

POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING

Date: February 9<sup>th</sup>, 2021

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/88319205855>

Meeting ID: 883 1920 5855

## 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/Amendments
  - Budget Amendment #5 (2<sup>nd</sup> Reading)
  - Budget Amendment #6 (2<sup>nd</sup> Reading)
  - Budget Amendment #7 (2<sup>nd</sup> Reading)
  - Budget Amendment #8 (2<sup>nd</sup> Reading)
  - Budget Amendment #9 (1<sup>st</sup> Reading)
  - Budget Amendment #10 (1<sup>st</sup> Reading)
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates:
- XI. District Updates:

### Items to be discussed:

- 80/20 Bridge Agreement
- Star Gap Emergency Project
- Incentive Letter Approvals

VII. Other:

POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING  
FEBRUARY 9<sup>TH</sup>, 2021

6:00 p.m.

Location: Powell County Emergency Operations Center (EOC)

33 Commerce Drive

Stanton, Kentucky 40380

<http://us02web.zoom.us/j/88319205855>

Meeting ID: 883 1920 5855

The Powell County Fiscal Court met at the Powell County Emergency Operations Center for a regular called meeting. (ZOOM).

Those present were: Judge Executive James Anderson (EOC), Fiscal Court Clerk Connie Crabtree (EOC), County Attorney Robert King present through ZOOM, Magistrate Donna Gabbard present through ZOOM, Magistrate Chad Patton (EOC), Magistrate Mike Lockard (EOC), Magistrate Dennis Combs (EOC), Magistrate Timmy Tipton (EOC), Ambulance Director Nathan Hall (EOC), CSEPP Director Kevin Babcock (EOC) and Clay City Time Reporter Madison Fugate.

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 (EOC)**

**Magistrate Donna Gabbard – Present through ZOOM**

**Magistrate Mike Lockard – Present (EOC)**

**Magistrate Chad Patton – Present (EOC)**

**Magistrate Timmy Tipton – Present (EOC)**

**Public Comments:**

There were no one to sign in for public comments or no one wished to speak through ZOOM for public comments.

***Clerk's report for the January 12<sup>th</sup>, 2021 regular called meeting:***

Judge Executive James Anderson ask members of the court if they would like any changes to be made to the meeting minutes dated January 12<sup>th</sup>, 2021 regular called meeting.

There were no requests made therefore the meeting minutes dated January 12<sup>th</sup>, 2021 is accepted as presented.

***Bills submitted for payment:***

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

***Financials:***

Treasurer presented all of the financials for court's review. Financials to include interfund transfers, cash transfers, budget transfers, financial statement and cash statements.

Treasurer made members of the court aware that she had sent emailed them a copy of the 2<sup>nd</sup> Quarterly Report.

***Treasurer's Transfers:***

Treasurer presented members of the court with a list of interfund transfers, cash transfers, and budget transfers for their approval.

Judge Executive James Anderson entertained a motion to approve all of the Treasurer's Transfers.

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs ***to approve all of the Treasurer's transfers.***

***With no further discussion Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:***

***Magistrate Dennis Combs – Yes***

***Magistrate Donna Gabbard – Muted***

***Magistrate Mike Lockard – Yes***

***Magistrate Chad Patton – Yes***

***Magistrate Timmy Tipton – Yes***

***Judge Executive James Anderson – Yes***

***Motion passes unanimously***

***Budget Amendments:***

Treasurer presented members of the court with **Budget Amendment #5** for the **2<sup>nd</sup> Reading**.

This amendment is to increase the General Fund by \$1,960,000.00 for the Industrial Park (Hollywood).

This amendment was sign by the Department of Local Government on December 16<sup>th</sup>, 2020.

Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> reading of Budget Amendment #5.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to approve Budget Amendment # 5 in the amount of \$1,960,000.00 for the Industrial Park (Hollywood).**

***With no further discussion Judge Executive James Anderson ask the Fiscal Court to call roll:***

***Magistrate Dennis Combs – Yes***

***Magistrate Donna Gabbard – Muted on ZOOM***

***Magistrate Mike Lockard – Yes***

***Magistrate Chad Patton – Yes***

***Magistrate Timmy Tipton – Yes***

***Judge Executive James Anderson – Yes***

***Motion passes unanimously***

Treasurer presented members of the court with **Budget Amendment #6** for the **2<sup>nd</sup> Reading**.

This amendment is to increase the General Fund by \$420,770.50 for Corona Relief Fund Pay.

The amendment was signed by the Department of Local Government on January 14<sup>th</sup>, 2021.

Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> reading of Budget Amendment #6.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to approve the 2<sup>nd</sup> reading of Budget Amendment #6 in the amount of \$420,770.50 for the Corona Relief Fund Pay.**

***With no further discussion Judge Executive ask the Fiscal Court Clerk to call roll:***

*Magistrate Dennis Combs – Yes*  
*Magistrate Donna Gabbard – Muted on ZOOM*  
*Magistrate Mike Lockard – Yes*  
*Magistrate Chad Patton – Yes*  
*Magistrate Timmy Tipton – Yes*  
*Judge Executive James Anderson – Yes*  
*Motion passes unanimously*

Treasurer presented members of the court with **Budget Amendment #7** for the **2<sup>nd</sup> Reading**. This amendment is to increase the Ambulance Fund by \$6,066.35 for an insurance check to repair a wrecked ambulance.

This amendment was signed by the Department for Local Government on January 14<sup>th</sup>, 2021. Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> reading of Budget Amendment #7.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs *to approve the 2nd reading of Budget Amendment #7 in the amount of \$6,066.35 for an insurance check to repair a wrecked ambulance.*

*With no further discussion Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:*

*Magistrate Dennis Combs – Yes*  
*Magistrate Donna Gabbard – Muted on ZOOM*  
*Magistrate Mike Lockard – Yes*  
*Magistrate Chad Patton – Yes*  
*Magistrate Timmy Tipton – Yes*  
*Judge Executive James Anderson – Yes*  
*Motion passes unanimously*

Treasurer presented members of the court with **Budget Amendment #8** for the **2<sup>nd</sup> Reading**.

This amendment is to increase the General Fund by \$153,234.00 for the Powell CFC Stanton Furnace Rd SW project.

The amendment was signed by the Department for Local Government on January 14<sup>th</sup>, 2021. Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> reading of Budget Amendment #8.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton *to approve Budget Amendment #8 in the amount of \$153,234.00 for the Powell CFC Stanton Furnace Rd SW Project.*

*With no further discussion Judge Executive James Anderson ask the Fiscal Court Clerk to call:*

*Magistrate Dennis Combs – Yes*  
*Magistrate Donna Gabbard – Muted on ZOOM*  
*Magistrate Mike Lockard – Yes*  
*Magistrate Chad Patton – Yes*  
*Magistrate Timmy Tipton – Yes*

**Judge Executive James Anderson – Yes**

**Motion passes unanimously**

Treasurer presented members of the court with **Budget Amendment #9** for the **1<sup>st</sup> Reading**. This amendment is to increase the General Fund by \$20,000.00 for the reimbursement for Broadband Fiber Deployment.

Treasurer presented members of the court with **Budget Amendment #10** for the **1<sup>st</sup> Reading**. This amendment is to increase the General Fund by \$142,232.19 for the Covid 19 Relief Fund.

Treasurer made members of the court aware that she had done an interfund transfer to pay the General Fund back from the Road fund in the amount of \$240,500.00.

**Old Business: (Discussion of purchasing an Ambulance or possibly two)**

Members of the court had previously discussed the option of purchasing an ambulance or possibly two. This was advertised for bid in the local newspaper (Clay City Times).

There were only one bid that was received. This bid was received today February 9<sup>th</sup>, 2021.

Ambulance Director Nathan Hall approached members of the court to open the sealed bid.

The bid was submitted from **Southeast Apparatus**.

The bid quoted a new 2021 Chevrolet G3500 Gasoline Cutaway DRW, 139" WB in the amount of \$109,904.00. The bid also quoted a Remount Unit. Remount of "EC-6 unit onto 2021 Chevrolet G3500 chassis in the amount of \$84,855.00. The new unit includes Snow Chains: On-Spot (GM 3500 cutaway electric compressor and the Remount Unit includes On Spot Chains. They will also paint, replace compartment/entry handles, rods, latches and pins, new upholstery, new AC/Heat unit, Fleet matched graphics and Whelen LED scene lights. This would save \$20,000 to #30,000.00 by doing the Remount Price is net including all discounts provided by chassis manufacturers for 2021 MY and based on chassis availability – Limited Quantities of G3500 Chassis are available. Price includes trade in of surplus G4500 and F-350 Ambulance and remount chassis.

Mr. Hall said that he would like to buy one new box and put it into service and then the remount one could go into the next budget year. When you buy a new box you can remount it up to three times and we need a new ambulance about every seven years.

Judge Anderson said that they need to go back and look at the budget plus go over the bid they received today. Judge Anderson along with Magistrate Dennis Combs and Mr. Hall can discuss this and come back to a full court with a plan as far as the terms and budget.

Mr. Hall said that he was told that they needed to move quickly on this because they are saving a cabin chassis for them. The turnaround time on buying a new one would be around three months.

Mr. Hall made members of the court aware that Southeast Apparatus offered a \$1,000.00 on trade in for the G4500 and the F-350 ambulances and would keep the cabin chassis on the one that they remount which is all included in the quoted prices.

Members of the court discussed having a special meeting in the next few days to discuss what option they want to take.

**Mill Stone Project:**

Judge Anderson made members of the court aware that Mill Stone Project slip was completed and King Crete Drilling invoices were paid this month. He said he wanted to acknowledge that when they

separated where the blacktop and the piling didn't go over the amount. Judge Anderson told members of the court that the last item on the road bills was an invoice for a little over \$1100.00 to the City of Stanton. The county will be out this amount for the project on top of the regular cost and would not receive FEMA funding on this amount. In moving forward Judge Anderson said he was confused on this. If this becomes our responsibility and naturally we want people to have water but he is not sure that this is the fairest scenario.

**Hollerwood Project Discussion:**

Judge Anderson made members of the court aware that the project is still going on. Judge Anderson ask County Attorney Robert King is he thought we would be able to get everything finished out by next week. Mr. King let members of the court know that everything was looking good and he thought this would be possible to finish next week.

**Charter Government Commission Discussion:**

Mr. Frazier spoke on the Charter Government Commission last meeting but was unable to attend this one.

They have talked about the composition member board and one of the thing they wanted was to make sure we included a representative from each city council. Judge Anderson said that he reached out to both Mayors week before last and Mayor Carmichael indicated that he would come up with a person to serve and if not he would serve himself. Mayor Dale Allen wasn't as big on the idea but would talk to his board at their meeting on Thursday night. We want to give them the opportunity and hopefully they will come back with a recommendation but at some point if they do not we will try and fill these slots. We do not want to charity pick who they put and are not asking for anyone that would be for or against we just want them to have an open mind. There seems to be a little confusion on this. We are not proposing this we are just asking for a study for it. We are need to be opened minded about this. It's not about taking care of ourselves as elected officials but what is best for our community.

**New Business/Updates/ District Updates:**

CSEPP Director Kevin Babcock ask that the public to keep an eye out for the upcoming weather for the next two or three days.

Road Foreman Patrick McCoy was unable to attend the meeting this evening. Judge Anderson said he would give members of the court a couple of updates from the road department. They are always looking to a way to improve effectivity and the way they do things. A couple of years ago we brought a used electric salt box and it has seemed to function well. Most of the time if you run into equipment failure during a snow event it most always the gas engines associated with salt boxes. Judge Anderson made members of the court aware that they purchased 2 electric salt boxes which came in today. This will be a good trial run with bad weather coming in to see how they are going to work. These boxes costs a little over \$3,000 each.

With the upcoming weather event there is a mention of ice associated with it. As a prep for this they have put chains on the grader but also on the trucks. They also have other things such as chain saws that will be needed for this event.

Judge Anderson said that everyone needs to make preparations for this weather event for the next few days and don't be out if you don't have too for your own safety as well as the people that has to work out in it.

Judge Anderson made members of the court aware that we applied for additional road funding and have already got confirmation that they have got it. They are trying to get any pot of money that is available that we don't typically get.

He said he appreciates Magistrate Timmy Tipton in his capacity as a transportation chairman. They went out this week and drove the road trying to identify the ones that was beyond the scope of what we would be able to do with our current funds so hopefully we will be able to get some additional funding to improve our county road system.

Magistrate Dennis Combs said that they met with the dispatch and officers about some protocols concerns that were brought up. He said they thought they have this resolved with a few changes and should be better now. Judge Anderson said he think that this is a prime example that if someone has a problem they will go to that department head or himself. We need to try and facilitate these kind of meetings at least quarterly so we have good communication.

The issue that was brought up was a an lack of communication and what was relayed was not the facts but we did get back to the conversation as far as NCIC and come capabilities to move our dispatch forward in the future and also help our law enforcement.

Magistrate Mike Lockard said that there was a meeting (training) with a couple of techs from The Perfection Group to discuss the heating and air at the courthouse. He said the temperature only varied around three degrees the whole day. They did find a leak and will fix it. Judge Anderson said that our energy savings project that we underwent was a big project. We got the roof at the courthouse refurbished and a portion of the jail. The biggest reason for this project was the age of our heating and air units. It seemed in the summer there was always a unit that was not functioning. They walked us through the training and showed us the main switch board. It is all set to a standardized degree within each zone and we have the ability to move it 2 degrees up or down. If you look back the contract dictates that. In an essence this project didn't cost us anything the energy savings that we will save from this will pay for the upgrades. We can go in on the main screen on holidays and take it down to a minimum on non-occupied hours. On February 15<sup>th</sup> they are supposed to come and address a leak above the PVA's office.

If we do have an issue Mike, Connie, Kacey, James and David have the ability with a password to log in and check things. The company can remote in and fix little things that they see is wrong so we don't have to pay for a service call.

Magistrate Lockard said that we need to address the exterior doors to the courthouse. Judge Anderson said that we will discuss this in our next budget. They also need to contact AOC about the carpet in the courtroom.

Magistrate Tipton said they had went and looked at the roads and he thinks we have a good team. We have a good group at the road department and things are very positive and everyone that works there has a hand in this.

People are understanding how we respond to events now. They try to engage to where they are most efficient. Each event is different and it's a challenge to come out at the right time. If you come out at midnight and work all night and the main event is the next day then they are worn out so they have to anticipate based on the weather forecast.

Judge Anderson said that he appreciates Magistrate Tipton and the court as a whole. All of our Magistrates look out for what's best for our county.

The road audit that we did back a few years ago has us in the right direction to do it based on which roads has the greatest need verses who's district it's in.

Magistrate Chad Patton – Road crew has been boom mowing. They have gotten most of West Bend complete.

Magistrate Donna Gabbard – No Updates

**80/20 Bridge Agreement:**

Judge Anderson made members of the court aware that this was the money that is available to the county every year through the state and that he appreciates it. The last two administrations have kept this program going.

This gives the county the ability to apply for funding to address drainage structures and it has to be replacing one not creating a new one. They will give the county 80 percent up to \$100,000.00 to do this. The county will be responsible for 20 percent of the cost. We use to be able to carry over these funds for three years but now we are not able to that. We now have to use it year to year.

The bridge's that were submitted in this bridge program were:

Drainage Structure on the following:

Cow Creek

Derickson Lane – This is the one that is stopped up from beavers. This one will be more of a challenge because there is nowhere to put in a detour.

Faulkner Branch

Smalley Road which is off Hardwicks Creek.

Smallwood Hollow

This is what has been proposed in the perform type structure so hopefully we will have very little delays or issues with these structures.

Judge Anderson told members of the court that we needed to enter into this said agreement and pass a said Resolution.

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 and agrees to reimburse up to the amount of eighty percent (80%) of the Rural Secondary project cost but in no case to exceed \$80,000.00 for the above-mentioned Project. In no event shall the County not be responsible for twenty percent (20%) of the cost.

The County agrees to be responsible for all cost associated with this project over and above the percent (80%) of the actual Project cost. The County further agrees to be responsible for all of the costs over and above \$80,000.00.



Judge Executive James Anderson entertained a motion to enter into this said Agreement and pass the said Resolution.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton ***to enter into agreement with the Transportation Cabinet Department of Rural and Municipal Aid and Powell County and pass the said Resolution.***

This motion also authorizes Judge Executive James Anderson ***to sign any and all necessary paper work concerning this said Agreement and Resolution.***

***With no further discussion Judge Anderson ask the Fiscal Court Clerk to call roll:***

***Magistrate Dennis Combs – Yes***

***Magistrate Donna Gabbard – Muted on ZOOM***

***Magistrate Mike Lockard – yes***

***Magistrate Chad Patton – Yes***

***Magistrate Timmy Tipton – Yes***

***Judge Executive James Anderson – Yes***

***Motion passes unanimously***

### ***Emergency Declaration (Slip on Star Gap)***

Judge Anderson made members of the court that the county had been awarded for this. Judge Anderson declared and Emergency Declaration on the Star Gap Slip.

With this being said the court has the ability to select a vendor beyond normal protocol.

We all can attest that we have one vendor that submitted on these bids and no one locally does this kind of work.

Judge Anderson told members of the court that we could get a couple of bids or they could give him authorization to go up to what's been awarded and get this vendor started. Court members agreed to do with the quickest option and authorize Judge Executive James Anderson to negotiate with the vendor for this project.

### ***Incentive Letter Approvals:***

The Department for Local Government requires that the Fiscal Court approve all Incentive letters before payment is made.

The following completed their 40 hour training unit for Calendar Year 2020 and Calendar Year 2021.

***Judge Executive James Anderson (James Anderson) received his letter showing that he had completed his 40 hour unit for calendar year 2021. The records show that he completed 4 units and is due 4 incentive payments of \$1093.24 for a total of \$4,372.96.***

***Magistrate Donna Gabbard (Donna Gabbard ) received her letter showing that she had completed her 40 hour unit for calendar year 2021. The records show that she completed 4 units and is due 4 incentive payments of \$1093.24 for a total of \$4,372.96.***

***Magistrate Chad Patton (Chad Patton) received his letter showing that he had completed his 40 hour unit for calendar year 2020. The records show that he completed 2 units and is due incentive payments of \$1,078.15 for a total of \$2,156.30.***

***Magistrate Dennis Combs (Dennis Combs) received his letter showing that he had completed his 40 hour unit for calendar year 2021. The records show that he completed 3 units and are due 3 incentive payments Of \$1093.24 for a total of \$3,279.72.***

Judge Executive James Anderson entertained a motion to approve incentive payments.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton to approve incentive payments for the following:

***James Anderson in the amount of \$4,372.96 for calendar year 2021***

***Donna Gabbard in the amount of \$4,376.96 for calendar year 2021***

***Chad Patton in the amount of \$2,156.30 for calendar year 2020***

***Dennis Combs in the amount of \$3,279.72 for calendar year 2021***

***With no further discussion Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:***

***Magistrate Dennis Combs – Yes***

***Magistrate Donna Gabbard – Muted on ZOOM***

***Magistrate Mike Lockard – Yes***

***Magistrate Chad Patton – Yes***

***Magistrate Timmy Tipton – Yes***

***Judge Executive James Anderson – Yes***

***Motion passes unanimously***

#### ***Relation to the Road Department:***

Judge Anderson told members of the court that fixing the pot holes is a challenge and have been looking at other means to see what was available in repairing them.

Judge Anderson ask the Magistrates to go to the Equipment Manufacturing Company website and watch a video showing how a Total Patcher works.

The Total Patcher allows the repair crew too quickly and efficiently create a permanent patch over potholes without having roll over the payment, traffic gets moving again, road repair costs are minimized, and everyone is happy.

There are three easy steps:

Step 1 – Apply tack coat to area to be repaired

Step 2 – Apply aggregate/emulsion mixture

Step 3 – Apply dry rock on repair

This would be a better solution than shoveling coal patch and is a more permantley fix.

It is a self-contained unit that has a heated tank that holds the mulching and a shoot. It also gives you air tools to be able to property clean the surfaces. It has a wand that you spray tack layer and then aggregate on it.

Judge Anderson ask them to check out the video and see what they thought about it. It will be more user friendly for our road crew and less fatigue.

#### ***Updates: State Projects***

Judge Anderson made members of the court aware that the shift analysis had been done with our district office this past week with the Bluegrass Area Development. This is where they look at your six year plan and identifies if anything else needs to be put in it.

Judge Anderson said he wanted to give a shout out to our new State Senator for sitting in on the meeting. We have never had that representation before and he has also sit in on some of the District 10 meetings.

Legislators are getting hit from both sides and we are always hitting them up for more money for transportation deals. The people that engage and see our side of it and what needs we are facing. It

makes you feel better knowing you have someone that will push for legislation or vote on legislation. Judge Anderson said he wants to commend Mr. Storm for doing this.

**2026 Project:**

Judge Anderson said this project consists of changing the elevation of the lane next to the driving range as well as rehabbing the bridge. This project was ready to go but because of the funding it hasn't got started. As of two Fridays ago they finally awarded the funding and if all goes well the project should be completed this summer. The court hopes this substantial improvement will allow life changing results for nearby residents.

**Adams Ridge Road Project:**

They are up to the right-a way on the utility phase on this project. It is possible that this project will be complete this as early as this summer which is a much needed project. It is a substantial project because of the scope of work that has to be done. Once this is complete this bridge should no longer go under water.

Treasurer made members of the court aware that she had paid back the General Fund from the Road Fund in the amount of \$240,500.00. Treasurer got approval for this transfer back in December to cover road projects.

**Relation to Charter Government:**

Magistrate Chad Patton said that he is not saying he is for it or against it. He is totally neutral. On the way to the meeting he heard on the radio that the Mayor of Hazard has been working on a grant for years to get their water system rehabilitated.

They finally come together with the county and they got the grant.

Judge Anderson said that we have to find the government that works best for our citizens and community.

**Adjourn:**

The meeting adjourned at 6.56 p.m.

Judge Executive James Anderson entertained a motion to adjourn.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard to adjourn. The meeting adjourn at 6:56 p.m. Judge Executive James Anderson ask the Fiscal Court 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