

**Powell County Fiscal Court**

**Regular Called Meeting**

**April 13th, 2021**

**6:00 p.m.**

**Location: Powell County Emergency Operations Center**

**33 Commerce Drive**

**Stanton, Kentucky 40380**

**Join Zoom Meeting**

**<http://us02web.zoom.us/j/85319862126>**

**Meeting ID: 853 1986 2126**

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

Those present were: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, CSEPP Director Kevin Babcock, Clay City Times Reporter Madison Fugate, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Timmy Tipton, Magistrate Chad Patton (zoom video teleconferencing), Road Foreman Patrick McCoy (zoom video teleconferencing), Road Mechanic Ryland Ledford (zoom video teleconferencing), Jailer Travis Crabtree (zoom video teleconferencing), Neil Hamilton (zoom video teleconferencing) and Spark Director Janell Brewer.

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

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

***Magistrate Dennis Combs – Present***

***Magistrate Donna Gabbard – Present***

***Magistrate Mike Lockard – Present***

***Magistrate Chad Patton – Present (join video teleconferencing)***

***Magistrate Timmy Tipton – Present***

**Public Comments:**

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

***Clerk's Report for the March 9<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 March 9<sup>th</sup>, 2021 regular called meeting.

Judge Executive James Anderson ask the Fiscal Court Clerk to fix a couple of typos. The meeting minutes dated March 9<sup>th</sup>, 2021 is accepted.

***Clerk's report for the March 30<sup>th</sup>, 2021 special 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 March 30<sup>th</sup>, 2021 special called meeting.

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There were no requests for any changes to be made therefore the meeting minutes dated March 30<sup>th</sup>, 2021 is accepted.

***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's Transfers:***

Treasurer presented members of the court with a list of interfund transfers, cash transfers and budget transfers for their approval. Treasurer also presented members of the court with a list of budget transfers needed to balance the 3<sup>rd</sup> quarter report.

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

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard ***to approve all of the Treasurers Transfers and to include the budget transfers to balance 3<sup>rd</sup> quarter report.***

***Judge Anderson ask Magistrates in favor by signifying I***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

***6-0***

***Budget Amendments:***

Treasurer presented members of the court with Budget Amendment #12 for the 1<sup>st</sup> reading.

This amendment is to increase the LGEA fund by \$5,000.00 for an insurance check to repair the HVAC unit at Middlefork Fire Dept.

Treasurer presented members of the court with Budget Amendment #13 for the 1<sup>st</sup> reading.

This amendment is to increase the General Fund by \$25,000.00 for the March 2021 flood.

***Acknowledgement of the Powell County Soil Conservation 7/1/21 – 6/30/22 budget.***

Fiscal Court Clerk noted receiving the Powell County Soil Conservation 7/1/21- 6/30/22 budget.

***Acknowledgement of the Powell County Extension District Board 7/1/21-6/30/22 budget.***

Fiscal Court Clerk noted receiving the Powell County Extension District Board 7/1/21-6/30/22 budget.

***Old Business:***

***(Unified County Government discussion)***

Michael Frazier joined the meeting through ZOOM. He made members of the court aware they has their first meeting regarding unified county government. They set up the dynamics of what they are looking for within the commission, and possible going to reach out to KACO for them to come and speak to them about the different options that could presented for Powell County. Mr. Frazier invited members of the court to attend the second meeting once they have it scheduled.

Everyone attended the meeting that had been appointed. At this time neither cities has submitted an appointee to serve. Before our next meeting Judge Anderson said that he would reach out and give them one more final opportunity to choose an appointee to serve. If we do not hear anything from them we will try and locate 2 people within each incorporated areas that would be willing to serve.

Mr. Frazier said that he wanted to make it clear particularly to the cities that being a part of these commission and discussions does not imply any kind of commitment whatsoever but it does show an commitment to the people of Powell County. He hopes they will pick people to serve but if not they will keep going with our mission and explore the option in appointing someone else.

The commission is very excited and energetic to ensure that we have all voices join us at that the table for a discussion because at the end of the day it's about the people of Powell County.

We did not poll any groups that was for or against this. We want people to be opened minded and look for solutions that is best for Powell County. We are not trying to load it up with people that is per say for or against the concept of a merged government.

Judge Anderson said he would like to thank Mr. Frazier for taking on this type of commitment.

***Broadband Commission:***

We already have our commission in place and some work has been done. The funding for this has been the biggest hindrance. There has been an effort at both federal and state level and after going through this pandemic they have really seen the need for broadband.

Judge Anderson made members of the court aware of a speed test that is out and encourages everyone to take it. They want at least 4 percent of each county to take it. The link is [speedtest.kentucky.gov](https://speedtest.kentucky.gov). If a person has no access to the internet they could go to the Public Library or McDonald's to get access to take this test. People need to let them know that you do not have access to internet at their location. We need to encourage friends, relatives and neighbors to take this test. It will be very advantageous if they start deploying some of these funds. They will look at the underserved locations to start distribution of these funds first.

This is very exciting and we will start seeing some of the rewards. We can also start applying for some of these funds.

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The Kentucky Wired Project is one of our biggest crutches on this. It's 98 percent complete now and should be 100 percent by June.

Clark Energy our energy coop would be the fastest vessel to get broadband deployed to our citizens. Their leader Chris Brewer has not been receptive in the numerous time he has been contacted. Some of the legislative that passed is actually to encourage them. Clark Energy serves around 99 percent of our population meaning they already have the easements and poles to get the fiber in places. Clark Energy or a partnership with them would be the quickest best option to finally get the underserved population fiber to the homes.

We need to encourage them to step up because they are a coop to our people. This is a chance not only for them to serve our population but to diversify their operations as you see changes coming in the energy market. This will give them more of a chance to be competitive in their line men. It just makes no sense that they will not step up to help assist the counties they serve.

### ***Tourism Ordinance:***

At this time we have not received a final version of the Tourism Ordinance.

No discussion at this time.

### ***New Business:***

#### ***Department Head Updates:***

Road Foreman Patrick McCoy joined via zoom teleconferencing to give updates to members of the court.

Judge Anderson made members of the court that he had emailed them a copy of the work report that Patrick had sent him.

Patrick told members of the court they had been busy in the Clay City area moving debris resulting from the flood. They have been able to help several families. He also said kudos to Hinkle Contracting for helping out during this time. They have helped out tremendously by affording some of their employees their time and their equipment to help load dumpsters. This really helped out the road department along with the transfer station. There is still a lot of damage that needs to be quantified and repaired. There will be a plenary hearing with FEMA and our Emergency Management as well the Kentucky Emergency Manager. They went out and looked at locations and several roads.

We are waiting to hear back from FEMA to see how our data will qualify us for the flood disaster. We also are waiting for them to come back to do their final assessment. There was a lot of damage in district 4 that is going to require equipment that we do not have at our disposal.

Patrick got a quote from Red River Ranch as well as Wilson Equipment for equipment rental for a larger excavator to use on Manning Road. There is a lot of extensive damage to Manning Road and in the Star Gap areas.

Red River Ranch can provide a 316 Cat Excavator. It's approximately a 32,000 pound machine and the rental/lease price would be \$1,800.00 per week or \$5,200.00 per month. There would also be a \$250.00 delivery fee for each way.

Wilson Equipment can provide a Link Belt 80X3. This is the largest one they have available which is approximately 19,000 pounds but is a much smaller machine. They are willing to provide 2 days of free

demo. There charge is \$480.00 per day for the lease/rental or \$1,440.00 per week with a \$400.00 delivery fee for each way.

Judge Anderson ask Patrick about the size difference in the machines. Patrick told him he did not see the smaller machine being efficient enough to move the materials on Manning Road. Depending on the weather they should be able to move the amount of materials in one week with the 316 Cat Excavator.

Judge Executive James Anderson made a motion and was then seconded by Magistrate Mike Lockard **to approve the lease/rental from Red River Ranch for a Pro 316 Cat Excavator to move the materials. Motion also is to allow rental/lease up two weeks to allow for the weather.**

**Judge Anderson ask members of the court in favor by signifying I**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

Patrick said that he planned on letting Melvin operate this piece of equipment with Steven filling in.

Patrick made court members aware that they are coal patching in the Clay City area as well as District 4 and 5. They are planning on ditching again soon. They have not met with FEMA yet pertaining to the ice storm debris that needs to be removed from road ways. He told members of the court if they get any calls about ice storm debris, limbs or things of that nature on the side of the roads to please make sure that people are aware that they cannot move the debris until we have the data quantified with FEMA. As soon as they do have this information available they will move forward. With this being said if any traffic patterns poses a threat to any pedestrians as well as drivers please let them know so that they can get it taken care of.

The county having two disasters back to back is going to complicate things. We are having assessments on one and not the other. Our citizens need to know that it's not us being inactive we just have to wait on getting the FEMA funding.

CSEPP Director Kevin Babcock told Patrick that it was clarified through FEMA that if they chose to take the debris off the road to document it along with taking pictures. We need to quantify someway shape or form as far as much debris it is. If they can put it in a dumpster and take it to somewhere to weigh it. If this all this is done they could start the process in removing the debris.

They could utilize the scales at the transfer station to weigh the debris and find a practical place to place the materials.

### ***Altering the work schedule for Road Department employees during the summer months:***

Patrick told members of the court that he thought this working 4 ten hour days instead of the 5 day schedule would be more efficient in completing the jobs that they need to do. He said he also felt that this would make a better use of tax payer's dollars. It would more than likely be a Monday through Thursday schedule

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which they would be working 10 hour days as well as having 2 people on call every Friday with a rotational schedule so every employee is involved with on call time as needed.

Magistrate Tipton ask him if they were rained out on a Monday or Tuesday would they likely move to that Friday so that they could still get their 40 hours plus be more efficient about the 40 hours they work. Patrick told him that his only problem with this would be that they really do not get rained out. If they have a cemetery road that needs work before a funeral service they would have a very restricted time line so they still continue working on it even though a normal company would stop cease and assist they would continue to work. Even during rain storms they still go out and do road assessments and put up street signs.

During spring and early summer there is torrential downpours so it's really good to be able to have guys on site during a rain out so they can take care of cross drains, clogged pipes, ditches over flowing etc.

Judge Anderson ask what the courts thoughts was in relation to Patrick's proposal.

The judge ask him if he envisions this going through the time change or through certain months operating under this schedule.

Patrick told members of the court that he thought it would be from when mowing time starts as far as mowing the right of ways and going towards the end of April to the middle of May then continue all the way through around September or October.

Judge Anderson ask the County Attorney if Patrick could make this decision on or does the court have to vote on it.

The County Attorney said he did not see any reason the Patrick could not make this decision.

Judge Anderson told Patrick that he is very favorable of this. Even though this proposal would not take court's approval members decided to take a vote anyways.

Judge Executive James Anderson made a motion **to approve Road Forman Patrick McCoy's proposal for road department employee's to work 4 ten hour day work schedule this motion was then seconded by Magistrate Dennis Combs.**

**Judge Anderson ask members of court if favor by signifying I**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

Magistrate Timmy Tipton told members of the court that he thought if this schedule did not work out he does not think it would take court approval to roll it back to 5 days. Judge Anderson said that if Patrick does not think the schedule is working out then he would have the discretion to change it back to a 5 day work schedule. Working the 4 tens would give the employees a 3 day weekend and some rest and relaxation.

### **Public Library Updates:**

Michael Frazier made members of the court aware that beginning January 1<sup>st</sup>, 2022 the public libraries are becoming a county entity and underneath the Fiscal Court. With the recent legislation and inactive

legislation of the previous session they are becoming more of an entity of the county. They want to continue having fluid conversations and updates about them as an entity of the county.

The first update Mr. Frazier told them that he became Chair of the Powell County Public Library right before Covid hit and they had a complete board change. A few things were expiring particularly in funding sources that created a deficient with their library budget. The deficient was just under \$100,000 but at the beginning of this month they are officially in the black due to Library Director Vanlandingham, the Board of Trustees and cutting different ways within the public library to overcome this deficient.

In a few months Mr. Frazier will be coming back to the Fiscal Court with their new budget and tax rates as well.

The second update he had was in regards to the new building. For the past thirty years the public library has been sitting up different ways in both donations and grant opportunities to actually to begin building a new building to facilitate the public library. He is happy to say that they are pursuing this with going forward with the land purchase with the donations they have and the different grants to purchase the land between Davis and Davis Funeral Home and Stone Gate from John Estep. This will be the new site for the public library. Mr. Frazier said they are very excited about this and that members of the court could contact him anytime. Judge Anderson ask Michael if he knew what options there was in getting rid of the existing structure. He told Judge Anderson that the current structure is paid off so they are exploring the potential of selling the building. The Judge also ask him about getting the square footage of the building so that they could look at it to see what options would be available. Mr. Frazier told him that he could get this for him.

### ***Powell County Jail Update:***

Jailer Travis Crabtree and Neil Hamilton joined via zoom video teleconferencing to make them aware that they have been working with Jenell Brewer about a program to help getting our county inmates out so we are not paying dead time especially with inmates and to also try and free up space for state inmates. We have been in contact with Madison County because of getting their inmates but would have to wait until the Covid cases are gone. Hopefully by May 1<sup>st</sup> we can get our inmates back to the transfer station, animal shelter, ambulance service and our city governments.

Magistrate Timmy Tipton said in talking about inmates it entered his mind about the potential of getting Ryland a mechanic too help him. A lot of times these guys are mechanically inclined. Travis told him that he hoped to submit a proposal to the state to be opened by May 1<sup>st</sup> to get these inmates out to help in the community.

Judge Anderson ask Ryland if he had anything from his prospective on getting an inmate to help him. Ryland said he would like to have an inmate if they were mechanic orientated to help him out but if there were times that he had to run for parts he would probably would not want to get them out that day. Judge Anderson said this would be at his discretion to weather he wanted them. Ryland went on to say that if he had a big project and needed an extra set of hands that it would work out really well.

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## ***Director Kevin Babcock Updates (Flood Plain, Emergency Management & CSEPP)***

### ***Flood Plain Update:***

Kevin told members of the court that if they heard anyone out in the county wanting to know about the flood plain permit process they should contact him if it's out in the county or Stacy Curtis if it's in the city.

Everyone has to have a permit before they can start rebuilding. If they do not get a permit for rebuilding there is a possibility that FEMA may not give them any assistance. No one wants to take a chance in missing out on any funding that they could receive.

They have to get a state permit and the local permits come after that. There is no cost for permits and no hoops to jump through they just want it on paper that people know that they are in a flood plain.

### ***Emergency Management Update:***

Kevin made members of the court aware that the siren testing was done and there were 5 sirens that had issues ranging from batteries to worn connectors. John Knootz will be working with Kevin to get as many as these issues resolved that they can. He is going to try and have another siren test on Thursday. The ones in Clay City, Hwy 15, and Black Creek will be down for a while as we attempt to get parts. These are old systems and we are attempting to get 13 solar sets from Madison County when they stitch out their systems later this year. Kevin said they are trying not to spend a lot of money because it could run into over \$10,000.00. If we can just hold on for a couple of more months and try to have as much coverage and also be as safe as we can to get the primary ones up and running. We have 4 or 5 in Stanton so obviously there is good coverage. We may look into taking parts out of the one at the drive-in because the owner at the drive in has issues with it being too loud.

### ***CSEPP Update:***

Kevin made members of the court aware that they are going back to doing live exercises this year but not to the point to where they are doing live drills. He said they are going to start working in the next 30 to 45 days on getting some live exercises with the local fire departments even though fire departments and law enforcement is out doing their jobs throughout the pandemic. They still will not let them do face trainings in a confined environment such as the Hazmat 10. He also made them aware that they had received approval from CSEPP to purchase 10 monitors that one paramedic or one medic could monitor on an iPad or iPhone if there was a trauma situation like CSEPP. They can put bands on a patient and the bands could go with them so that if they are contaminated in anyway shape or form they could go on to the hospital and be decontaminated there and then come back to us. The bands costs around \$1,700.00 each.

### ***District Updates:***

Judge Anderson made members of the court aware that the Hollerwood Park Project is moving along. Magistrate Dennis Combs serves on that board and also serves on the Charter Government Committee.

Magistrate Donna Gabbard – No Update at this time

Magistrate Dennis Combs – No update at this time



Magistrate Mike Lockard – Ask if the underground cable company had contacted the office about net profits. Judge Anderson told him that he thought they had made contact if it's the one by D&M Market.

If you look at the amount of sheer contracts that come out of District 10 and we could have the ability to pass an ordinance that part of their levying process would be that they cannot formally accept a particular bid until they have set up their net profits and occupational tax.

Magistrate Tipton said that he thought there was a law already that said they were suppose too and County Attorney Robert King agreed with him.

The amounts of projects that will be done here in Powell County in the next few years will be substantial outside dollars that can take the pressure off of our local tax payers. Mr. King said he would look and see what is already in place but it may be redundant and have to do it again. It may read that before they start they would have to comply with the local ordinance. They should have to by our existing ordinance but if there was something that could be sent up to District 10 office that could be included so it would automatically flag that if a contractor came into the county to do projects they would have to adhere to the local ordinance. Magistrate Tipton said that if the county attorney finds out that there is a law then what would be wrong with our county attorney sending District 10 a letter that stipulates please enforce our county ordinance. Mr. King said he does not know why we can't say quit working until you go and get it took care of. He will look into this and see if there is a better more efficient way then we are currently doing it. Magistrate Lockard also ask about the gutter at the jail needing repaired. We received bids from H.K. Goodwin and Trent's Home Improvement last month but we need to contact both individuals and ask them to clarify the linear feet and to also make sure exactly what these bids are for. Court will discuss at a later date.

#### **(Discussion of Cane Creek Wooden Bridge)**

Magistrate Timmy Tipton talked about the road department being extremely busy with things that they have done related to the storms and floods.

He said that he would like the minutes to reflect that we discussed the wooden bridge on Cane Creek.

Judge Anderson said that Magistrate Timmy was referencing to the bridge going to 599 off of 613 that has been closed. We have argued the past 8 years to have it replaced. They are replacing it with a one lane bridge. We advocated that there is no need not to do a two lane bridge. With the recent flooding it has become even in worse shape and when they closed it Judge Anderson called to see what the schedule was. It had already been let and in this letting it was scheduled to start construction in August. He tried to see if we could expedite this to get it started quicker. We have reached out to the utility company to see if there is any way to mitigate when it was originally started so hopefully we have made some head way in this regards. We have pushed as must as we can on our end to get this done as fast as possible. It's an inconvenience to a lot of folks and has already affected school traffic for the last two to three years. As soon as it can be back in operation would be good. Another point Judge Anderson made to the District 10 office was that it serves as a great population in our minor flooding events because this is a means to get out. It has a lot of public safety ramifications as well.

Judge Anderson made members of the court aware that the Hollerwood purchase is moving forward. If you saw in the Clay City Times this week there was a RFP's in looking at management. It is listed to what will be bid out. If anybody is wishing to submit a proposal there is a mandatory meeting on April 22<sup>nd</sup> at 6:00 p.m. The thought was to make sure everyone has the same information to bid on as far as what can be shared as

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far as the financials and things. At this meeting they will determine the submittals date for those proposals and will probably go back on the amount and pick the top three and interview those and then go from there. There is a lot of potential there and excited to actually start since we now have ownership.

Judge Anderson told members in driving if you look at our roads we don't know how much we appreciated Terry Tipton and the litter abatement crew for doing the road side clean ups. You can see in our ditch lines and is very unfortunate that we have people willing to litter. It has become very apparent to how nasty it can get in one year. We had a community group from Virden Ridge pick up 138 bags of trash a couple of Saturdays ago. Hopefully when the inmates can get our roads will be back in shape to where they are presentable again.

Sometime towards May 1<sup>st</sup> we will look at setting days for a county wide clean up. Judge Anderson ask members of the court to give it some thought before the next meeting. It may be more practical to segregate the county and do it in two phases Eastern and Western so we don't have it all in one day. We will still be limited in our work staff at the transfer station this year and may not have the inmates in time to help out.

To help from getting piled up we could do the Western side of the county on one Saturday and then the upper end on another Saturday. We could use 213 as a splitting point to make it easier on the people helping. Magistrate Timmy Tipton suggested businesses adopting section of roads. Judge Anderson told him that he would appreciate community groups but the liability of having people on the roadways if someone was not flagging traffic could get a little dangerous. Once the inmates are let back out Terry can take a crew and we may could even assign another crew to help out.

The court will try and set dates for the cleanup during the May meeting. They will try and set the cleanup days towards the end of May or the first of June.

### ***Jenell Brewer: (Inmate Program "Looking inside the Jail")***

First of all she said she would like to thank for Fiscal Court for allowing her to use the building across the street from the courthouse. She said having this building provided families a place to come when someone was in addiction. She also told members of the court the Hondo Hearne did statics' in 2017 and 2018 and the overdose rate was down by 50 percent in Powell County.

Jenell said that he has talked to Jailer Travis Crabtree, County Attorney Robert King and some of the Judges about a proposal she would like to do trough SPARK "Looking inside the Jail". It would be a 90 day proposal which is a program for our county inmates. They are not asking of any money for this program. The have peered support that is paid through our Powell County Health Department that is partnered with SPARK. She said they already go to the needle exchange and they do lots of help there. They will have qualified peered support specialists and would like to put it on a three stage program. A 30, 60, 90 day plan. The Jailer has already agreed to this program. Everyone that goes inside will be closely looked at and the peer support specialists has already been hired. There are four peer support specialist through the Powell County Health Department. The first stage would be an interself - looking inside with evidence based material which would be talking to them to find out who they are and why they are there. The second stage would be a 60 day of learning how to live. Classes on money management, paying your bills, getting a job and even building resumes. The third stage would be the last stage of the 90 day program which would be building support. This would consist of finding a job, housing and applying for treatment. Most of men and women that get

out the first two weeks is the hardest for them. Most of them are homeless and has nowhere to go. They do not have any food and no shoes. Teaching them support and letting them know that they can come next door to attend meeting which is held four times a week. This will help them manage how to live. They have partnered with Kentucky Career Center to help them when they get out. She said they have five people that work for them through the Kentucky Career Center which is the unemployment office. They actually work for SPARK Ministries. They would go into the jail with them and when the men and women get to the 90 day date they would come in and do a skill assessment with them. This helps them find out what their skill they have. They would try and help place them in a job when they get out of jail. They have also been working in Education Opportunity Center of the US Department of Education with Sherry Chapman. She is the lady that helps with the men and women that want to go to college. He also wants to help them with loans they may have that is in default to get them on the right track. Janell has also been working with Barbara Taulbee. She is the adult education lady that help with GED's.

Jenell told members that peer support specialist is a person that has lived and experienced exactly what that person they are talking too with recovery behind them.

Mrs. Brewer said this was the proposal which would have to through the court system. She said she just wants an opportunity for the men and women to learn how to live.

Magistrate Tipton ask her if she was talking about state or county inmates. Jenell said that she sees it being county inmates because she knows when they stay it cost the county money. If they did a 90 day program this may could take off 30 days of their sentencing. This would save money and also give inmates some kind of skills so they can learn how to live on the outside. Magistrate Lockard ask how long would their sentence have to be. She said she thinks they should be sentenced six months to a year. Judge Anderson ask the jailer what the typical sentence is for our county inmates. Travis said it is usually the six month mark but it all depends on how they pleaded out in district court. Most of the county time is between 6 months and one year.

Hopefully this would be a successful more than what it would be to gaining than cutting off days even if the Judge was willing to do so.

Judge Anderson ask her if the people that would be going into the jail be vaccinated. She told him that she would make sure that all of that is done before they go in. Travis said that he wants someone that goes into the jail needs to be clean at least two to three years he does not want someone coming in that's only been clean three to six months clean. He said that Janell has people that has been clean ten to twelve years that would be very beneficial in talking to these men and women.

Magistrate Tipton ask her about the record keeping. Once you start this program and three, six or nine months from now how effective will it be. How much has it reduced this many prisoners by this many days? In order to help the county save money in the upkeep of theses inmates it could possibly shave thirty days off their sentence if they participate in the 90 days program or even 10 days for participation in a 30 days program. We would need some kind of record keeping. Janell told him they will be doing record keeping to keep track of everything.

Judge Anderson ask Janell if the people are trained professionals that would be involved in this process. She told him that they will bring in evidence based material and have classes with them. They will be scaled within the 30, 60, 90 day program. It will be peer supports that has been in jail or prison that has lived this. They will be like a mentor to these men and women.

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Judge Anderson said that our law enforcement and EMS are getting tasks with things that they have not been trained to do nor to do. If part of this grant could be instead of hiring another officer bring in a social worker that helps take the work load off. Janell said this would be great if they could do this.

Magistrate Lockard ask about the men and women being co-mingled together. Janell told him they would not be. Judge Anderson said that he appreciates Janell and her proposal but it's up to the Jailer on what he wants to do. He does not think it would take court approval for this proposal. The county attorney agreed on this. Magistrate Tipton said he would like some updates on the results.

**District Ten 2021-2022 Rural Secondary Recommendations:**

Judge Anderson made members of the court aware of the District Ten 2021-2022 Rural Secondary Recommendations. This is the same pot of money that our flex monies come out of and is up some from the previous years. The breakdowns go as follows:

**Allotment - \$782,411.00**

**County Judge Executive Fund - \$2,584.00**

**Maintenance/Traffic - \$362,800.00**

**County Road Allotment - \$179,779.00**

**Balance - \$238,939.00**

**D-10 Office Recommendations:**

**Route#**

**Beginning: KY 3352 (Virden Ridge Road), MP 1.199-3.974, Width 19', Length 2.775 miles**

**Intersection of Miler Rd (CR1352) and W Lone Oak Rd (KY 3352)**

**End: Intersection KY 15 (Winchester Road)**

**\$224,110.00**

**Route#**

**Beginning: KY 613 (North Fork Road), MP 5.0 – 6.083, Width = 20', Length = 1.083 miles**

**1.487 Miles East of KY 599**

**End: 250 feet East of Joint at 3MM/Walnut Grove Church**

**\$86,243.00**

After discussion of these recommendations Judge Executive James Anderson entertained a motion to approve District Ten 2021-2022 Rural Secondary Recommendations.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Chad Patton **to approve the District Ten 2021-2022 Rural Secondary Recommendations. Judge Anderson ask members of the court in favor by signifying I**

**Magistrate Dennis Combs I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously 6-0**

***Powell County Public Library Board of Trustees Appointment:***

Judge Anderson made members of the court aware that he had received a letter from the Powell County Public Library about the term of Amy Manning expiring on April 26, 2021.

Judge Executive James Anderson entertained a motion to approve the re-appoint Amy Manning to the Powell County Public Library Board of Trustees.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs ***to approve the re-appointment of Amy Manning to the Powell County Public Library Board of Trustees for a new 4-year term.***

***Judge Executive James Anderson ask members in favor by signifying I***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

***6-0***

***Montgomery County Regional Jail Agreement 7/1/21 – 6/30/22***

Judge Executive James Anderson entertained a motion to approve the agreement with the Montgomery County Regional Jail and the Powell County for housing inmates at the Montgomery County Regional Jail

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs ***to enter into agreement with the Montgomery County Regional Jail and Powell County for housing inmates in the Montgomery County Regional Jail 7/1/21-06/30/22***

***Judge Anderson ask members of the court in favor by signifying I***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

***6-0***

**Magistrate Timmy Tipton Incentive Approval for Calendar Year 2021**

Judge Executive James Anderson made members of the court aware of the letter received from the Department of Local Government on the completion of 40 hour training for the calendar year 2021 for Magistrate Timmy Tipton. Their records show that Magistrate Timmy Tipton successfully completed 4 units and is due 4 incentive payments of \$1093.24 for a total of \$4,372.96.

Judge Executive James Anderson entertained a motion of approve Magistrate Timmy Tipton's incentive pay in the amount of \$4,372.96 for calendar year 2021.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Mike Lockard ***to approve incentive pay for Magistrate Timmy Tipton in the amount of \$4,372.96 for calendar year 2021.***

***Judge Executive James Anderson ask members in favor by signifying I***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

***6-0***

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### ***Loan Payment Approval for Road Department:***

Treasurer is requesting court approval to pay the short term loan to Citizens Guaranty Bank in the amount of \$499,000.00. This money was borrowed to help with road emergency projects until the FEMA funds were received.

Judge Executive James Anderson entertained a motion to give Treasurer Connie Crabtree court approval to pay the short term loan in the amount of \$499,000.00 to Citizens Guaranty Bank before the end of the 2020/2021 fiscal year.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to give Treasurer Connie Crabtree court approval to pay the short term loan in the amount of \$499,000.00 to Citizens Guaranty Bank. This loan will be paid in full before the end of the 2020/2021 fiscal year.**

***Judge Executive James Anderson ask members in favor by signifying I***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

**6-0**

Magistrate Chad Patton mentioned the court talking about purchasing the total patcher. He ask if it wouldn't be better to purchase a hot box instead of this. Judge Anderson told him the total patcher has more potential than the hot boxer. The hot boxer is limited to what it can do and when it can do it. They are still looking into what kind of quantities, a vendor that is close enough and what the price would be. Hopefully the court can make a decision of this by summer.

### ***2<sup>nd</sup> Reading on the Administrative Code change on Small Purchases for CSEPP:***

The Powell County Fiscal Court had the 1<sup>st</sup> reading at the November 10<sup>th</sup>, 2021 court meeting.

***Chapter 12*** Purchase and Contracts, ***Section 12.2*** Selection of Vendors and Contractors 9Procedures for Sealed Bidding), ***paragraph C.*** Changed paragraph C to read as follows:

Any expenditures or contract for materials, supplies (except perishable meat, fish, and vegetables) equipment, or for contractual services other than professional, involving and expenditure of more than **Thirty Thousand Dollars** (\$30,000.00) shall be subject to competitive bidding.

AND

#### ***Section 12.6 Small Purchase Procedures***

- All expenditures of less than **\$30,000.00** shall be considered a "small purchase", which under ordinary circumstances should not be subject to complete bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise.
- The County Judge determines the need for any item requested and whether or not the contract is for less than **\$30,000.00** and the expenditure is provided for in the budget.

The change was made based on the amendment to KRS 45A.385 – Small purchases by local public agencies, Jun 26, 2019. We changed \$20,000.00 to \$30,000.00.

As a rule, unless directed differently, Kevin Babcock will use the following as a guide for purchases/contracts upon approval of the changes to the Admin. Codes:

Purchases less than \$3,000.00 – Use best effort to obtain the lowest price from a responsible and responsive bidder for the supplies, services or construction be to purchases.

Purchase equal to or exceed 43,000.00 but less than \$9,999 – obtain at least two quotes.

Purchases equal to or exceed \$10,000 but less than \$30,000 – the following procedures shall be followed.

- A minimum of three (3) vendors shall be solicited for quotes.
- Expect the lowest of three quotes expect as outlined in the Admin Code.
- Under \$19,999 – telephone, online or catalog quotes are acceptable.
- Between \$20,000 and \$29,999 – A minimum of three (3) written quotes shall be solicited from the potential bidders or supplies.

Exceptions may be made for Sole-Sourced or State Contract Priced items and approved by the Fiscal Court. Judge Anderson told members of the court that two years ago the state legislation changed purchases amount from \$20,000.00 to \$30,000.00. Counties remain where they were at unless they adopted the state model so this is moving towards this. Our plan is to continue to bid most things especially in the CSEPP world there are so many things that are specialized. It's not like there is a local competition and very little competition otherwise. This would expedite being able to expend those grant funds and get things in more timely manner at no risk to our taxpayers. Judge Executive James Anderson entertained to accept this as the 2<sup>nd</sup> reading to change these thresholds within our policy and procedures manual.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to accept this as the 2<sup>nd</sup> reading to change these thresholds within our policy and procedures.**

**Judge Executive James Anderson ask members in favor by signifying I**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Adjourn:** With no further discussion Judge Executive James Anderson entertained a motion to adjourn. A motion was made by Magistrate Timmy Tipton seconded by Magistrate Mike Lockard **to adjourn. The meeting adjourn at 7:30 p.m. Judge Executive ask members in favor by signifying I**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

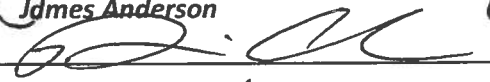
**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**


**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**


**Motion passes unanimously 6-0**

**James Anderson**  



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**Dennis Combs**  



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**Donna Gabbard**  


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**Mike Lockard**  


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**Chad Patton**  


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**Timmy Tipton**