

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING
APRIL 9TH, 2019**

6:00 p.m.

**Location: POWELL COUNTY COURTHOUSE
Powell County Judge Executive's Office
Room 102**

A G E N D A

- I. Call Meeting To Order
- II. Roll Call
- III. Clerk's Report of Last Meeting
- IV. Bills Submitted for Payment
- V. Approval Treasurer's Financial Statement
- VI. Approval Treasurer's Transfers

- Public Comments
- Updates
- Old Business – Drag Strip
- Committee Reports
- District Reports
- KYTC Cooperative Program
- Wedding Authorization
- Closed Session
- EMS
- 2ND Reading Alcohol Ordinance #18-29-06

VI. Other

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: **APRIL 9TH, 2019**

Time: **6:00 p.m.**

Location: **Office of the Powell County Judge Executive
Room 102**

On April 9th, 2019 the Powell County Fiscal met at the office of the Powell County Judge Executive to hold their regular monthly meeting which was held at 6:00 p.m.

Those present for the meeting were Powell County Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, Ambulance Director Nathan Hall, Asst. Ambulance Director Arlene Rogers, Emergency Management Director Steve Asbury, Solid Waste Coordinator Tim Snowden, CSEPP Director Kevin Babcock, EMT Shawna Staton and Clay City Times Reporter Cecil Pergram.

Judge Anderson called the meeting to order at 6:00 p.m.

Judge Anderson ask the Fiscal Court Clerk to call roll for Magistrates in attendance for this meeting.

Magistrate Dennis Combs - Present

Magistrate Donna Gabbard - Present

Magistrate Mike Lockard – Absent (attending funeral)

Magistrate Chad Patton – Present

Magistrate Timmy Tipton – Present

All Magistrates were present except for Magistrate Lockard who was attending a funeral.

Meeting began with public comments to express concerns and opposition to the state granting a permit for the operation of a CDD landfill on Virden Ridge.

The first speaker signed in was Mary Cling. She told court members that her along with her husband brought property on Virden Ridge about 26 years ago. At this present time they have around 180 acres. They named their property Paradise because they made it paradise for animals. She said it breaks her heart that there may be a dump across from her property.

Cindy Gettis also approached the court to thank them personally for what they had done by putting a county ordinance in place and also listening to them speak about their concerns of this potential landfill going in. She told members that she thought it would be a good idea to file a grievance just in case the county was hit with any legal issues. She also does not know how long the state has to apply for a permit from the county. We have 30 days to file a grievance from the state level.

Judge Anderson said he don't think that there is anybody here in favor of what the state has permitted and he feels that we have the means to prevent anything from happening and also feels good with the ordinance that the county has put in place. It's not a Virden Ridge issue it's a Powell County issue. He told Ms. Gettis to move forward with the 30 day deal and request a hearing.

He told court members that as of today the county had not received an application from the permit holders.

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After public comments the court moved on to approving the Clerk's reports for the March 2019 meetings. During the month of March 2019 the Fiscal Court had the regular called meeting plus two special meetings.

The meeting dates were March 12th, 15th and 27th.

A motion was made by Magistrate Patton seconded by Magistrate Combs to approve the regular called meeting dated March 12th, 2019.

Motion passed with all in favor

Magistrate Combs – Aye
Magistrate Gabbard- Aye
Magistrate Patton- Aye
Magistrate Tipton – Aye
Judge Anderson – Aye

A motion was made by Magistrate Gabbard seconded by Magistrate Patton to approve the Clerk's report for the special called meeting dated March 15th, 2019.

Motion passes in all in favor

Magistrate Combs – Aye
Magistrate Gabbard – Aye
Magistrate Patton- Aye
Magistrate Tipton – Aye
Judge Anderson – Aye

A motion was made by Magistrate Tipton seconded by Magistrate Gabbard to approve the Clerk's report for the special meeting dated March 27th, 2019.

Motion passes in all in favor

Magistrate Combs – Aye
Magistrate Gabbard - Aye
Magistrate Patton – Aye
Magistrate Tipton – Aye
Judge Anderson – Aye

Judge Anderson ask if there were any objections in paying the bills that were submitted for payment. Court members had no objection in paying all the bills submitted for payment, therefore payments will be made.

The Treasurer presented all of the financials for court members to review.

The Treasurer presented court members with a list of transfers for the court's approval.

A motion was made by Magistrate Gabbard seconded by Magistrate Patton to approve all of the Treasurers transfers.

Motion passes in all in favor

Magistrate Combs – Aye
Magistrate Gabbard – Aye
Magistrate Patton – Aye
Magistrate Tipton – Aye
Judge Anderson - Aye

Judge Anderson made court members aware of several updates:

- State approving landfill permit.
- Bridge on Fife Lick was all but done which would complete the county's most recent round of renovations to bridges and now will be preparing the court for the next upcoming cycle.
- A public meeting was held on March 28th, 2019 about widening Hwy 213 in Stanton. Construction is scheduled to start in 2020. There will be some property owners who will be effected but overall the project is much needed.
- The county is continuing to work towards drafting an inter-local agreement with Clay City concerning Alcohol Beverage Control.
- RFP Energy Saving Audit. Will be coming next week to do a walk through and address any issues.

Committee Report's

Magistrate Chad Patton –Jail Committee

Boiler Inspected
TV mounted

Magistrate Dennis Combs – EMS Committee

Kentucky Drag Way – Re-visit in once month
Clay City Siren electric is fixed but not working at this time. It does not have a mother board in it. Emergency Management Director Steve Asbury told members that there is plans to put a barrier around it. He also told court members that Madison County is getting new sirens and we are in hopes in getting their old sirens.

Magistrate Timmy Tipton – Transportation Committee

Agenda

Road Plan, Work Schedule, Staffing, Reporting, Operational Issues, and Daniel was off sick Friday, so James and Timmy met with him at 8:30 Monday morning March 25th, 2019.

Road Plan

Craig Lindon presented his completed road audit in January that we had asked him to do, the scope of this audit included a detailed road inventory and assessment.

This detailed road inventory needs to be updated frequently and is a working document and is really the existing road plan. Much discussion was had on what all should be included in these updates and how they will serve as good measure to budget off of as well as records that can assist in more promptly filling out paperwork to be submitted emergency events.

Discussed the goal of having our ditches and the balance of this audit all on a four – year cycle and our paving on an 8 year cycle.

Work Schedule

To be more proactive and less reactive Craig is going to help establish a work schedule protocol, starting this week.

Discussed the need to begin working on Cemetery roads now, due to upcoming memorial holiday.

Need to have a detailed cemetery road list.

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Operational Issues

Discussed our staffing needs

Need to adopt our Tier system and include a supervisor role to help our Forman do the necessary paperwork; road plan, work schedules and reporting. Daniel discussed that with the changes and improvements we're trying to make it may be best to try and find someone that could handle more of administrative side (paperwork and computer aspects) and that would allow him to be able to concentrate more on the work portion of the plan.

Discussed equipment maintenance, we have good equipment and need to keep maintained.

Judge Anderson told members that they updated the cemetery list. We are moving in the right direction with the detailed road list with being able to tell someone when they can expect work on their road. Magistrate Tipton said that the detailed road list is a good thing but needs to be updated continuously. Judge Anderson said that our goal with the road inventory list is to be more proactive and address things as needed.

Magistrate Lockard not present

Judge Anderson said we need address the issue with the new maintenance person only working 1 day a week. We really need to full time person for this position.

Magistrate Gabbard – Administrative - no update (has been sick)

Judge Anderson said a proposed county budget has to be submitted to court by May 1st (KRS 68.240)

Insurance Quotes

Policy and Procedures Manual

District Reports

Magistrate Donna Gabbard – Nothing at this time

Magistrate Chad Patton

- State granted permit for landfill
 - Little Hardwicks Creek bridge complete
 - Ditching on Little Hardwicks Creek from the back to the store
- Judge Anderson said the first 6 tenths is the worse. The bridge was scheduled in last year's cycle and will be paved in case someone asks about it.

Magistrate Dennis Combs

- Fife Lick is close to being complete and need to dress up Mill Stone

Magistrate Timmy Tipton

- Smallwood Hollow culvert needs to be addressed
- Focus on rock and cemetery roads along with ditches and culverts.

Judge Anderson told members that we have completed this year's bridge cycle and still has the 80/20 Program.

The biggest drainage structure is on Adams Ridge Rd which is in the city limits of Clay City. We are willing to partner with Clay City to fix this problem with the 80/20 program money to be make it a reality.

If the other money comes through and it's not needed we can do other drainage structures. Judge Anderson told the court members to get them a list together in their district. They will award around \$100,000.00 which can fix on the average of three to four bridges.

Discussion of the County Road Aid Cooperative Program Agreement and Resolution.

Judge Anderson

This agreement entered into as of the date of the signature below of the Secretary of the Transportation Cabinet, is made by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid and the Fiscal Court of Powell County, Kentucky.

The County's apportionment of County Road Aid funds shall be based on revenue estimate supplied by the Office of State Budget Director. For the Fiscal year beginning July 1, 2019 this amount is \$707,921.23. The Apportionment shall be distributed by the Department to the County in accordance with the terms of this Agreement.

The Department shall distribute up to and including an additional thirty percent of the Apportionment to the County, less three percent of the Apportionment set aside for the emergency fund. The amount of the second distribution will depend on how actual revenues compare to revenue estimates Resolution adopting and approving the execution of a County Road Aid Coop Program Contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for the fiscal year beginning July 1, 2019.

A motion was made by Magistrate Tipton seconded by Magistrate Gabbard to approve the agreement and said resolution and authorize Judge Anderson to sign all necessary papers concerning the agreement and resolution.

Motion passes with all in favor

Magistrate Combs – Aye

Magistrate Gabbard – Aye

Magistrate Patton – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Wedding Authorization

Part of the requirement for Magistrates to be able to perform a wedding ceremony is the County Judge Executive authorizing them to do so.

As of this day Judge Anderson authorizes all Magistrates of the court to perform wedding ceremonies if they chose to do so.

County Attorney Robert King made the court aware as of this time the Alcohol Ordinance # 18-29-06 is not ready for the 2nd reading. He will continue to work on the Ordinance making the needed amended changes.

Department Heads Updates

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CSEPP Director Kevin Babcock

- Hinkle Tower marker lights are off. He has a trouble call into Master Technology This issue is a warranty item up to 550 ft. to replace them. Emergency Management Director Steve Asbury said he agreed to fix them but has to see if he would be covered by insurance.
- Slip at Black Creek
- EOC exercise training in September
- Will be going to be an evaluator during an EOC training in Colorado May 1st.

Tim Snowden Solid Waste Coordinator

- Free dump day sometime in late May
- 2 more years before having another free tire day for the county

Emergency Management Director Steve Asbury

- Received a check in the amount of \$7285.00 for the completion of the Lone Oak Project.
- Attended a BERT meeting and they agreed to purchase 4 certified life jackets for the Search & Rescue Team.
- National Guard coming Sunday for training. They will be teaching members how to operate the hoist on a helicopter. He said he would like to thank David Fifer because he had a big part in getting them to do this training.
- Passed the inspection to be a certified weather ready county by the National Weather Service. He will be attending a training on Thursday. Will be getting new signs and they will get them posted.
- We will not be seeing the money for our past February disaster #4258 anytime soon.
- Powell County has been selected to participate in a research study for hazardous weather at the University of Oklahoma on May 20th through May 24th. They selected 6 emergency managers from across the entire country. They had to write an essay stating why Powell County needed to be included in this research.
- Endorsed to receive training from the Emergency Management Institute of Maryland.
- National Guard that is coming at the airport will be a closed training. Judge Anderson and members of the court are welcome to attend but will not be able to go up in helicopter.
- At last he said he would like to congratulate the Red Star and Search and & Rescue teams.

Judge Anderson said he would like to add that in last year's legislative there was a significant in some of the funding models that hit to Western Kentucky with the Mesonet Center. He said he actually had someone come and visit and there was funding models that would have made it very viable and possible for us to have one here. The more of those centers set up in Kentucky would be great. It's amazing the data that they acquire and what ability it gives us to engage threat levels. He told Mr. Asbury if he could try and get that back on the radar would be great. Mr. Asbury told the Judge that he put that in the essay that was wrote. He told them we need this technology in our community. He said hopefully he can come back from the training with this knowledge and plug it into the National Weather Service in Jackson and ask them to help us place a Mesonet Center here in Powell County.

Magistrate Tipton said they went to the ISO training that they had last year at the EOC Center. He ask if we have had any focus in these areas. He said he thought there was some simple things that could be done to drop the rating.

During last month's meeting Ms. Station told court members that Middlefork Fire Department ISO rates could drop roughly 2 points.

Judge Anderson told court members that we can put money back into people's pocket and when we do that they need to be aware of what Middlefork has got. If they can save the homeowner \$250.00 off of their premiums annually would they be willing to donate 1/2 of that to the fire department for the next 5 years?

Judge Anderson brought up Charter government again during this meeting. This topic seems to come up in a lot of discussions.

We should all be on the same page and make some of these smaller things that are discussed in every meeting happen in the county. Let's quit having debates and move forward. Judge Anderson said the word needs to be spread about charter government.

He said it needs to be studied and at the end of 18 months the committee of twenty to forty people is going to give you and himself as voters something to look at. We can go to the ballot and voice our opinion. We could do it by ordinance which is the quickest most efficient way. If Clay City, Stanton and the County were each to pass an ordinance we could proceed or if one of the entities was unwilling to participate we could do it in form of a petition which requires 20 percent of signatures of voters that voted in the last general election but you can only appoint 5 petitioners. The petition cannot be left lying in restaurants and expect those signatures to be good because you have to witness that person signing the petition. We need to get the word out and explore this option.

Magistrate Tipton said that our volunteer fire departments do a tremendous service but at the same time what can we do on a small scale that could do big things?

Ambulance Director Nathan Hall suggested having a town hall meeting explaining thing such as ISO rating and such.

Judge Anderson said if we could place more fire hydrants on our 6 inch lines.

Ambulance Director said the ambulance service run an ad in the paper for 2 new ambulances Sealed bids is to be turned in by April 15th, 2019.

Magistrate Tipton started the conversation about how the insurance works if someone is transported by a helicopter. He said he would like to know if Air Medics come to his resident and he has had a heart attack and the EMT person said that he needs to be air lifted out will they take him to Middlefork Fire Department and load him up and then fly him to the hospital or can they take him straight to St. Joe in Mt. Sterling? He said all this kind of stuff confuses him. If they do fly him out how much is the bill? How much does the county insurance pay? He don't think people are informed about the reality of it. How does the PHI insurance he carries works? Could we have a workshop with people that actually provide that service?

Mr. Hall said that PHI Insurance Company has moved out and part of the reason is because we have the flights down to 15 to 20 a year instead of around 80.

Judge Anderson said that we offer better medical care now. With the protocols we are getting the individual better treatment and getting them to a facility quicker. Our medical attention has greatly improved.

Magistrate Tipton said that some of the protocols that is dictated by law that you shall do this or that as far as who is called first and when they are called. When they are called what option does the citizen have to defer some of that with insurance?

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Mr. Hall said it could be Air Medics, PHI, etc. is flying over at the time. Whichever is may be could be the one to fly down and take the call.

Magistrate Tipton ask what the best option would be for getting the public to understand not only the protocols but about how the insurance works? He suggested maybe through the newspaper or county Facebook.

Motion by Magistrate Gabbard seconded by Magistrate Combs to go into closed session **KRS 61.810** paragraph C & F.

Motion passes

Magistrate Combs – Aye

Magistrate Gabbard – Aye

Magistrate Patton – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

A motion by Magistrate Gabbard seconded by Magistrate Patton to come out of closed session.

Motion passes

Magistrate Combs – Aye

Magistrate Gabbard – Aye

Magistrate Patton – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Court resumes – No Action taken in closed session

As a result in closed session a motion was made by Magistrate Patton seconded by Magistrate Gabbard to hire Aaron Marsee as the County Road Supervisor as of 4/29/19.

Motion passes

Magistrate Combs – Aye

Magistrate Gabbard – Aye

Magistrate Patton – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

With no further discussion a motion was made by Magistrate Tipton seconded by Magistrate Patton to adjourn.

Motion passes

Magistrate Combs – Aye

Magistrate Gabbard – Aye

Magistrate Patton – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

James Anderson

James Anderson

Dennis Combs

Dennis Combs

Donna Gabbard

Donna Gabbard

Chad Patton

Chad Patton

Timmy Tipton

Timmy Tipton