

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: September 8th, 2020

Time: 6:00 p.m.

Location: Powell County Emergency Operations Center

33 Commerce Drive

Stanton, Kentucky 40380

Join Zoom Meeting

<https://us02web.zoom.us/j/88127403250>

Meeting ID: 881 2740 3250

A G E N D A

- I. Call Meeting To Order
- II. Roll Call
- III. Public Comments
- IV. Clerk's Report of Last Meeting
- V. Bills Submitted for Payment
- VI. Approval Treasurer's Financial Statement
- VII. Approval Treasurer's Transfers
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates:
- XI. District Updates:

Items to be discussed:

- Perfection Group Pay Request #5 (Energy Savings Project)
- Library Tax Rates
- Extension Tax Rates
- County Tax Rates
- Board of Adjustments
- Service Truck for \$15 K
- Trip to Alabama

VII. Other:

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Zoom

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The Powell County Fiscal Court met at the Emergency Operations Center (EOC) 33 Commerce Drive, Stanton, Kentucky for a regular called meeting held at 6:00 p.m.

Those present for the meeting were Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, County Attorney Robert King, CSEPP/EMA Director Kevin Babcock, Ambulance Director Nathan Hall, Road Forman Patrick McCoy, Circuit Judge Candidate Lisa Whisman, Powell County Extension Office Agriculture Agent Jason Vaughn and Librarian Director Allison Vanlandington. All people present were practicing social distancing.

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

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Present
Magistrate Donna Gabbard – Present
Magistrate Mike Lockard – Present
Magistrate Chad Patton – Present
Magistrate Timmy Tipton – Present

Lisa Whisman – Candidate for Circuit Judge for the 39th Circuit

Mrs. Whisman approached the court to introduce herself as a candidate for Circuit Judge for the 39th circuit (Powell, Wolfe and Breathitt). Mrs. Whisman has worked in Powell County for the last 19 years. She has been a public defender for the Public Defenders here in Stanton and for the last 8 years she has been the Director there. She told members of the court that she has a lot of experience here in the county with trying cases and practicing court.

Mrs. Whisman lives in Wolfe County at this time. She is married to Ernie Whisman and they have two sons Spencer and Max. She told members of the court that she had tried many cases under Judge Profit, Judge Fletcher, Judge Miller and Judge Saylers. In closing she said she feels she is ready to take on the role of Circuit Judge.

Judge Executive James Anderson thanked her for coming to the meeting.

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Clerk's Reports for the August 2020 meetings.

August 11th, 2020 – Regular Called Meeting

August 14th, 2020 – Special Called Meeting

August 28th, 2020 – Special Called Meeting

Judge Executive James Anderson ask members of the court if they would like the Fiscal Court Clerk to make any modifications to the meeting minutes dated August 11th, 2020.

No comments were made for any changes to be made therefore the meeting minutes dated August 11th, 2020 is accepted.

Judge Executive James Anderson ask members of the court if they would like the Fiscal Court Clerk to make any modifications to the meeting minutes dated August 14th, 2020.

No comments were made for any changes to be made therefore the meeting minutes dated August 14th, 2020 is accepted.

Judge Executive James Anderson ask members of the court if they would like the Fiscal Court Clerk to make any modifications to the meeting minutes dated August 28th, 2020.

No comments were made for any changes to be made therefore the meeting minutes dated August 28th, 2020 is accepted.

Bills Submitted for Payment:

All bills were submitted for courts review.

Judge Executive James Anderson ask if there were any objections in paying any and all of the bills submitted for payment.

Fiscal Court Clerk noted there were no objections therefore any and all bills submitted for payment will be paid.

Financials:

The Treasurer presented all of the Financials for court's review. To include Financial Statement, Cash Transfers, Budget Transfers, Cash Balances and interfund transfers.

Transfers:

Judge Executive James Anderson entertained a motion to approve all of the Treasurers transfers.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to approve all of the Treasurers transfers. To include interfund transfers, budget transfers and cash transfers.

With no further discussion, questions or comments the motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson - Aye

Old Business:***In Relation to the Tourism Ordinance No. 20-08-11***

Judge Executive James Anderson reminded County Attorney Robert King to review the Tourism Ordinance No. 20-08-11. The Fiscal Court had the 1st reading on this Ordinance during the August 11th, 2020 meeting. Mr. King said he would look over it and have it ready for the 2nd Reading by the next meeting.

In Relation to the Hollerwood Project:

During the August 28th, 2020 special called meeting the Fiscal Court voted to use the mortgage instead of the tax role for collateral needed for the bond sale for the Hollerwood Park Project.

Judge Executive James Anderson made members of the court aware that they were able to get an extension for 90 days. The sellers has a piece of property in Lee County that they want to get cleared up.

In relation to the Emergency Projects:

Judge Executive James Anderson made members of the court aware that he had spoken with both contractors. Gary King/King Crete Drilling is going back and reviewing the bid he submitted to see if he could do the projects at a lower bid.

Judge Anderson said he was concerned because it was around \$80,000.00 more than the lowest bid which was minus the blacktop.

He told court members that they need to be thinking how they are going to address this.

Judge Anderson said they would need to look into interim financing so that our road fund cash flow is not affected. We may want to look into taking out a loan for the duration of the projects. There may be a little interest to accrue during this time and would need to check and see if this would be an allowable expense for emergency projects.

As soon as Mr. Gary King with King Crete Drilling gets back with Judge Anderson he will let the court know what he decided.

New Business:***Department Head Updates:*****Road Foreman Patrick McCoy**

- Several projects that is planned for the month of September.
- Boone Creek Project is planned to start tomorrow weather depending.
- Magistrate Timmy Tipton ask if they had got the parts for the ditcher. Mr. McCoy said they are working on getting an account set up and were needing the minutes from the last fiscal court meeting.
- Craig Lindon is helping collaborate on getting the slope mower here from the surplus yard in Frankfort hopefully sometime this week.
- Road Mechanic Ryland Ledford needing a new service truck. The 1990's Chevrolet model that he has at this time limits him from doing several things. It does not have an auto crane but the

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new one they have been looking at does. He currently has to keep his welder and air compressor inside the bed of the truck so he has no storage area to haul parts to and from jobs.

- We have been looking at a truck in the price range of \$15,000.00. They should be able to utilize that truck for several years and then sale it down the road and maybe even make money on it.
- Magistrate Chad Patton ask if we had received our lease trucks. Judge Anderson told him that we had received both of them.

Ambulance Director Nathan Hall:

- Made court members aware that he had received a bid from Trent's Home Improvement on putting metal on the ceiling in the ambulance bay. A few months back Trent's Home Improvement put a new roof on but the tape in the bay keeps falling off. Mr. Trent said that he would stand behind the project and come back and fix it but he cannot figure out why it keeps doing this.

The amount of the bid submitted from Trent's Home Improvement was in the amount of \$9,000.00.

Magistrate Timmy Tipton said that he thinks metal is the right thing to do but he feels we should get more bids for this project.

Mr. Hall said he would try and get at least two more bids and have them by the next meeting. It was suggested to contact Mr. Trent and see if would like to resubmit a bid for fairness.

- Ambulance run volume is back up because more people is going to the doctor.

CSEPP/EMA Director Kevin Babcock:

- Next week is the annual CSEPP drill which will be virtual this year. Mr. Babcock said if any members of the court had an extra hour or so and would like to participate in this meeting they could give him their email address and he could send each of them a Zoom invitation. Acknowledging that they know about the CSEPP program may go a long way in looking like the county is more prepared and know what's going on.
- We received our last radios but we are going to wait until after the drill next week to meet with the Fire Departments to start passing out equipment.
- Talk of making extra purchases next year. We have over \$600,000.00 to upgrade the microwave system. We will try and bid after the first of the year for this project.
-

Updates:

- Received 2021 Dump truck and 2021 Roll off Truck:
- The 2020 truck will have to be taken to Alabama so it can be sold in the upcoming sale.
- The final stages of MOA's with the Department for Local Government on the CARES money. The amount to be submitted to this point is \$400,343.00 to be reimbursed. The money should be here in the next week to 10 days.
- Glass people has come and set the frames in the offices at the courthouse. It will take around 2 weeks to finish. The quote for this project is around \$24,500.00 which is an additional expense to the \$400,343.00.

Districts Updates:

- Magistrate Donna Gabbard – No Updates
- Magistrate Chad Patton – No Updates
- Magistrate Mike Lockard – No Updates
- Magistrate Dennis Combs – No Updates

Magistrate Timmy Tipton ask about the fuel WEX Cards. He said the Kacey had shared some information about them. He ask Mr. Hall is that was something that they review and look at. Mr. Hall said he does not have access to that unless Kacey gives it to him.

Judge Anderson said all they need to do is request a copy of the fuel report.

Magistrate Timmy Tipton said this could be a good tool to manage with and should work with Kacey on requesting these reports for the department heads to review.

Mr. Nathan Hall agreed with Magistrate Timmy Tipton.

We need to encourage vendors to start using the WEX fuel cards.

- More cards need to be order for the road department.
- Fiscal Court Clerk let members of the court know that Jailer Travis Crabtree had brought a list of the jail vehicles with the VIN numbers that Kacey has requested.

Pay Request #5 Perfection Group (Energy Savings Project)

Pay request #5 was submitted from the Perfection Group in the amount of \$93,223.12 for the Energy Savings Project.

Judge Executive James Anderson entertained a motion to approve pay request #5 in the amount of \$93,223.12.

A motion was made by Magistrate Dennis Combs second by Magistrate Donna Gabbard **to authorize payment in the amount of \$93,223.12 to the Perfection Group for the Energy Savings Project.**

With no further discussion, questions or comments the motion passes unanimously.

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Powell County Public Library 2020 Tax Rates:

Powell County Library Director Allison Vanlandington was present for the fiscal court meeting to submit the Powell County Public Library 2020 tax rates.

Mrs. Vanlandington told members of the court that the Powell County Public Library Board voted to keep the tax rates the same as last years. She told members of the court that whatever is proposed next year would be the Fiscal Courts decision due to the change in the law.

Below are the breakdowns for the rates (Same as last Year)

Real Estate - .05 per \$100

Tangible Personal Property - .05 per \$100

Motor vehicle/Watercraft - .06 per \$100

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Mrs. Vanlandington made members of the court aware that their regularly scheduled meetings of the Powell County Public Library are the 3rd Tuesday of each month at 4:30 p.m. in the library's meeting room. All meetings are open to the public and available to attend by Zoom.

The Magistrates were also given a list of services that the library is offering at this time.

One new thing is called Try Libby which is app you can download and enter your library card to read any book that the library has.

A copy of the Powell County Public Library Public 2020 Kentucky Annual Report of Public Libraries will follow minutes.

Judge Executive James Anderson thanked Mrs. Vanlandington for attending the meeting.

Powell County Extension District Board 2020 Tax Rates:

The new Powell County Extension District Agriculture Agent Jason Vaughn was present for the Fiscal Court meeting to submit the Powell County Extension District Board 2020 tax rates.

Real Property – 3.480

Personal Property – 3.480

The board set the Motor Vehicle and Watercraft tax rates as follows

Motor Vehicle/Watercraft: 4.500 cents per \$100 of assessed value for 2020 calendar year.

Mr. Vaughn made members of the court that the Powell County Extension District just purchased a new van for the office to help with 4/H and traveling around for events. He said that as of today they had went back to 100 percent staff in the office. Mr. Vaughn said he is originally from Clark County and is looking forward to working here in Powell County.

Judge Executive James Anderson thanked Mr. Vaughn for attending the meeting.

Powell County 2020 Tax Rates:

Judge Executive James Anderson made members of the court aware that he had looked over the county's tax rates that the Department for Local Government had sent. After looking over these they didn't seem accurate to him. He contacted the Department of Local Government and they had made a mistake so they sent out a new copy with the correct rates.

Currently our Real Property is at .1010, Personal Property is at .1133 and Motor Vehicle/Watercraft is a .1133

Judge Executive James Anderson said he feels comfortable with leaving the taxes as is for this year.

Judge Executive James Anderson entertained a motion is keep the 2020 tax rates as is.

A motion by Magistrate Chad Patton seconded by Magistrate Dennis Combs to leave the tax rates as if for 2020.

Real Property - .1010

Personal Property - .1133

Motor Vehicle/Watercraft – 13.30

With no further concerns discussion questions or comments the motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Judge Anderson said he was proud of our Fiscal Court. We have took some hard hits. One being the pandemic and we have adsorbed significant revenue loss in several areas but he feels it's a testament to the job that them as a body has done and have been good Stewarts to taxpayer dollars. The way the court has conducted business we were able not to have to take an increase.

Powell County Board of Adjustments:

The Fiscal Court's appointment was Ovie Hollon, the County Judge Executive's appointment was John Brewer and Frank Carter was the City appointment. Judge Executive James Anderson said with the court's approval he was like to leave his appointment as John Brewer.

Judge Executive James Anderson entertained a motion to leave his appointment of John Brewer to the Powell County Board of Adjustments.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to honor Judge Executive James Anderson's request and appoint John Brewer to the Powell County Board of Adjustments.**

With no discussion, questions or concerns the motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Judge Executive James Anderson entertained a motion to leave the Fiscal Court's appointment of Ovie Hollon to the Board of Adjustments.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to leave the Fiscal Court's appointment of Ovie Hollon to the Powell County Board of Adjustments.**

With no further discussion, questions or comments the motion passes unanimously.

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Service Truck Purchase in the amount of \$15,000.00 for the Road Department:

2000 International 4700

Judge Executive James Anderson pulled up some pictures of this truck on his computer for viewing.

Magistrate Mike Lockard ask what the tonnage was on the crain. Mr. Patrick told him that it was 7500 pound Crain which will give the capacities to pull engines on backhoes and most all of the equipment at the road department has.

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Mr. Patrick told members of the court that he had went and looked at the truck and the crain does have a leak on the cylinder but part of the \$15,000.00 deal the seller is going to send the cylinder off and have it repaired before picking up the truck.

The seller also said there was an issue with the odometer but it comes with a new dash panel to be installed.

Mr. Patrick said it does come with air brakes and is a non CDL vehicle but does require the driver to have a medical card to operation. Our road mechanic Ryland Ledford does not have his CDLS' but does have his medical card so he will be able to operate this vehicle.

Judge Anderson said to off-set some of this cost we could sell the old service truck in the upcoming county auction.

Judge Executive James Anderson entertained a motion to authorize purchase of this 2020 International 4700 service truck in the amount of \$15,000.00 contingent that the seller fixes the leaking cylinder and everything else on the punch list to be repaired.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs to authorize the purchase of this 2020 International 4700 service truck in the amount of \$15,000.00 contingent that the Road Foreman and the County Judge Executive is satisfied that the corrections on the cylinder has been made and everything else on the punch list has been addressed.

With no further discussion, questions or comments the motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Magistrate Timmy Tipton told members of the court that he thinks Road Mechanic Ryland Ledford does a good job and justifies this expense.

Trip to Alabama to take the Leased 2020 Mack Truck to Auction:

The 2020 leased Mack Truck has to go to Alabama in a few weeks to be auctioned.

Road Foreman Patrick McCoy said they would need to send two road employees to take this truck to be auctioned. Round trip is around 23 hours so these two employees will need to stay overnight somewhere in the Nashville area. These two employees will need access to the county credit card for the overnight stay, fuel and food for this trip.

Judge Executive James Anderson entertained a motion to allow these two road department employees to have access to the county credit card for the motel, fuel and food not to exceed \$600.00.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to allow these two road department employees access to the county credit card for motel, fuel and food not to exceed \$600.00 for the trip to Alabama to take the leased 2020 Mack Truck to be auctioned.**

With no further discussion, questions or comments the motion passes unanimously

Magistrate Dennis Combs – aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Other:

Scan tool:

Magistrate Mike Lockard will get with Road Mechanic Ryland Ledford to discuss this tool.

Debit/Credit Machine to use at the Transfer Station:

Judge Executive James Anderson said a lot of people had questioned if they could use their debit or credit card at the transfer station. Judge Anderson along with Finance Officer Kacey Davidson has looked at a portable handheld machine. This way the person would not have to get out of the vehicle and be on the scales.

The machine costs around \$499.00 and would depend on the volume if there would be a monthly charge associated with this machine. They may charge a percentage of whatever is spent.

Members of the court authorized Kacey Davidson to check into purchasing a machine to allow payment to be made at the transfer station using a credit or debit card. If Kacey is contingent that the machine will work she has authorization to purchase it. We hope to know more about it at our next meeting. By using a machine would mean it would be a lot less cash to be handle which is a good thing.

Magistrate Timmy Tipton ask how the revenue has been at the transfer station. Judge Anderson said it was hard to tell because we are still operating on the Friday, Saturday and Monday schedule. Around 200 more citizens has chosen to take the curb side pickup.

Discussion of the roll off truck:

We need to make sure Road Foreman Patrick McCoy has a driver for that particular morning without negatively impacting the road department. There is be one person devoted to this truck and will be stationed at the Road Department.

Currently the trash goes to Viola. This is something that we will have to talk about bidding out in the future.

Appointment to the Powell County Library Board of Trustees:

Judge Executive James Anderson made members of the court aware of a letter that he had received from the Education and Workforce Development Cabinet regarding the resignation of Alan Cornette from the Powell County Library Board of Trustees.

Judge Executive James Anderson entertained a motion to **approve his appointment of Katie Caudill to the Powell County Board of Trustees.**

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to **approve Judge Executive James Anderson appointment of Katie Caudill to the Powell County Board of Trustees.**

With no further discussion, questions or comments the motion passes unanimously.

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

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Authorizing Payment for the 2020 Mack Truck:

The Treasurer ask for approval to pay off the 2020 Mack truck plus any interest payments that would be due at that time. This payment will be made payable to KACo Leasing Trust.

Judge Executive James Anderson entertained a motion to allow payment to be made to pay off the 2020 Mack Truck plus any interest payments that may be due at that time. Total amount due at this time is \$145,885.74.

A motion was made by Magistrate Timmy Tipton seconded be Magistrate Dennis Combs to authorize payment to be made to KACo Leasing Trust in the amount of \$145,885.74 for the payoff of the 2020 Mack Truck.

With no further discussion, questions or comments the motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – aye

Judge Executive James Anderson – Aye

Adjourn:

With no further discussion, questions or comments Judge Executive James Anderson entertained a motion to adjourn. The meeting adjourned at 6:53 p.m.

A motion by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs to **adjourn**. The meeting adjourned at 6:53 p.m.

Motion passes unanimously

Magistrate Dennis Combs – Aye


Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye



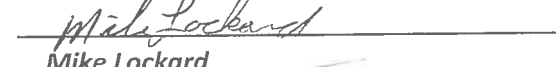
James Anderson



Dennis Combs



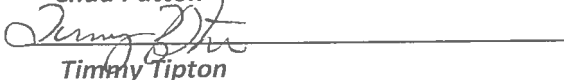
Donna Gabbard



Mike Lockard



Chad Patton



Timmy Tipton