rejoining in working things out.

1st Reading of the 2017/2018 Powell County Fiscal Court budget.

Judge Anderson made the court aware that the grand opening of Hollerwood would be June 17th, 2017. In an effort to make sure we have any issues resolved in relation to where trails intersect a county road the court had the first reading of an Ordinance. This Ordinance would allow the court to choose roads or portions of roads that they are willing to allow ATV use on. This Ordinance is grounded in KRS 189.515.

The last item on the agenda was grant funding. This was to revisit the Homeland Security Resolution grant that the court had passed on last month. This grant was to purchase body armor and cameras for seven officers. The Judge has been working with Bluegrass ADD to secure funding. The court gave Judge Anderson the authority to submit the grant but before he did he reached out to two of the officers at the Sheriff's office to let them know that he was applying for this grant. Judge Anderson said he went through these officers because a few months ago the Sheriff had said if there is any communication from the Judge's office they need to contact his Chief Deputy as he didn't wish to communicate directly to the Judge. In the first meeting Judge Anderson was told they thought they may want to apply for more personnel than the approved seven officers. Judge Anderson stated that we could definitely revisit the number as it was a reimbursable grant. He said he was instructed to hold off

that they were going to submit the same grant on their own. The grant still hadn't been applied for and it was Judge Andersons understanding that equipment was still needed. The Judge had put it on the agenda to see what the pleasure of the court would be with this new information.

Sheriff Danny Rogers entered the meeting and said he appreciated the court's effort but he wasn't willing to accept, because the Judge should have come to him first and let him know about applying for the grant and that he also was applying for 15 officers as well as other items. He went on to say the court had no business worrying about his office and questioned what Judge Anderson knew about items such as body armor. Judge Anderson informed him the reason the court had an interest in his office was because of the commitment financially and the insurance.

Judge Anderson said if we as a court had put a quarter million dollars in any department such as they do with the Sheriff's office, it's very much our business to try and know what's going on. The Judge went on to say, as we cover all their insurance costs, that officer's safety too was very much in our interest on two fronts. First and foremost for the officers' safety and well-being, and then from the liability stand point. Judge Anderson asked the Sheriff if he thought the vest were adequate enough for the officer's safety. The Judge ask the Clerk to make the minutes reflect that the Sheriff would not say adequate.

County insurance was the last item to discuss. The health insurance advertisement had been advertised in the paper. Three different inquires had contacted the office. Two of them will submit a quote before the dead line.

Judge Anderson said we want to make sure that we open the quotes at the same time.

Having no other further business Magistrate Rice moved to adjourn seconded by Magistrate Lockard.

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Rice – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

The meeting adjourned at 7:30 p.m.


James Anderson


Donna Gabbard


Keith Hall


Mike Lockard


Kenneth Rice


Timmy Tipton