

**POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING**

Date: December 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/85269422993>

Meeting ID: 852 6942 2993

**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/Amendments
  - Budget Amendment # 4**
  - Budget Amendment #5**
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates:
- XI. District Updates:
  - Hollerwood
  - Shoe Drive

**Items to be discussed:**

- Resolution on Road Funding
- Extension Board Appointments
- Billboards/Zoning
- Holiday Schedule
- Closed Session - Personnel

VII. Other:

**POWELL COUNTY FISCAL COURT  
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DECEMBER 8<sup>TH</sup>, 2020**

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The Powell County Fiscal Court met at the Powell County Emergency Operations Center for a ZOOM Meeting. This was a regular called meeting.

Those present at the Emergency Operations Center were Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Ambulance Director Nathan Hall, Magistrate Mike Lockard, Clay City Times Reporter Madison Fugate and Robert Neeley with Unisign. Joining through ZOOM was Road Foreman Patrick McCoy, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Chad Patton and Magistrate Timmy Tipton.

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

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

***Magistrate Dennis Combs – Present through ZOOM  
Magistrate Donna Gabbard – Present through ZOOM  
Magistrate Mike Lockard – Present at the EOC building  
Magistrate Chad Patton – Present through ZOOM  
Magistrate Timmy Tipton – Present through ZOOM***

***Moment of Silence for the passing of Former Powell County Attorney Jeffrey Stiles:***

Judge Executive James Anderson ask for a moment of silence for the passing of former Powell County Attorney Jeff Stiles.

County Attorney Robert King shared a few things about Jeff. Jeff graduated from Ohio State University and then continued on to Louisville School of Law. While he was attending there he met a man name Bobby Russell which was from Madison County. Eventually Mr. Russell became the County Attorney in Madison County. In 1980 he suggested to Jeff that they both come to Powell County and open up a law practice because of the shortage of County Attorney's there. Mr. Stiles moved here not knowing a soul and lived in Bill Patrick's mom and dad house for months before he got his own place.

Mr. King said he thought it was a good testament for Mr. Stiles because him moving to Powell County in 1980 not knowing anyone. By 1990 he was Powell County Attorney and served in that capacity for four terms totaling 16 years and was a dedicated server for the people of Powell County. He also served as Assistant Commonwealth Attorney for Estill, Lee and Owsley counties.

The best thing that can be said about Jeff was when you left his office you got the feeling that you was understood and been listened too and that you had been talking to someone that cared. What we will all miss in losing Jeff is someone who intensely and on a personal level wanted to help you. This greatly speaks to his success in coming to Powell County. So many people will miss him dearly. Jeff had a great

amount of friends, family and children and was a great father. If we could all be inspired to do what Jeff did for this county it would be a much better place. Mr. King also told a funny story about Jeff and his dentist visit.

Magistrate Timmy Tipton also spoke about Jeff. Mr. Tipton served the full 4 terms with Jeff. They came in new together and Mr. Tipton made clarification that one of the 4 year terms was actually a 5 year term so Jeff served 17 years instead of 16. Magistrate Tipton said that Jeff was a great friend and he was honored to have serve that time with him.

Judge Anderson said that he did not have a chance to work with Jeff and didn't know him that well but the few times he had conversation with him he was very engaged in what was going on and offered some good advice. Judge Anderson said he will be missed and ask that everyone to keep his family and friends in their prayers as they lay him to rest.

**Public Comments:**

Ms. Stacey Abrams joined the meeting through ZOOM. Ms. Abrams said that she was interested in item #3 on the agenda which was Billboards/Zoning. Wolfe and Powell County are neighboring partners and she wants to make sure we all are on the same page.

Judge Anderson told her once we get to that item on the agenda she would be more than welcome to give her thoughts on that particular item.

**Clerk's Reports for the November 2020 meetings.**

During the month of November 2020 there was a regular called meeting dated November 10<sup>th</sup>, 2020 and a special called meeting dated November 25<sup>th</sup>, 2020.

Judge Executive James Anderson ask if any members of the court would like any changes be made to the meeting minutes dated November 10<sup>th</sup>, 2020.

There were no requests for any changes to be made to **the meeting minutes dated November 10<sup>th</sup>, 2020 regular called meeting therefore meeting minutes were accepted.**

Judge Executive James Anderson ask if any members of the court would like any changes be made to the meeting minutes dated November 25<sup>th</sup>, 2020.

There were no requests for any changes to be made to **the meeting minutes dated November 25<sup>th</sup>, 2020 special called meeting therefore the meeting minutes dated November 25<sup>th</sup>, 2020 is accepted.**

**Bills submitted for payment plus Pay Request #7 from The Perfection Group:**

All bills were submitted for payment.

Judge Executive James Anderson ask members of the court if they had any objections in paying any of the bills submitted for payment.

There were no objections made therefore any and all bills submitted for payment will be paid.

One additional invoice was submitted from:

**The Perfection Group for the Energy Savings Project. This pay request would be #7 in the amount of \$55,815.46.**

There were no objections in paying Pay Request #7 in the amount of \$55,815.46 submitted from The Perfection Group for the Energy Savings Project therefore Pay Request #7 in the amount of \$55,815.46 will be submitted for payment.

**Financials for courts review:**

Treasurer presented all of the financials for courts review. The financials to include the financial statement, cash transfers, budget transfers and interfund transfers.

**Treasurers Transfers:**

Treasurer presented transfers for court approval.

Judge Executive James Anderson entertained a motion to approve all of the Treasurers Transfers to include interfund transfers, budget transfers and cash transfers.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to approve all of the Treasurers transfers to include interfund transfer, cash transfers and budget transfers. This motion is also to give authority for the Treasurer to transfer \$240,500.00 from the General Fund to the Road fund to cover the account being short due to the cost of paving roads. Treasurer will transfer \$240,500.00 back to the Road Fund from the General fund as soon as funds are received for the Road Fund.**

**Judge Executive ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.**

**Magistrate Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson – Yes**

**Motion passes unanimously**

**1<sup>st</sup> Reading of Budget Amendments #4 and Budget Amendment #5**

Treasurer presented Budget Amendment #4 increasing the Ambulance Fund by \$7,879.64 (Insurance check for damage to a 2014 Chevy Ambulance) for the 1<sup>st</sup> reading.

Treasurer presented Budget Amendment #5 increasing the General Fund by \$1,960,000.00 (Hollerwood Park) for the 1<sup>st</sup> reading.

**Old Business:**

None at this time

**New Business:**

Mr. Robert Neeley with Unisign Corporation entered the meeting to discuss an item on the agenda relating to the billboards/zoning. Judge Anderson let him know that he would be welcome to speak when they got to that particular item on the agenda.

**Department Head Updates:**

Road Foreman Patrick McCoy joined the meeting through ZOOM.

He made members of the court aware that everything at the road department was going good and the snow event that we had caused some concerned about black ice the following evening but everything went well with a few minor issues. He made members of the court aware that he had detailed everything in his November and December monthly work reports. He said it was pleasing to see how

everything went. They did the higher elevation because that's where the actual problems were and then later on when the rest of the crew came in they went and checked the lower elevations. Road Mechanic Ryland Ledford helped with some of the drivers with smaller issues with the trucks. Moving forward with this he thinks they have made leaps and bounds compared to where they were in previous years. They are working on fine details concerning salt routes and who has what route. He made members of the court aware that they had completed 2020 paving. They finished it off with Barker Branch. They started shouldering on that road today and completed it. Now they will be moving to shouldering some of the other areas that were paved and also some of the areas on the Clay City end that could also use some shouldering. They have been maintaining with the tree removal and grading with weather permitting. Judge Anderson showed his November and December work reports to the members of the court on the screen.

Judge Anderson ask Patrick if he would like to discuss his Prepost Operational inspection sheets. He said that himself along with Judge Anderson thought it would be a good idea to work on a check list for their equipment. With this list they would be able to check their hydraulic oil, how much DEF, beginning and ending hours and fuel levels at the end of shifts. He said he wants to make sure there is enough fuel for the next shift after the equipment is parked every day. This will be a tool that can be used by Ryland for him to be able to better maintain their Fleet as well as issue reporting on Patrick's end. When an operator notices an issue they can have verbal communication or via text. This will also be a paper trail to show that an operator said what was wrong with this particular piece of equipment on that day. This list is detailed enough that it should be comprehensive for every piece of equipment on the lot. This list also details specifically for salt trucks and salt boxes. There has been issues with the salt boxes that had been popping up in previous years that they have just found out about. If this list would have been used in previous years Mr. Patrick feels like they could have kept it from happening. Most of the things on the list can also create safety in their Fleet.

Judge Anderson said they are relying heavily on Patrick's work crew to supplement for the others. Mr. Patrick said that they supplied labor for some of the other departments in the previous months especially arounds holidays. Some of the workers were out for medical reasons. Mr. Patrick said he had volunteered at the Transfer Station and Andrew with the Animal Shelter has also volunteered. Every person on the road department crew at one time or another has helped out. There is desperate need for more help in Mr. Patrick's opinion.

Judge Anderson ask if any members of the court had anything they were like to ask Patrick. Magistrate Timmy Tipton said that he liked the idea of the check off sheet. He wonders if this could be put on something hard like a large 5X7 post card so it could hold up better than just using paper.

Fiscal Court Clerk noted that Ambulance Director Nathan Hall got a call and had to leave the meeting.

**District Updates:**

- Judge Executive James Anderson ask if any of the Magistrates had any District updates.
- Magistrate Dennis Combs – No update at this time.
- Magistrate Donna Gabbard – No update at this time.
- Magistrate Mike Lockard – No update at this time
- Magistrate Chad Patton – No update at this time. Mr. Patton did say he would like to thank Patrick for all he does.

Magistrate Timmy Tipton – said he had been dealing with some health issues so he has no updates at this time.

***Hollerwood Park Discussion:***

Judge Anderson made members of the court aware that the closing on the Hollerwood Industrial Park would be on Monday which is very exciting. They have formed an interim board that will help with the transition from what was the recreation board to the sub-entity of the Industrial Board. Magistrate Dennis Combs has graciously served on the interim board and will hopefully have a seat on the full board.

Currently there are 5 on the interim board which will help with the immediate transition. They will have a full board that will operate as a sub entity of the Industrial Authority. We will then have a better lay out of what it will look like. Hopefully soon our full court will have some kind of tour of that particular property. It looks like it's going to be awhile before they can do it in person. Between our drone and someone with a go pro they are going to try and arrange a time to do a virtual tour. This way everyone will have a better understanding of what it exist of and also what the potential is.

***Annual Shoe Drive:***

Judge Anderson said that he would like to thank members of the court. Because of the Magistrates and Commissioners Association and their activity Powell County was selected this year for their Annual Shoe Drive. It's the 7<sup>th</sup> year that they have done this shoe drive.

In this pandemic they could not come to the school and allow the kid to pick particular shoes. They came today and dropped 550 pairs of shoes for Powell County School System. Judge Anderson said he would like the Magistrates to get with Cory Graham to do a video which will have to be segmented together so it can be one video. Judge Anderson said he will be anxious to see how it turns out. The shoes have been delivered and the school has a plan in place to get them distributed.

***Resolution No. 20-1208 supporting to address the Modernization of Kentucky's Transportation Funding Mechanisms to address transportation Funding needs throughout the Commonwealth:***

Judge Anderson presented members of the court with Resolution No. 20-1208.

This goes back to the road funding item that we have been facing for the last five to six years. We would encourage our legislators to look into modernizing this model.

Judge Anderson shared some things that the Judges Association sent out a presentation which makes some valid points. Often time's people think we as a court are proposing a new tax and this is not the case. This is more of a user fee. We all are witnessing the crumbling infrastructure and why there has to be some more money available for that. We have also witnessed our portion of money that comes down to the counties has been cut significantly as well. Every year that we don't do that we getting further and further behind.

One of the things in the presentation showed what the fuel tax looks like in the surrounding states in comparison to Kentucky's. You can see projects going on in different states and then see where we are at in Kentucky. This is a pretty telling reason why they are able to do some of the stuff they are doing. Judge Anderson said he would like to encourage everyone to talk to our state legislators about our concerns and also express our desire for them to address this would be very much welcome to not only our folks that has to drive the roads every day. There is a lot of people in Powell County that work for one of these construction companies too.

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Magistrate Timmy Tipton for Judge Anderson to remind the court that in 2016 the gas tax was .32 cent and now has been reduced to .26 cent. For every penny its 30 million dollars to what it equates too. Magistrate Tipton said that there was a coal credit revenue that the state got that ended January 2020. They got around 110 million on top of that.

Judge Anderson said that vehicles is getting more fuel efficient and we are starting to see more hybrid or electric versions. Those people are not paying as much to utilize our road system.

After discussion Judge Executive entertained a motion to approve Resolution No. 20-1208 in support to address the modernization of Kentucky's transportation funding.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to approve and support Resolution No. 20-1808 to support to address the modernization of Kentucky's Transportation Funding Mechanisms to address transportation funding needs throughout the Commonwealth.**

**This motion also authorizes Judge Executive to sign any and all necessary documents concerning this said Resolution.**

**Judge Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance in support of Resolution No. 20-1208.**

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton - Yes**

**Judge Executive James Anderson – Yes**

**The Powell County Fiscal Court unanimously passed Resolution No. 20-1208 supporting the gas tax legislation.**

#### **Powell County Extension Board Appointments:**

Judge Anderson received a letter from the Powell County Extension Council asking him to select two appointments for three year terms.

Judge Anderson ask for court approval to reappoint Larry Young to the Agriculture and Natural Resources for a three year term.

A motion was made by Magistrate Chad Patton and seconded by Magistrate Mike Lockard **to approve Judge Executive James Anderson's reappointment of Larry Young to the Agriculture and Natural Resources to serve a three year term.**

**Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for agreeance with this appointment.**

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard - Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson – Yes**

**Motion passes unanimously**

Judge Anderson ask for court approval to appoint Christine Randall to the Family and Consumer Sciences

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs **to approve Judge Executive James Anderson appointment of Christine Randall to Family and Consumer Sciences.**

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*Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this appointment.*

*Magistrate Dennis Combs – Yes*

*Magistrate Donna Gabbard – Yes*

*Magistrate Mike Lockard – Yes*

*Magistrate Chad Patton – Yes*

*Magistrate Timmy Tipton – Yes*

*Judge Executive James Anderson – Yes*

*Motion passes unanimously*

### ***Billboards & Zoning***

Judge Anderson said that he had a citizen from that Slade area asking about an item on the agenda billboards and zoning. She has concerns with the new billboards that we are seeing along the parkway. She wanted to know if the Fiscal Court had any say or about what is put on the billboards.

Ms. Abrams joined us through ZOOM to listen what was said about this item on the agenda.

Robert Neeley with Unisign was present for the court to answer questions that anyone had concerning the billboards.

Judge Anderson said there was a lot of concerns about why the billboards are going up. There were a lot of speculations that people thought they were going up because of the potential resort going in which it is not the case.

Mr. Neeley said that there is some issues with the Kentucky laws. They have been deemed unconstitutional. The Legislation is going to have to go through and revamp the laws. For twenty years you couldn't put up any new billboards along with interstate or hardly put up any on no roads. He said they have never agreed with that and thinks a lot of national companies had a lot of do with this. Unisign is a local company out of Prestonsburg. When they started putting up billboards they did not realize that the resort may be coming. When they started putting up billboards several people starting wanting them such as tourism commission and local businesses. Unisign has put two billboards up and another company out of Indianapolis has also put some up. This window of opportunity is not going to be very long. It is a large investment per structure. Unisign has a couple of more around Slade and a few around some other counties. A lot of the tourism dollars are coming from the Lexington direction. They are being ask to put up billboards there. There is a lot of things that go into making a good billboard. Sometimes there are trees blocking them and they are not allowed to cut any of them. The biggest problem on the parkway in finding a location is the trees. He said they are not here to see billboards every 100 feet and do not want to hurt the beauty. He said that we would be seeing a few more go up.

Judge Anderson ask what kind of restrictions do they currently have with the state as far as distance and size. There are some concerns with the illuminating ones and the ones with the LED's. If the LED's malfunctions and cause a strobe light on the parkway. Mr. Neeley said he can speak on his company and people will not see the big messy billboards. There illuminations ones only light up at night. They give very little down lighting and they are not very bright. By state law you cannot have any individual lights such as stop signs or moving parts. The state of Kentucky does not allow digital units on the parkway or on an interstate right now. The laws are being revamped and once that does get signed back into the law then you want see any more period.



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Judge Anderson ask if his company was willing to sell rights to one. Do they have any criteria to what is allowed to be advertised? Unisign is owned by two Christian men so they want advertise any alcohol, no vulgarity and any type and no political ads. The two types of billboards are short term which are a month to month kind of deal and a year contract deal. Judge Anderson ask how they would monitor the religious perspective. If other group came in would they be allowed to come in and put up a billboard? Mr. Neeley said they would have to allow them but they try and cover that through the landowner that way it can't be come back on them. They have not been approached with any like this but they do realize that it could happen in the future and would face a time. Judge Anderson said that keeping our populous awaking for our need of zoning or the ability to dictate what we look like. He was ask if there are any perimeters as far as bats or any environmental issues that they would have to adhere to the relations of the illumination or wildlife. Mr. Neeley told them the worst thing that they dealt with pigeon's or other bird droppings. Again he said they didn't want a million billboards up and you can't put up too many or it could reduce the value. He suggested that there be a permit fee so that way the county would know where the billboard would be going and make them have to renew the permit every year. This could also help the county with revenue.

Judge Anderson ask him if his company had registered for the occupational and net profits here in Powell County. He told the Judge they are licensed. Judge Anderson ask about them taking contracts with the landowners to where they are placing these billboards are place on private property. Judge Anderson ask why the county would not get any revenue from this. In theory their company would be subjected to our net profits from what is made off of the sign. When they turn in their paperwork for their tax forms are they also submitting the landowner that they are leasing it to a from because they could also be subjected to the same taxes? Mr. Neeley said he would have to contact the office manager about this.

Judge Anderson if any members of the court had any questions for him. Magistrate Mike Lockard ask if he had a contact number in case they needed to get ahold of him. Mr. Neeley gave the Fiscal Court Clerk some business cards to hand out to the Magistrates.

Ms. Christy Abrams said she had no questions at this time that everything was covered in the conservation that she needed.

Judge Anderson told Mr. Neeley that he appreciated him coming to the meeting.

### ***Holiday Schedule for 2021/2022***

Last year's holiday schedule had 15 days but there were some adjustments made due to the pandemic. Fair Day was cancelled. This new holiday schedule has 12 days. Judge Anderson ask if any members of the court had any thoughts about time. He also said the court needs to get back working on the pay time off concept. Magistrate Mike Lockard said that he was fine with the new holiday schedule the way it was. Magistrate Timmy Tipton said that we have so many employees that work second and third shifts that has nothing to do with Fair Day and the parade. He said he cannot bring himself to support Fair Day being a paid holiday. If the court wants to make it a personal day because he does not want to take days from the employees. If they chose to use this day to go to the parade then this would be fine.

Magistrate Tipton said he still supports closing the courthouse during the parade but this is a separate issue. He ask how many employees do we have and how many of them works days and second and third shifts. Judge Anderson said he thought we had roughly around 120 employees with 80 of them being full time. Magistrate Tipton ask how many of them work during the day.

Judge Anderson ask if any members of the court had any more thoughts on it. Magistrate Dennis Combs said that he agrees with Magistrate Tipton. Magistrate Mike Lockard said he is for fair day.

Magistrate Donna Gabbard said that Fair Day is a tradition for many people.

Judge Anderson said in talking to the court he thinks there is two options. We could potentially go with the proposed schedule for this year in two manners. We could approve as is or we can pass it with the expectation of Fair Day that the courthouse will be closed and employees would have to use a sick or vacation day which would be an unpaid holiday.

Magistrate Tipton said he likes the idea of closing the courthouse and employees using a vacation or personal day. We could adjust fair day and have the courthouse closed and that the employee would have to use a vacation or personal day.

After discussion Magistrate Timmy Tipton made the motion to adopt the proposed 2021 Holiday Schedule for all twelve days with the exception of Fair Day. The Courthouse will be closed but the employee would have to take a vacation or personal day or chose not to be paid. This motion on the table was then seconded by Magistrate Dennis Combs.

Magistrate Chad Patton ask about the other departments such as the road department. Are they off that day or do they come into work? Magistrate Tipton told him that everyone would work unless everyone was off and Patrick worked the road schedule to accommodate it. Judge Anderson said he has a problem with this and he understands it's in essence an unpaid holiday but it paints an unfavorable picture to our emergency departments. They have to work and are not necessary offered the same flexibility or opportunity to take off granted that the ones that are taking off are not getting paid. That's the only real issue he see with this model. Everyone would get to go out and attend the festivities and our first responders are somewhat still tied to their job. Magistrate Chad Patton said he did not see how it's going to work and feels it's not fair and does not like this idea.

Magistrate Timmy Tipton said his only point was that if you had 120 employees working and most of them are going to have to work anyways so they would get extra pay for a holiday that is really not a holiday. Employees working second and third shifts to him creates a problem and he does not mean to upset anyone but Fair Day is a day that we have honored for years but at the end of the day the fair is something different and our county employees structure is different than it was when we created this model.

Judge Anderson said one thing to Magistrate Tipton's point is in large part we keep accruing insurance increases, retirement increases and things. We have a lot more invested in employees than what it cost just to get them the same benefits than when Judge Anderson came in 12 years ago.

Magistrate Chad Patton said he still is not understanding. He ask if they chose to work and not take a sick or personal day. Will they get extra time? Judge Anderson said in this model we would have go back and do a different motion at address the other departments. In theory if an employee wanted to go in and work they would not have to take a vacation, sick or personal day.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion that was on the table.

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – No

Magistrate Mike Lockard – No

Magistrate Chad Patton- No

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

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**MOTION DIES DUE TO TIE VOTES**

County Attorney Robert King advised the court that the Judge Executive cannot pass a tie breaking vote in this situation it's only for certain issues.

Since this motion fails the court is back to readdressing the approach for the 2021 holiday. Judge Anderson ask if there were any thoughts on this. The option is to leave as is or there is another option on the table if someone wants to make it into a form of a motion to be accepted as presented.

***Judge Anderson calls a 10 minute recess:***

***Court Resumes to the discussion of the 2020 Holiday Schedule:***

After noticing the 2021 the holiday schedule fair day was not listed on the new schedule.

The next option would be taking the schedule that is presented and adding Fair Day to it since it was left off.

Magistrate Mike Lockard made the motion to approve the 2021 holiday schedule as presented but adding Fair day to it which would be a holiday for all full-time employees. The motion was then seconded by Magistrate Donna Gabbard.

Judge Executive James Anderson ask if there would be any discussion, questions or comments relating to this motion. Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.

Magistrate Dennis Combs – No

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – No

Judge Executive James Anderson – No

**MOTION DIES DUE TO TIE VOTES**

Judge Executive James Anderson made the motion that the court approve December 31, 2020 and January 1, 2021 on the holiday schedule with the assurance that we will have the full year 2021 holiday schedule ironed out and have something to vote on during the January 2021 meeting. This motion was then seconded by Magistrate Chad Patton.

Judge Anderson ask if there would be any discussion, questions or comments relating to this motion.

Judge Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson - Yes

Judge Anderson encouraged members of the court to talk among their selves and with the employees before the January 2021 meeting to have some kind of dialog that is in the best interest of our county employees.

Magistrate Timmy said that the fair is great and important to him and the community. He has been a member for a long time. He said he appreciates everyone voting and its ok for them to be on opposite sides.

Judge Anderson said that he is glad that the court can have conversations and vote differently but can still can laugh about it.

**CARES MONEY: Resolution**

Judge Anderson made members of the court aware that last week in the Governors address there was a 50 million pot to distribute to government entities but they had not yet figured out how it would be distributed. At first it seemed like the ones that had utilized their first allotment but they went back and upon further review and used a formula similar to the one previously and as a result of this Powell County will be able eligible to receive an additional \$142,521.00. The first allotment was in the amount of \$420,777.00. All of the paperwork/applications has been submitted to receive the second allotment but we have not received it as this time. Our payrolls, PPE and courthouse modifications. The first set of applications had to be done by December 31 and the next rounds applications had be submitted by this Friday. All of them we completed and submitted today so hopefully we will get our first round of money quick as well as the second round. This will help offset some of the cost that we have endured during this pandemic.

Judge Executive James Anderson presented members of the court with a RESOLUTION FOR THE CARONAVIRUS RELIEF FUND. This

ADOPTION OF A RESOLUTION OF THE POWELL COUNTY FISCAL COURT AUHTORIZING THE FILING OF A CORONAVIRUS RELIEF FUND ("CRF") APPLICATION FOR THE REIMBURSEMENT OF INCURRED EXPENSES IN CRF FUNDS WITH THE DEPARTMENT FOR LCOAL GOVERNMENT (DLG); AUTHORIZING AND DIRECTING THE COUNTY JUDGE/EXECUTIVE TO EXECUTE ANY DOCUMENTS WHICH ARE FDEEMED NECESSARY BY DLG TO REIMBURSE COUNTY; AND AUTHORIZING THE JUDGE/EXECUTIVE TO ACT AS THE AUTHORIED CORRESPONDENT FOR REIMBURSEMENT.

WHEREAS, County desire reimbursement for expenses incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) on behalf of the residents of County.

Judge Executive entertained a motion to approve the said Resolution authorizing the filing of a Coronavirus relief Fund ("CRF". And authorize Judge Executive James Anderson, Finance Officer Kacey Davidson and Treasurer Connie Crabtree to sign all and any necessary papers concerning the second round of the Coronavirus Relief Funds.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs *to approve this said Resolution for Coronavirus Relief Fund and also to authorize Judge Executive James Anderson, Finance Officer Kacey Davidson and Treasurer Connie Crabtree to sign any and all documents concerning the Coronavirus Relief Fund. Judge Executive ask members of the court if they had any discussion, questions or comments pertaining to the second round of the Coronavirus Funds.*

*Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.*

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson – Yes**

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***Related to the Zoning:***

Judge Anderson said that he is being hit with several things and he is an advocate for zoning and at the same time he thinks there is other things that are just important as we look what is best for our community. As funding models change things can get tighter. We can go down the zoning road be itself, combined police forces, paid fire departments and other things. If we are not careful we as a community we start down any one of these roads and start to get divided tensions will start to rise. The best approach and the one that is most beneficial to our community is to take a serious look such as a charter government. It will allow for more community involvements for this process. If we can get to the point to where we can do this a group of 20 to 40 citizens appointed. It will not just be us as a court it would be our community to steel that dialogue to decide what or what would not work. At the end of the study we as a court or city government would not inflict that it would go to a ballot. Then again it would be our populous that would decide what looks good and beneficial for Powell County. This will be the most diplomatic and fair way. It's a lot better to look at all of our obstacles and potential successes in a more comprehensive way. It is not just the job of an elected official it is something that the community can explore and decide if this is the path we want to go down and at least study. In trying to get it the best shot Judge Anderson is going to choose to appoint a board of 9 members initially to study what kind of support or concerns that's in the community. At that point we will still have the task to do it by resolution or by ordinance of the three governing t bodies. We have talked about this for a long time especially in the last three or four years. The cry for needing to address some of these items just keep getting more prevalent in our everyday life. We have had 2 rock quarries, sand quarry, resort, landfill and billboards. Powell County is growing which is a good thing but at the same time our citizens deserve a say in what that growth looks like. We are witnessing now that our communities are involving and a lot of its good and sometimes it's not the best. If we want to say what our future looks like now is the time we have got to step up and thinking about it. This is the best form to try and start addressing this. Within the next two to three weeks Judge Anderson said that he had a tentative list of who would be on the board. Michael Frazier has agreed to chair this board. With his legal expertise and awareness of state statues he will be a good impartial person that can go out and explore our community and governing bodies are. Judge Anderson said that he will be an advocate for this. Hopefully within the next month Judge Anderson will being the board before the court and then will get it formally set up. All Magistrates are also open to this study.

***Transfer to Jail Fund (Cover Jail Construction Payment & Bills)***

Treasurer requested approval for a transfer from the General Fund to the Jail Fund to cover the Jail Construction Payment for December 22, 2020 in the amount of \$320,000.00.

Judge Executive entertained a motion to allow Treasurer to transfer \$320,000.00 from the General Fund to the Jail Fund.

A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard ***to allow Treasurer to transfer \$320,000.00 from the General Fund to the Jail Fund to cover Jail Construction payment for December 2020.***

***Motion passes unanimously***

***Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.***

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson – Yes**

**Motion passes unanimously**

Magistrate Mike Lockard ask if they had most of the jail issue resolved at this time. Magistrate Chad Patton said there is just some minor plumbing and heating issues. The commercial units were under warranty. The construction manager said that since these things were under a commercial warranty item he would get Jailer Travis Crabtree in touch with another contractor that was willing to come in and repair these things.

Magistrate Timmy Tipton said that he would like to see Jailer Travis Crabtree or a representative that can address these concerns and questions attend our meetings. Judge Anderson said the goal is to have all our department heads to attend the meetings. We need to explore the idea of having two meeting a month.

**Closed Session: KRS 61.810 Subsection (F)**

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

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to go into closed session KRS 61.810 Subsection (F).**

**Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.**

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson - Yes**

**Motion passes unanimously**

**Court Resumes:**

Court resumes at 8:45 p.m.

Judge Executive entertained a motion to come back into session.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this motion.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to come back into session. Meeting resumed at 8:45 p.m.**

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson – Yes**

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**No Action taken in Closed Session:**

**Judge Executive James Anderson let it be known that there were no Action Taken in Closed Session.**

**Adjourn:**

Judge Executive James Anderson entertained a motion to adjourn.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to adjourn.**

**The meeting adjourned at 8:50 p.m.**

**Judge Executive James Anderson ask the Clerk to call roll.**

**Magistrate Dennis Combs – Yes**

**Magistrate Donna Gabbard – Yes**

**Magistrate Mike Lockard – Yes**

**Magistrate Chad Patton – Yes**

**Magistrate Timmy Tipton – Yes**

**Judge Executive James Anderson - Yes**