

POWELL COUNTY FISCAL COURT**REGULAR CALLED MEETING****DATE: OCTOBER 13, 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/81977788318>****Meeting ID: 819 7778 8318**

AGENDA

- 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:

- **Flex Agreements & Roads**
- **Pine Ridge Industrial Board Appointment**
- **Cemetery Roads**
- **Tourism Payroll**
- **Planning & Zoning**
- **Emergency Project**
- **Personnel**

VII. Other:

POWELL COUNTY FISCAL COURT

REGULAR CALLED MEETING

OCTOBER 13TH, 2020

6:00 p.m.

Location: Emergency Operations Center (EOC)

33 Commerce Drive

Join Zoom Meeting

<https://us02web.zoom.us/j/81977788318>

Meeting ID: 819 7778 8318

The Powell County Fiscal Court met at the Emergency Operations Center (EOC) 33 Commerce Drive for a regular called meeting on October 13th, 2020 at 6:00 p.m.

Everyone present was practicing social distancing.

Those present for the meeting were Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, Road Forman Patrick McCoy, CSEPP Director Kevin Babcock, and State Senate Candidate Brandon Storm.

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 through ZOOM

Magistrate Mike Lockard – Present

Magistrate Chad Patton – Present

Magistrate Timmy Tipton – Present

There were no one that sign the sign in sheet for public comments.

State Senate Candidate Brandon Storm told members of the court that he would like to thank them for allowing him to attend this meeting. He said he wanted to attend the meeting to see what kind of issues that the county may have that he could possibly help out with if he is successful to win for State Senate.

Judge Anderson said that he would like to thank Mr. Storm for attending the meeting. This is the second or third time he has attended our Fiscal Court meetings. The Judge said this is a good sign of representation that he would represent our county if he gets in Frankfort.

Clerk's Report for the September 8th, 2020 regular called meeting:

Judge Executive James Anderson requested that the Fiscal Court Clerk make a couple of changes to the meeting minutes. After Fiscal Court Clerk listened to the meeting the minutes were correct. There were no other request for any modifications to be made to the meeting minutes dated September 8th, 2020. Therefore the meeting minutes dated September 8th, 2020 is accepted.

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Bills Submitted for payment:

Judge Executive James Anderson ask members of the court if they had any objections in paying any of the bills that were submitted for payment. There were no objections from any members of the court therefore all bills will be paid.

Stanton Fire Department invoice for truck tires:

Eddie Barnes turned in an invoice from Clark's Tire & Auto Service, Inc. for truck tires in the amount of \$2,072.88. This payment will be taken out of the Stanton Fire Department's Contribution line. There were no objections from any members of the court therefore this invoice will be paid.

Treasurers Financial Statements:

Treasurer presented the financial records for court's review. Those reports presented were the Financial Statement, Balances for each account, cash transfers. Budget transfers, budget amendments, and interfund transfers.

Treasurers Transfers:

Treasurer presented transfers to members of the court for their approval.

Those presented were interfund transfers, budget transfers and cash transfers.

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|------------------|-------------|---|-------------|
| <i>General</i> | 01-5135-515 | Transfer from Reserve for Transfers- | \$12,000.00 |
| | 01-9200-999 | Transfer to Emergency Services (Covid-19) | |
| <i>LGEA</i> | 04-7700-602 | Transfer from Reserve for Transfers - | \$25,000.00 |
| | 04-9200-999 | Transfer to Equipment Lease Payment - | \$25,000.00 |
| <i>Ambulance</i> | 09-5140-441 | Transfer from Medical Supplies - | \$500.00 |
| | 09-5140-550 | Transfer to Machinery & Equipment - | \$500.00 |

| | | | |
|----------------|-------------|--|------------|
| <i>General</i> | 01-7700-606 | Transfer from Reserve for Transfers - | \$6,000.00 |
| | 01-9200-999 | Transfer to 2021 Mack Roll Off Truck - | \$6,000.00 |

Budget Transfers to Balance 1st Quarter Report totaling - \$305,717.61

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

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton to **approve all of the Treasurers Transfers to include interfund transfers, budget transfers and cash transfers.**

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

Clay City Industrial Park:

This project has been going on for the last several years.

In relation to our ARC grant and because of the timing they had ask that we do other RFP to reaffirm the architect/engineer. Nesbitt, Palmer Engineering and Blake Adams had presented one.

Since it's the Industrial Boards project they were ask to review the RFP's and make a recommendation.

Last Friday they met and after their review that decided to stay with Blake Adams Engineering mainly because he has completed 90 percent of the scope and only owe him 10 percent more.

Powell County is the applicant on the ARC grant so it is us that will do the selecting.

Judge Executive James Anderson entertained a motion to go with this recommendation.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton to go with Blake Adams Engineering for the Clay City Industrial project.

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

Hopefully we will see some activity by spring for this project.

Hollerwood Park Project:

There had been an issue with the actual bond hearing with the Department for Local Government in regards to the Hollerwood bond sale. They had some concern in regards to our Ordinance. The Fiscal Court actually done the 2nd reading twice. They questioned the ZOOM meeting because it didn't specify that you could do the meeting by Zoom or in person. Basically the folks that were in objection to it were from out of the county and they were not only at the DLG meeting they were also present through ZOOM during a special meeting that we had on a Friday.

We had originally been issued an order that they was going to deny the request. Judge Anderson said that anyone he has ever worked with has ever recalled this happening. After further review the attorney determined that there were two statues that basically made this ruling invalid so they did grant us an appeal which had to be done by the 30th. As soon as they get this order they can do ahead and set the bond date. Judge Anderson said he is very excited to see this project get underway.

They are hoping to start the project by the 1st of the year.

Updates:

Judge Anderson said that he had talked to District Engineer Corbitt Caudill and they are scheduled to have the East bound lane of the Parkway open by Friday and the West bound should be opened by November 1 or they would start to suffer some severe consequences. There has been a lot of issues with congestion and have had some accidents.

Judge Anderson said he appreciates the efforts that District 10 has taken. This is a huge project and if you look at the scope they have been quick about getting it done.

Judge Anderson said this brings up a very valid point. As we look into this next session you are going to hear a lot of Legislators put the current transportation woes on the Covid virus which is totally bologna.

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This thing has been in shambles that last five or six years. This court and the previous one have all passed Resolutions in support of Legislation to help address this. A road in Powell County is just a Powell County road and to the average citizen it's not a state road, a city street or a county road. We can differentiate between them but at the end of the day if we don't do something the bad is only going to get worse. We have been blessed that the last couple of winters has not been as severe as some we have faced. If we have had the applications of salt and temperatures like we have had 4 or 5 years back there would be some of our roads next to impassable. Legislators want to talk about doing a comprehensive thing including the electric vehicles and does have to come in with this but this is long term and to think if we don't do something short term to address this problem it's crazy. It may be pushing to get a 10 cent but the reality is if we don't get more than 10 cents it will put us back to where we was back in 2015/2016. We have seen some reduction in paving prices but most of everything else has increased in this time. We defiantly need to push for this which is a user fee and not a tax which people need to understand. Our previous senator was notorious for when the Fiscal Court would pass one of these resolutions one of the constituents would call and suggest that Judge Anderson along with the Fiscal Court was advocating for a 10 cent or better on retail price but this was not at all the case. The increase that we were lobbying for on wholesale price which does not equate to in this instance a dime or whatever it be at the pump. When you drive to any of the surrounding states it's 20 to 30 cents higher than us and in many instances still have retail prices cheaper than what you can get it here. 74 percent of Powell County's working population drives outside of our boundaries to go to work. The health and safety of our citizens are having to drive on these roads every day is very paramount to our people being able to make a living and do it safely and not damaging their vehicle.

In Person Voting:

In person voting started today October 13th, 2020

Judge Anderson said if you look back and would have to double check but during the Primary election Powell County voted 25 percent which is unacceptable in his opinion. There are too many options in the way you can vote. Voting will continue on Saturday's and the County Clerk has done an excellent job in setting this up to make it accessible. If we do not have well over 50 percent it's unaccusable. There is no excuse for us not to be able to exercise our right and honoring our veterans in doing so.

Judge Anderson said he encourages everyone to get out and vote.

New Business:

- Road Forman Patrick McCoy made members of the court aware that they had received the Roll off Mack truck and have been collaborating with the transfer station to help keep the sanitation issues under control.
- They had received the mechanic truck that was purchased. He said it had been a great tool for the road department especially having the Crain on it.
- The last salt box is in the garage being rebuilt. They currently have it apart and will have to order some parts to repair it. This is a spare box so they do not have to have it to be able to operate but he prefers to just in case something happens during the winter season and they lose one.
- They have done a lot of work on Hatton Creek. This past month they have done two large pipe replacements. They also have done one on Boone Creek. The two on Hatton Creek were prepped for paving and have one more to go on it.

- As far as upcoming projects he said they have some guardrail to install on the bridge on Mill Stone. Gary King with King Crete Drilling is driving steel on Cow Creek and has already drove the steel on Mill Knob. He will be moving to Pilot Road by Monday. He will probably finish up Cow Creek by Friday. They have installed several signs this month and have already put in another order for more. The inventory is kept up now so they can stay ahead of it.

Magistrate Timmy Tipton ask the Road Foreman if they have ever considered doing a dry run in the day time for the snow removal. This way they could pick out their turn around places and also will see how long it will take them to do the cycle and to log their time.

Mr. McCoy told him that he defiantly wanted to do this and they had talked about going ahead and turning on the tracking devices for the trucks. This way they can see how well their snow routes are coordinated. Magistrate Tipton ask if they are doing to do the radio thing that they had planned on doing. Judge Anderson said this is a great tool but not sure how adequate it is. If we have our GPS units working we can do a lot of the same things. They need to log their times after their first route. It would also be a good time to reassign some of those routes to be more efficient. The Judge said the goal is to address 75 to 80 percent of our citizens served within the first 2 ½ to 3 hours of a major event.

Magistrate Tipton ask what the plan was now that we have a mechanic and a mechanics truck if we have a snow event and the truck goes down does the mechanic go out or can we get prisoners to help. Judge Anderson said he cannot speak to when we will be able to get our inmate resources back but having Ryland available not only to be there but to be able to work on some things.

Magistrate Tipton ask how many chainsaws we have. Judge Anderson said that we have enough to go in each truck. The Judge also said that we now have the best equipment that we have had.

Magistrate Chad Patton ask if the Boom mower was working. Mr. Patrick told him that it needs some work but hopefully in the next few days Ryland will have it fixed. It is currently in District 4.

Mr. McCoy said using the boom mower is a slow process. You can look at the state process and see how long it took them to do Furnace Road and is currently working in the South Fork area. He said they were trying to go along with them and follow them back through the county.

Magistrate Lockard ask how many road employees we currently have. Judge Anderson told him that we had Ryland Ledford, Steven Haddix, Ben Bishop, Melvin Atkinson, John Harding and Patrick McCoy.

Ryland is primary a road department employee but to maximize his effectively he services other departments also.

Update on Tourism Ordinance No. 20-08-11

Judge Anderson along with County Attorney Robert King is going to meet with the Tourism Board to discuss questions, opinions and changes that may need to be made to the Ordinance before the 2nd reading. Judge Anderson said there may be a special meeting called to have the 2nd reading of this Ordinance.

CSEPP Update – CSEPP Director Kevin Babcock:

Mr. Babcock made members of the court aware that he had attended a training for Crisis Intervention. He said he was the first one here in Powell County that has this kind of training. It basically talks about if you have someone in a situation that are in crisis whether it be alcohol, drug related, and mental illness. This will help with CSEPP if they have to go to shelters or go into decon and someone has issues hopefully he would be able to use some of this training.

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As far as CSEPP it is going great. This is a good time of the year to work on our SOP's and different programs to get them polished for next year to work towards the exercise. The exercise is going to be in the spring and the fall due to Covid delay issue.

1st Readings on Budget Amendments #1, #2 and #3:

1st Reading of Budget Amendment #1 (proceeds from the 2020 Mack Truck)

Road 02-4912 Governmental Leasing Act Receipts - \$139,225.00
 02-7700-602 Mack Truck Lease Payment - \$139,225.00

1st Reading of Budget Amendment #2 (2021 Mack Truck)

Road 02-4912 Governmental Leasing Act Receipts
 02-6105-441 Machinery and Equipment

1st Reading of Budget Amendment #3 (2021 Mack Roll off Truck)

General 01-4912 -B 2021 Mack Truck w/ Roll off Hoist
 01-5215-366 - Solid Waste Disposal Hauling

Magistrate Timmy Tipton ask about single axle trucks. He said he knew that the triaxle trucks are the most popular. He said he wonders what kind of cost return they would have on the single axle. Judge Anderson said that we probably would not do as well with one of those but with that being said maybe we can request what some of them brought in the past auctions.

Typically in our day to day operations we use our single axle because they are more practical for most of our applications. If these trucks are getting more favorable it would definitely be an opportunity and actually something we need and prefer.

Magistrate Tipton said we would get more benefit out of a single axle but we are not going to have the same reward with the triaxle.

Judge Anderson said that he thinks we need a 5500 which would be an added addition.

Pay Request #6 Perfection Group (Energy Savings Project)

Treasurer presented members of the court with Pay Request # 6 from The Perfection Group in the amount of \$44,861.55 for the Energy Savings Project.

Judge Executive James Anderson entertained a motion to approve Pay Request #6 in the amount of \$44,861.55 for the Energy Savings Project.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to **approve Pay Request #6 in the amount of \$44,861.55 to The Perfection Group for the Energy Savings Project.**

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**

Magistrates District Updates:

Magistrate Chad Patton

Magistrate Chad Patton ask what the status was on the landfill as far as the court cases go. He said he has had several people as him about it. County Attorney Robert King said he hasn't had any contact with them. He ask Magistrate Patton if he would come to his office one day and they would try and contact them.

Judge Anderson said that there has been some activity on that side in the last couple of months. They have called the folks from the Energy Cabinet and ask them to check. Where it is accurate or it appears to be after hours or on the weekends that people hear machinery running. In 2010 they did the cleanup of the property. Supposedly there was some things left on that side from that cleanup that their now becoming aware of. Accordingly to the State they are having a contractor to come in and remove it. Mr. King said the last time he had spoken with Joe Childers was about a month ago. Mr. Childers told him that he was going to start taking depositions with Blaze under oath as part as of a civil case. Mr. King said that he feels that Mr. Childers wants it to just sit there and wait them out.

Judge Anderson said we could tell the citizens where we are at in the process. He said he feels good about our Ordinance. At the point that we get it verified that we are in good standing it will give us the ability to at least enforce our local Ordinance with any concerns.

Magistrate Mike Lockard

Magistrate Mike Lockard ask about the bridge on Adams Ridge Road. Judge Anderson said that it had made it into the 6 year program and wants to think it's around a million and half. It basically a 250 to 300 foot bridge. They are proposing to come up stream where the bank is high but would still have a low swag. Basically it's a 250 dry bridge.

It is in the plan as funding and what they designate projects too. Mr. Hale has been very respective to this project. We have a lot of residents out there that are flood prong. In relation to the school traffic they are parking in the liquor store parking lot to put the children on the bus which is unfair. The alternative is to go out on the parkway but it's a matter of time that something going to happen.

This project alone is another testament to where the transportation cabinet is at. This should have been an emergency project. We are still looking at best case two to three years out.

Another that is impacted by flooding is Woody Ware Road, Shiloh Road, Melody Lane and the rest of that corridor. This project is the only one that has had any movement. Judge Anderson said that he has talked to our elective representatives and Powell County does not look to start seeing anything beyond that project until 2022 and 2023 in the current model which is unacceptable.

FLEX Agreements as well as the roads:

We have talked about these roads previously. At that time the State put a halt on Flex monies but since opened it back up. We have \$310,888.00 in our flex money. This can only be used for resurfacing not initial treatment. Out of the RS money that is craved out per counties we have to complete the work, then they come and approve the roads that we submit and then the county gets reimbursed the funds. We have started the MOA's on Hatton Creek and Halls Hills Roads. This will leave us around \$120,000.00 in our Flex funds. Judge Anderson said he would ask for court approval to give authority to do the Resolutions and any contacts involved with those roads.

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A few months we put our bids for additional roads. We already done Hatton Creek and Halls Hills just because of the time frame. We added Frames Branch, Cane Creek, Little Hatcher's Creek, and Caudill Road

(Does not need anything) and Morton Hollow. The estimates of these roads follows. We can potentially utilize the remaining balance to resurface these roads. The estimate of roads follows that we could potentially use the remaining funds that we have.

Halls Hill Road

2.203 x 14 x 1.5"

ASPH SURF 0.38D 1,500 TNS @\$78.85 per ton - **\$118,275.00**

Hatton Creek Road

1.0 x 18 x 1.5"

ASPH SURF 0.38D 900 TNS @\$78.85 per ton - **\$70,965.00**

Lower Hatcher's Creek Road

1.073 x 14 x 1.5"

ASPH SURF 0.38D 765.00 TNS @ \$78.85 per ton - **\$60,320.25**

Lower Cane Creek Road

1.806 x 12 x 1.5"

ASPH SURF 0.38D 1,100.00 TNS @ \$78.85 per ton - **\$86,735.00**

Frames Branch

2.900 x 16 x 1.5"

ASPH SURF 0.38D 2,250.00 TNS @ \$78.85 per ton - **\$177,412.50**

Morton Hollow Road

.773 x 14 x 1.5"

ASPH SURF 0.38D 550 TNS @ \$78.85 per ton - **\$43,367.50**

Judge Anderson said suggested that we allocate the remaining \$121,648.00 towards the roads that we have already submitted and bided out.

Magistrate Timmy Tipton ask if we could a portion of Hatcher's Creek and then do the balance remaining on a portion of Frames Branch.

If Frames Branch is submitted we should submit the 2.9 miles which would give us around \$61,327.75 to spend on it.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Chad Patton to use the remaining balance of \$121,648.00 (this total is minus Hatton Creek and Halls Hill Roads) on Hatcher's Creek totaling \$60,320.25 and the remaining \$61,327.75 on 2.9 miles of Frames Branch.

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

Flex Agreement and Resolution: Discussion Roads

This agreement, entered into by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, hereinafter referred to as the "Department" and the Powell County Fiscal Court, hereinafter referred to as the "County".

The Department shall be responsible for providing Rural Secondary funding in an amount not to exceed \$310,888 for the reimbursement of the above mentioned Project.

The money can only be used for resurfacing. We have to complete the work and they come and approve the roads that we submit and then the county is reimbursed.

The two roads already in process are Hatton Creek Road and Halls Hill Road.

Judge Anderson entertained a motion to approve the Flex Road agreement, Resolution and Contracts to complete the MOA's.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to **approve the Flex Road Agreement and the Resolution. This motion also authorizes Judge Executive James Anderson to sign any and all necessary paperwork pertaining to the Flex Road Agreement, Resolution and Contracts to complete the MOA's.**

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

Faulkner's Branch:

We never got a quote. Road Forman Patrick McCoy said that he would try and get ahold of Contech before the next meeting. Mr. McCoy along with Craig Lindon meet with a gentleman and he was doing to look into some alternatives because of the culvert issues.

Judge Anderson said beyond the culvert issues this road needs to be paved and would like to get this work completed so we don't have to go back and patch it. This road was on the 8 to 10 category on the road evaluation list. It was one of the worst roads.

Discussion of Barker's Branch:

Magistrate Timmy Tipton said that the Flex money can only resurface money on existing pavement and is not initial treatment stuff. He ask Judge Anderson how much rock on Barker's Branch was in Powell County. The court is thinking it is around 1/2 section. We get beat up every winter over this section of the road.

Magistrate Tipton said it would be really nice if the county would pave maybe 3 inches of base of the part that was in Powell County and then put signs saying end of Powell County. He said he feels we get the blame for the whole mile and 8 tenths or whatever is left and the rest is Estill County.

Judge Anderson is probably one of our most remote roads as far as having to take graders or rock trucks. It would cost around \$60,000.00 to \$70, 00.00 to do 2 to 2 1/2 inches of base.

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Pine Ridge Industrial Authority Board Appointment:

Judge Anderson made members of the court aware that Steve Hale has previously served for years on this board. He is resigning from the board. Judge Anderson said that he had mentioned Keith Rogers but he was not interested. Beyond the resort there is things starting to happen on this park such as Hazard Community potentially putting in a campus. Judge Anderson said he feels that the county needs to have representation. Judge Anderson said that Kacey Davidson has agreed to serve on the board. Judge Anderson entertained a motion to approve his appointment of Kacey Davidson to the Pine Ridge Industrial Authority Board.

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs to **approve Judge Executive James Anderson's appointment of Kacey Davidson to serve on the Pine Ridge Industrial Authority Board.** Judge Anderson said he would have to check on how much of the term is left.

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

Cemetery Roads:

Judge Anderson said that he had a request from a guy on Furnace Mountain about a cemetery road. This gentleman gave Judge Anderson the plat that the County Attorney has requested to see. Judge Anderson ask County Attorney to draft something by the next meeting. He said he thinks it in the cemetery list book that we maintenance off of. To that point we will have to look at this partular deal to see if something that we can put into our cemeteries service list. Judge Anderson said he thinks they are going to have to go back and review what we can and can't do on a cemetery road. There has been some instances where people will build a house off of one of those and their assumption that it's a county road. The level that we can do to a cemetery road is much different than what we can do to a county road. Anytime that we maintain a cemetery road that we are in compliance with what the law will allow us to do. We try to have them serviced by Memorial Day and as needed for a funeral. Judge Anderson ask the members of the court to start thinking about what they would like in the policy. Also thank on what they would potentially expect in the future to what the law would allow and what critia to bring a new one in.

Powell County Tourism Payroll:

Judge Anderson told members of the court that we currently do the Powell County Tourism's payroll which does not cost the county anything. They reimburse the county for all of their payroll. They have decided to drop out of the CERS and go into their own 401 K plan through their CPA. Mrs. Miranda Fallen ask that the Fiscal court acknowledge that the Powell County Tourism Board voted to do their own payroll and will no longer be participating in our CERS. Our Clerk's in the County Judge Executive's Office will no longer be responsible for the Powell County Tourism's payroll.

Planning and Zoning:

Sand Quarry, Road quarry, landfill and the Resort are some things why we need to focus on planning and zoning in the county.

Judge Anderson said he has always been for planning and zoning and not everybody always has been. He thinks regardless if people were or weren't before it has changed. He would like to gauge the court's feeling towards it.

Should the resort go through how are we going to insure the residents that don't get taxed out of their homes. We as their protectors have to look into ways to insure this want happen.

The time has come that we need to take a hard look at it again. Part of the process is getting the public to understand what this means. There is some things we could do with ZOOM or town halls. Judge Anderson said he is getting more hits now about it than when he first come into office.

He has talked to surrounding counties PVA's and 50 over percent of our land transactions are folks that are not Powell Countians and is not good or bad but impact our land values so we need the ability to put zones. There is other things such as consolidating law enforcement. His preference is to look at any of these things and not be to get anybody at odds over anyone. He would like himself and a couple of other Magistrates to have a group meeting with the two Mayors to discuss charter government.

If you look at the financing as far as efficiencies and the way we are going to have to become more self-efficient. If we vote to do a study and see what becomes of it. It would be up to us as voting citizens to decide if that's the course we want to take. Even if it felled these individual studies would say what we need to do for planning and zoning. Judge Anderson ask members of the court to talk to their constituents and see what kind of feedback they get and also see what they think is the best course to take for the county going forward. We should be able to start the New Year on a path of trying to study charter government or see what would suit us on planning and zoning. We can pass an Ordinance and it can only pertain to one issue which often leaves a void. We are limited to how we can enforce those in many instances. We are over burdening our law enforcement or someone that would be passed with it. A comprehensive look at that potentially have any means of offices or persons to enforce it

If we don't start to educate people we are doing to start seeing growth we don't want to see negative impact to these things on their homes.

Magistrate Chad Patton ask how many calls Judge Anderson had got on the billboard. Judge Anderson told Magistrate Patton that he had gotten several of them. This is a zoning issue and there are four or five on the parkway which is definitely going to change our landscape. The reality is that Powell County is growing significantly and if we want to have say in what this growth looks like. It should be up to the citizens that live here and have to make a living here to help determine what we want to look at. As we educate ourselves more on it and make sure that the public is aware and have input. Zoning at no one place has to look like anything anywhere else. It can be tailored weather we do it through charter government or stand alone. We can tailor it to the will of our people.

If we would have had zoning this landfill would have never been as issue. This is our home so we should be the ones to dictate or have say in what goes on.

Emergency Projects:

When the state opened Flex funding back up they awarded the Emergency Project on Pilot Road slip that had been submitted. This total project is in the neighborhood of \$36,000.00. The state will reimburse the county 80 percent of the total amount. The county will then be responsible for the other 20 percent. Since this was an emergency project no bidding was required.

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Judge Executive James Anderson entertained a motion to allow Gary King with King Crete Drilling to do this Emergency Project on Pilot Road.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs to **allow Gary King – King Crete Drilling to do the Emergency Project on Pilot Road.**

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

Financing Emergency Projects:

We have around \$310,000.00 in flex funds and around \$300,000.00 in emergency projects as far as the steel. We are looking around \$750,000.00. The flex money will be reimbursed 100 percent. It would hurt the cash flow if we go ahead and expend that amount of money and could take up to 60 days to get the funds.

The court discussed contacting the local banks about financing a 1 year note for these projects. The plan would be to pay back this note as soon as possible. With the 5 tenths on Barkers Branch we are looking around financing \$750,000.00 to do these projects. Members of the court all agreed to give authority to Judge Executive James Anderson to contact the three local entities that are our primary lenders which are Whitaker Bank, Peoples Exchange Bank and Citizens Guaranty Bank to see which one can give the best deal. Judge Anderson said he will negotiate the best deal and let them know what the banks said.

Powell County Board of Health 2020 Tax Rates:

The Powell County Fiscal Court acknowledged that the **Powell County Board of Health submitted their 2020 tax rates for their review.**

Real Property – 8.0 cents per \$100

Personal Property – 8.0 per \$100.00

Motor Vehicles – 8.0 cents per \$100

Closed Session:

KRS 61.810 Section 1 Subsection F

Judge Executive James Anderson entertained a motion to go into closed session KRS 61.810 Section 1 Subsection F.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard to **go into closed session KRS 61.810 Section 1 Subsection F.**

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

Court Resumes at 7:40 p.m.

Judge Executive James Anderson ask that the records reflect that there was no Action taken in closed session.

As a result of the discussion in closed session there was one item taken.

Steven Haddix – Full-time status at the Powell County Road Department

Per the discussion Judge Executive James Anderson said that he would like to recommend with the court’s approval to move Steven Haddix to a full-time status. At this time Mr. Haddix will not receive any pay increase but will be entitled to full-time benefits. Once that Mr. Haddix obtains his CDL’s the court will consider what his pay scale will be.

Judge Executive James Anderson entertained a motion to move Steven Haddix to a full-time status at the Powell County Road Department.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to move Steven Haddix to a full-time status at the Powell County Road Department. Mr. Haddix will not receive any pay increase at this time but will receive full-time benefits. Once that Mr. Haddix receives his CDL’s the court will consider what his pay scale will be at that time.

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

Brief Discussion of Carpet in Courtroom:

Magistrate Mike Lockard ask about the carpet in the courtroom. Judge Anderson said that he would get with Circuit Clerk Brain King about contacting AOC to see what can be done. Some things they will split and some things they facilitate.

Adjourn:

Judge Executive James Anderson entertained a motion to adjourn. The meeting adjourned at 7:50 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