

POWELL COUNTY FISCAL COURT**REGULAR CALLED MEETING**Date: **MAY 11TH, 2021**Time: **6:00 p.m.**Location: **Powell County Emergency Operations Center (EOC)****33 Commerce Drive****Stanton, Kentucky 40380****Join Zoom Meeting****<https://us02web.zoom.us/j/82830040487>****Meeting ID: 828 3004 0487****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
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates:
- XI. District Updates:

Public Notice – 4:00 p.m.***(Proposed use of County Road Aid and LGEA Funds)*****Items to be discussed:**

- 2nd reading Tourism Ordinance
- ABC Amendments to Ordinance
- Annual Standing Order Pre-Approval Expenses FY 2021-2022
- 1st reading 2021/2022 Budget

VII. Other:

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Zoom

James D. Anderson Jr. <judge099@yahoo.com>

Mon 5/10/2021 11:52 AM

To: connie crabtree <rcrabtree33@hotmail.com>; Dennis Combs <dennislc_22@yahoo.com>; Chad Patton <chadpatton2014@gmail.com>; Gabbard.Donnaj@gmail.com <Gabbard.Donnaj@gmail.com>; Tim Tipton <Tim.Tipton@hinklecontracting.com>; Robert King <robertgking@hotmail.com>; Kevin Babcock <kbabcock@bellsouth.net>

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: Powell County Fiscal Court Regular Meeting

Time: May 11, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82830040487>

Meeting ID: 828 3004 0487

One tap mobile

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Meeting ID: 828 3004 0487

Find your local number: <https://us02web.zoom.us/u/kdtqrjLRpP>

James D. Anderson Jr.

Powell County Judge Executive

POWELL COUNTY FISCAL COURT

Regular Called Meeting

May 11th, 2021

6:00 p.m.

Location: Powell County Emergency Operations Center (EOC)

33 Commerce Drive

Stanton, Kentucky 40380

<http://us02web.zoom.us/j/82830040487>

Meeting ID: 828 3004 0487

Budget hearing regarding proposed use of County Road Aid and Local Government Economic Assistance (LGEA) Funds.

A public Hearing was held on May 11th, 2021 at 4:00 for the purpose of obtaining citizens comments regarding the possible use of County Road Aid (CRA) and Local Government Economic Assistance (LGEA) funds.

There was no one to show up for the hearing.

The Powell County Fiscal Court met at the Powell County Emergency Operation Center (EOC) for a regular called meeting. (Zoom video teleconferencing).

Those present for the meeting were Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, ABC Administrator Kacey Davidson, CSEPP Director Kevin Babcock, Clay City Times Reporter Madison Fugate, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, Ambulance Director Nathan Hall, Ova Hollon and Elkins Insurance Agent Josie Hollon.

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

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

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

Public Comments:

There were no one signed in to speak nor did anyone wish to speak ZOOM telecommunicating.

Clerks Report for April 2021 meetings:

April 13th, 2021 – Regular Called Meeting

Fiscal Court Clerk presented the April 13th, 2021 clerk’s report to members of the court for their review. Judge Executive James Anderson ask members of the court if they would like the Clerk to make any changes to the meeting minutes dated April 13th 2021 meeting.

Magistrate Timmy Tipton ask if the minutes needed to be amended about the section of acknowledging that the Fiscal Court had received the Soil Conservation’s 2021/2022 budget. He ask if it needed to be added that the Fiscal Court would need to send a letter to them if they had any objections to their proposed budget. Judge Anderson said that he did not think the minutes needed to be amended but he did want to include at this time and per the new budget we are going to participate at the same level that we have had in the previous year due to dwindling revenues and no perceivable excess revenues be expended there. We will follow up with the County Attorney to see if we will need to submit a letter to the Powell County Soil Conservation or will this be suffice. Meeting minutes dated April 13th, 2021 were accepted.

April 30th, 2021 – Special Called Meeting

Fiscal Court Clerk presented the April 30th, 2021 clerk’s report to members of the court for their review. Judge Executive James Anderson ask members of the court if they would like the Clerk to make any changes to the meeting minutes dated April 30th, 2021 meeting.

There were no requests to be made to these meeting minutes. Therefore meeting minutes dated April 30th, 2021 is accepted.

Bills Submitted for Payment:

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All bills were submitted to members of the court. Judge Executive James Anderson ask members of the court if they had any objections in paying all of the bills submitted. There were no objections made. Therefore, all bills will be paid.

Financials:

Treasurer presented members of the court with the financials for their review. Financials to include interfund transfers, cash transfers, budget transfers, and cash balance statements and the financial statement.

Treasurer's Transfers:

Treasurer presented members of the court with a list of transfers. Transfers to include interfund transfers, cash transfers and budget transfers.

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

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to approve all of the Treasurers Transfers.**

Judge Executive James 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

Old Business:

Magistrate Mike Lockard suggested during the April 30th, 2021 special meeting that we get the three (3) Fire Department Chiefs to attend a workshop sometime prior to the 2nd reading of the budget to discuss their insurance. Magistrate Timmy Tipton suggested that we send them out a letter saying we needed to have a conversation with them to discuss their insurance and needing their budgets. A couple members of the court along with Judge Anderson and Kevin Babcock could meet with them to discuss these things. Judge Anderson said that we are not suggesting that their funds be cut just different means of funding.

1st Reading – Approval for Amendments made to the ABC ORDINANCE# 18-2906

ABC Administrator Kacey Davidson was present for the court meeting to ask for approval for the amendments made to the ABC ordinance.

Kacey told members of the court that she along with the ABC board wants to ask for Fiscal Court approval to petition the state for **3 additional Quota Licenses**. These would apply to liquor stores.

Judge Executive James Anderson entertained a motion to allow the ABC board to petition the state for three additional Quota Licenses.

A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard **to approve the request to petition the state for three additional Quota Licenses.**

Judge Anderson ask members of the court to 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

Kacey gave each member of the court a handout showing the amendments she would like to make to the ABC Ordinance based on what was discussed with the ABC board.

SECTION 4: Alcoholic Beverages Licenses Authorized – License Fees

C. If the County obtains additional quota licenses they will be in the control of the County to decide where they will be awarded.

Kacey told members of the court with this being said this would be sole control even if it was possibly in locations where they may be other ordinances.

SECTION 9: Hours of Sales and Delivery of Alcohol

D. To Go Drinks are permitted to restaurants only as long as they accompany food orders (establishment must have a food permit). The restaurants must have one of the following licenses: NQ2 Retail Drink License or a NQ4 Retail Malt Beverage Drink license. Must have a snap lid and its recommended a sticker goes over straw lid.

(Created new section 13 and re-numbered other sections)

Section 13 – Liquor Store Requirement

- A. To obtain a liquor store license, 80 % of the store must be alcohol sales.
- B. The store itself must be 1,000 square feet or greater.
- C. The Volume of sales must be \$200,000.00 or greater annually.

Magistrate Timmy Tipton ask if this was only for the 3 new licenses. Kacey told him that they would be grandfathering in two of them. In moving forward this will prevent some issues we are currently having. Magistrate Tipton said that he had real issues with equal access to people that want to start small and grow. Kacey told him that this would not benefit us. Magistrate Tipton said he wanted us to be benefited but also want people to have equal access for the ones that wants to start a small business and grow.

Judge Anderson said currently we have two that is gobbling up licenses that is not benefiting the county. Magistrate Mike Lockard ask if they was holding on to them. Kacey told him that they have them but the sales and the revenue are not where they should be based on their location and part of it is their size. Magistrate Dennis Combs ask if the other ones generate \$200,000.00. Kacey told him that this is what will be required. Magistrate Timmy Tipton ask her what if they generate \$150,000.00 would their licenses be taken. Kacey told him that their licenses would not be revoked but they was going to have to put forth the money and the effort. Magistrate Chad Patton ask about the store in Clay City. Kacey told him that both of the Clay City stores do very well and they are over a 1000 square feet.

Section 14: License Revocation or Suspension

Adding:

It shall be noted that it is at the ABC Administrator and ABC Boards discretion to change the amount of fines for first offenses to allow the board to set the fine at a lesser amount on smaller issues and infractions. It is also up to the ABC Board to decide to allow the license fee credit to take the place of the fine until paid in full if they do not want to take the suspension.

ABC Administrator, to pay in lieu of part or all of the days of any suspension period, a sum as follows:

1. **Expect for violations arising from retail sales activities, including sales under licenses issued Pursuant to KRS 243.086 and sales at retail under KRS 243.0305 distillers, rectifiers, wineries, and brewers – one thousand dollars (\$1,000) per day of first offense: increase \$1,000.00 each offense thereafter per day.**
2. **Wholesale liquor licensees – four hundred dollars (\$400.00) per day of first offense; increases \$400.00 each offense thereafter per day.**
3. **Wholesale beer licensees – four hundred dollars (\$400.00) per day of first offense; increases \$400.00 each offense thereafter per day.**
4. **Retail licensees authorized to sell distilled spirits, wine, or beer by the package or drink – fifty dollars (\$50.00) per day of first offense; increases \$50.00 each offense thereafter per day.**
5. **Distillers, wineries, and brewers for violations arising from their retail sales activities; including sales by distillers under licenses issued pursuant to KRS 243.086 and sales at retail under KRS. 243.0605 – fifty dollars (\$50.00) per day of first offense ; increases \$50.00 each offense thereafter per day; and,**
6. **All remaining licensees – fifty dollars (\$50.00) per say of first offense; increases \$50.00 each offense thereafter.**

***It should be noted that it is up to a \$2500 fine for the first offense and an additional \$1,000 for any subsequent offense thereafter.**

Magistrate Tipton ask if this was going to be at the discretion of the boards as to what these fines should be. Kacey told him yes because not all infractions will be the same. Magistrate Tipton ask if there was going to be a schedule to the discretion. Is it discretion because I liked someone really good? Kacey told him no It's not a fairness system.

Kacey told Magistrate Tipton that they are adding:

- J. **It should be noted that the Powell County ABC will be implementing and practicing a three (3) year offense tracking system. Each infraction will be tracked, and if any licensee accrues three (3)**

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of the same type of infractions of the same kind of offense in (3) three years or less may have all licenses revoked indefinitely.

Kacey said that they would be tracking these offenses. If it's the same type of offense or a different one and then the severity of it. It will be up to the board depending on if it's re repeating offender.

Magistrate Lockard ask her if we had a lot of infractions. She said they have had more than she likes but someone of them were silly. They are still working out kinks on this.

Created a new section 17 and re-numbered remaining sections

Section 17 – NON-QUOTA TYPE 4 RETAIL MALT BEVERAGE DRINK LICENSE REQUIREMENTS

Only venues that derive at least fifty percent (50%) of sales from food and have a 25 – seat capacity (per state requirement) or greater shall be eligible to hold a Quota Retail Drink License. Any violations of the license requirements shall result in a \$2500.00 fine or (50) day suspension of license.

Section 19 – Beverage Service Training

- A. All persons employed in the selling *and/or* serving of alcoholic beverages shall participate in and complete a responsible beverage serving program acceptable to the County ABC Administrator. the STARS Training program available thru the State ABC website.

Section 20 – Signage and Advertising

- A. All signage shall be in compliance with any and all other existing rules, regulations, and Ordinances of the County of Powell and signage and advertising needs to be approved by the ABC board prior to displaying. Must present to the ABC Board (1) one month in advance. The ABC Board has the right to deny such request.

F. Any off-premises signage advertising the sale of alcoholic beverages is only allowed for those who have a county local alcohol license. This prohibits anyone outside of the Powell County ABC Ordinance and license holders to advertise. All advertising has to be approved by the Powell County ABC board prior to displaying and needs to be requested at least (1) one month in advance. The ABC Board has the right to deny such request. This also means only advertising locations with the Powell County ABC Ordinance. No one than three off premise signs are allowed per business. An off premise sign is defined as a professional permanent structure and in lasting nature of 6 month or greater.

Kacey told members of the court that there had been a lot of people approach the board about billboards.

We see a lot of billboards going up on the parkway and we don't want anything trashy being put up.

G. It shall be unlawful to attach signage advertising alcoholic beverages to the exterior premises of the business. This prohibition shall include the use of outdoor umbrellas or other outdoor or patio fixtures that feature the name of logo of an alcoholic beverage or manufacturer of alcoholic beverages. However, generic words can be used for advertising alcoholic beverages but first be approved by the Powell County ABC Board and must be requested (1) one month in advance. Kacey ask members of the court if they has any questions or concerns about the amendments to the Alcohol Ordinance.

Magistrate Patton said that in Winchester they had a thing called instance cart. They can get alcohol delivered to them. Judge Anderson said that this was legal through statue. This is at the regional level.

Judge Anderson told members of the court this would be the 1st reading to the amendments made to the Alcohol Ordinance. These will be published and then scheduled for a 2nd Reading.

Josie Hollon with Elkins Insurance - Renewal of County Health, Dental and Life Insurance to begin 7/1/21

Ms. Elkins approached the court with to go over the insurance for the new Fiscal Year to begin 7/1/21. She told them that she has just received the information around 3:30 today so it's not completely spelled out.

The Vison and Life insurance rates did not change. They will remain the same as last years.

The Dental Insurance increased because there were a 175 percent utilization during Covid.

This puts us into a substandard rate which is not eligible for relief this year.

Dental:

Current monthly premium: \$1,422.69

New monthly premium: \$1,679.93 (Employee responsible for the premium)

Life: (remaining the same) free

Vision: (remaining the same) Employee responsible for the premium

Humana 60

\$2,000 deductible:

Employee: Paid \$522.40

Employee & Spouse: \$289.33

Employee & Children: \$217.00

Family: \$530.43

Humana 37

\$1,000.00 deductible:

Employee: \$35.08

Employee & Spouse: \$366.51

Employee & Children: \$283.65

Family: \$642.70

Humana 34

\$500 deductible:

Employee - \$76.60

Employee/Spouse - \$457.84

Employee/Children - \$362.53

Family - \$775.55

Humana Dental:

Employee: \$9.62

Employee/Spouse - \$19.23

Employee/.Children - \$27.41

Family - \$37.60

Vision

Humana Vision:

Employee - \$2.82

Employee/Spouse - \$12.19

Employee/Children - \$5.35

Family - \$8.40

Humana Life:

\$15,000 up to age 60 then 35% Age 70 then 50% - Free

Josie told members of the court that the coverage would remain the same. She also said that the county saved \$3,000.00 for the Go 360 Wellness Program. The more people that will signed up for this and take an interest in a healthy life style the better we are.

Josie said that if the courts does vote to stay with her agency they do have coaches that would call and set up with the supervisors of all the different departments so they could help with this.

Typically we would have had a biometric screening which would have excelled those people that was enrolled in the Go 360 but because of Covid we had to cancel it. It would have been nice if they would have considered giving us a merit for this which could have given a person 400 to 500 more points that participated. The point system was brought up which can work towards the Go 360. You can bank your points and then go to Go 360 to convert your points. Incentives has been offered in numerous ways to the employee but unfortunately it's getting to the point that we are reaching the threshold of what the county can pay for insurance. More employees need to participate in the Go 360 to help with insurance premiums or it may come to a point that the employee may have to pay their insurance premium. It seems that the employee does not have the true appreciation of the benefits that they do have. We have been fortunate to have covered the premium in the past.

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The court had talked in the past that \$500.00 would be the threshold in paying for an employee's insurance. We have well exceeded that. As long as there is no repercussions unfortunately there is no compliance.

Josie said if the court votes to go with these plans she would like to start open enrollment next week. The companies are getting away from sending paper cards. More than 75 percent of the employees used their app to access their cards. She said they do all of the enrollments, cancellations, and changes. She also told members of the court that they have had major problems with one department getting new employees to come in her office to sign up for their insurance. This causes a liability to the county. This one individual has been hired over six months now. This employee has emails and phone numbers to the office and still want comply.

Judge Anderson said he thought it would be a good idea with the court approval to have the new employee sign an insurance waiver form when they fill out their new hire packet. The disclaimer would say that once you have been an employed for 90 days and you are eligible for insurance and you don't go to the insurance agent and apply within 10 working days then the signed insurance waiver form will go into effect.

Josie said that she would like to thank Nathan Hall for improving his department. They are doing so much better about coming into the office. Josie also said that Kacey had been great to work with. She ask members of the court if they wanted to look at a \$1000 deductible. She didn't have time today to get these figures together but she will.

Judge Anderson said he has no problem with it. The county will only pay the 522.40 and any amount over that will be the employee's responsibility.

Judge Executive James Anderson entertained a motion to accept the insurance proposal and to include a \$, 1000 deductible option.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs to accept the insurance proposal with Josie Hollon (Elkins Insurance) and also to include a \$1,000 deductible option. The county will pay \$522.40 per eligible employee for health insurance. If the employee chooses a different option they will be responsible for any amount over the \$522.40. They also will be responsible to pay the whole premium amount for dental and vision if they chose to take them.

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

(Insurance breakdowns will follow minutes)

Wavier Insurance Form:

Judge Executive James Anderson entertained a motion to insert an insurance waiver form into the county hire packet. The new employee will sign this form when filling out the new hire packet. The disclaimer would say that once you have been employed for 90 days and you are eligible for insurance and you don't go to the insurance agent and apply within 10 working day then the signed insurance wavier form will go into effect.

A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard to approve this insurance wavier form.

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

Enrollments for Insurance will be next Tuesday and Wednesday

Discussion of Tourism Ordinance:

Judge Executive James Anderson made members of the court aware that a special meeting had been scheduled for May 28th, 2021 at 3:30 for the 2nd reading of the Powell County Tourism Ordinance.

2021/2022 Annual Standing Order Pre-Approval Expenses:

Pursuant to KRS 68.275 (3), "The Fiscal Court may adopt an order, to pre-approve the payment of monthly payroll and utility expenses".

Judge Executive James Anderson entertained a motion to approve the 2021/2022 Annual Standing Order Pre-Approval Expenses.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to approve the 2021/2022 Annual Standing Order Pre-Approval Expenses.**

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

Department Head Updates:

Discussion of purchasing Jon Boats for the Fire Departments:

CSEPP Director Kevin made members of the court aware that the process for the Public Assistance for the ice storm has begun and we are two to three weeks away from the Public Assistance for the flooding. If someone has damages in their area in association with the ice storm such as debris down that needs to be removed for chipped we plan we put out a contract to remove the debris throughout the county especially at Harts Orchard, Furnace Mtn. and around the High Rock area. If anyone has any complaints on having tree limbs down due to the ice storm it can be put on the list. Kevin let the members of the court now that Public Assistance is things that the public use and Individual Assistance is are businesses or homes. In lieu of the flooding they learned a lot of things. Most of our departments do not have adequate resources. Kevin said one thing that he would like to recommend is not to exceed \$3,000.00 but to buy three (3) Jon boats which either could be fiberglass or metal. They are around \$800.00 to \$1,000.00 apiece. They would be stationed at each fire departments which means they could actually paddle up to a house which would be a quick fix.

The Stanton Fire Department was utilizing their boat under Kevin's request in Clay City. They ripped a hole in the bottom of the boat. The boat now is no longer functional but the motor and the equipment is functional. We should be able to get the boat covered under the Public Assistance portion. The type of boat was a 10 passenger 14 foot Mercury. It is a quality rescue boat and they would be able to use their existing 2500 horsepower to put on a new one. The boat would cost around \$5,875 to replace the boat and seat.

There should be a list of things that comes with the boat such as paddle, throw bag and a kit.

We may can get the boat covered under the Public Assistance and not have to file a claim but if not and we do have to file a claim than maybe we could claim the deductible. Members of the court agreed to go ahead and replace the boat in case of an emergency. Magistrate Tipton ask if they would be putting decals on the boat. Kevin told him that this would be up the department if they wanted to put decals and trolling motors on them. Magistrate Lockard ask about the serial numbers on the boat. Kevin told him that we did not have to have permanent tags on them but if the Fiscal Court wanted to they could monogram Powell County Fiscal Court on the side of the boats for the Middlefork, Clay City and Stanton Fire Departments. This would cost around \$100.00 per boat to do this but members of the court all agreed they wanted this done. Judge Anderson said that there would be some specifications on these boats. If they are being used outside of what they are intended for than it will be on them if something happens. This boat cannot be used for swift water rescue. It will be used to recover a person in a dire situation only.

Judge Executive James Anderson entertained a motion to replace the boat and seat for the Stanton Fire Department in the amount of \$5,875.00.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to replace the boat and seat for the Stanton Fire Department.**

Judge Executive James Anderson ask members of the court in favor by signifying I.

Magistrate Dennis Combs – I

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Magistrate Donna Gabbard – I
Magistrate Mike Lockard
Magistrate Chad Patton – I
Magistrate Timmy Tipton – I
Judge Executive James Anderson – I
Motion passes unanimously

6-0

The court advised the Treasurer to take this purchase out of the DES Account under the equipment line.

Judge Anderson ask Kevin how many of the departments currently have a Jon boat. Kevin told him that he knew that Clay City Fire Department has one but it's not in great shape. Middlefork and Stanton Fire Departments has access to one but they are personal ones not departmental. Kevin said it would be nice for each department to have their own Jon boat. It would have been good to have them for this weekend for the canoe race. They could have sit up safety station points throughout the river where they could have been able to assist if needed.

Judge Executive James Anderson made a motion seconded by Magistrate Donna Gabbard *to give Emergency Management Director the discretion to spend up to \$1,000.00 per fire department to purchase Jon boats or the most worthy craft for that department. The motion is also to include that each department is to monogram the boat with Powell County Fiscal Court to identify who provided the boats so it will not be confused if they had to borrow a personal boat. Kevin said the boats will also be mark with some kind of serial number. The Chief of each department is to sign a MOU that states that as if this date they are acknowledging they received the boat from the Powell County Fiscal Court and when and if the boat is no longer needed they are to return it back to the Powell County Fiscal Court.*

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 Search and Rescue:

Emergency Management Kevin Babcock made members of the court aware that we do have some swift water techs that are qualified to operate a swift water boat. They have come to the Fiscal Court with a request to start an annual fund of \$2,500.00. These funds will be used for fuel for the search and rescue truck, generator and trailer. They are asking \$750.00 to continue the active 911 subscription. This is the way the contact one another with radios. Judge Anderson ask Ambulance Director Nathan Hall what was the ability would be to get one at a cheaper rate for a group. Kevin ask him how much it would be to add search and rescue. Nathan told him it's based on how many subscriptions that you want and currently we are paying for 50. Judge Anderson ask Nathan to get with the fire departments, first responders and search and rescue. Nathan said he would need a little information from them. Magistrate Tipton suggested that when we do the workshop with the chiefs being present we could talk about this at that time. Kevin said that we could hold off on this discussion until next month.

Kevin told members of the court that we do not technically have a swift water team even though we have a boat at Stanton and they like to consider it as a swift water rescue they are not. They do have some swift water techs but you have to be careful on who is operating the boat but in times of need whoever needs to operate it will. The search and rescue is requesting a one-time influx of \$7,000.00 to purchase a boat which we have approximately that much left in our DES fund for this year. \$3,700.00 could get a smaller boat than what Stanton Fire Department has. The boat they are talking about using is something like the teams that came in from BERT but is not necessary the 2500 horsepower engine that can go across swift water but a boat they is capable of holding up to a 40 horsepower engine. They could get swift water dry suits and gear which would prevent them from getting hyperthermia when they have to get into the water. They will also get swift water ropes and jackets. Magistrate Patton ask about the training they would need. Kevin told him they would need to take a swift water technician class. There are different levels and you have to be certified to go through

the class. Kevin said the memorandum of agreement will state to be a member of this team you will have to have this training. KYEM does the class for free but if you want to do a true shift water rescue you would have to go to a place like Colorado. There are swift water techs in Montgomery, Clark which will do a class for \$200.00 to \$500.00. The rescue team does have money and they do fund raisers and has not ask for any assistance in the training portion. They are wanting equipment to be utilized by the swift water techs that they currently have. Magistrate Lockard ask if they are had a building or trailer. Kevin told him that they are currently utilizing the trailer and also utilizing facilities at the Clay City Fire Department. They are in the process of reorganizing and maybe talking about getting them back to a central location but until then they may come back here. Once we get the trailers switched over and get all the hazmat and the new shelter outside we may let them borrow a bay in the CSEPP building for a while. Magistrate Patton ask if this was strictly volunteers and how many there were. Kevin told him that is was only volunteers and there is 8 to 15 people to respond. The problem being is a 1/3 of the people that are in the search and rescue are from out of the county. They come here for a month or so to assist and we have around 40 members total.

Judge Anderson said that during his 10 years our search and rescue was attached somewhat semi to a fire department. There were several issues with this and we still to this day are getting accused of pulling which we did not. Under the provisions if we did not meet x criteria then liability wise we should have had MOA because you have to have the training to be search and rescue. We need to make sure we have a minimum number on search and rescue and a minimum number of active members on the fire department. There are rules and regulations in s swift water rescue. Kevin said it thought it had to be a 1 person in the boat and 2 out of the boat. Judge Anderson said if we do commit today and get a boat what is going to be availability to use it when we need too. Kevin said that we could put in a clause but would have to look at the legalities of it first to see what we could quote or unquote. Part of the MOU could state it could be used in any events held in Powell County.

After discussion Judge Anderson made a motion to approve this contingent on that Kevin Babcock, Nathan Hall can meet with the fire department chiefs and iron out things to make sure they are good. We would also need their budget presented. Judge Anderson suggested that the \$600.00 fuel be added to our WEX plan so we have the ability to track the odometer and also be able to specific who has access to it.

The county pays for the county website and could add links to it for them. Kevin said they do use it a lot and it is seen by a lot of people. If it's going to be Powell County Search and Rescue Kevin as Emergency Management Director will have to at some point sign off on what contents will go on the website. This cannot be a volunteer that has the ability to put whatever opinion they want. If we do go down this road currently the confusion being any money that search and rescue is currently spending is from Friends of the Powell County Search and Rescue and nothing county allotted. If anything turns out with the issues concerning the Clay City Fire Department and Search and Rescue it has nothing to do with the county. All of the money from the county has been accounted for. Kevin said this \$2,500.00 will be a P.O. that will be set up through the county office. All of this can be ironed out by our next fiscal court meeting.

Judge Anderson said there were rumors that other departments are trying to get equipment that would put them in the swift water rescue rim. Any swift water rescue that we are going to acknowledge will need to be through Powell County Search and Rescue. Kevin said as long as they are paying the insurance from the county for the Fiscal Court he believes that they can state that if you are being listed as a swift water rescue than you have to be through search and rescue.

Kevin said he would get together a MOU for the usage and have the chief of the fire departments sign it for the swift water equipment and if they say upon thought process it's for swift water suits than it will be another \$2,500.00. Judge Anderson said he thinks this would be a good time during the meeting with the fire chiefs because there needs to be communication with the three (3) departments. If another department wants to be a part of this there is nothing wrong with this they just can't be chief of all three.

As far as the budget goes a lot of this could be covered from what we are saving in the EMPG fund because of the salary. We get around \$15,000.00 from EM. We have to spend \$30,000.00 and we get \$15,000.00 back and it's been a savings since Kevin took over from Emergency Management. Justin and Nathan gets a little salary for helping Kevin out. When Steve Asbury was here we lost the salary line amount but we can use this money for some items. This will allow us the opportunity to use \$10,000.00 give or take to be able to do some things. If we fully utilize the grant that we get every year than we could apply for additional monies.

CSEPP Discussion:

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CSEPP budget coming up in July. They are starting to look at closeout so the fiscal court needs to start talking about this because in three to four years CSEPP will be out of money. The EOC itself will be around \$150,000.00 to \$170,000.00 just to maintain at level (just for the building). Just about every handheld radio in the county we got because of this program. Judge Anderson said he is not trying to be hard to get along with but as far as charter government movement this needs to be a discussed because approximately in three years departments will need new radios and it cannot come from the CSEPP funding. We have to start planning for the future.

Judge Anderson told Kevin to relay the message that we are interested. Kevin said he would bring one of the chiefs with him next time and he will also get together a MOU as far as what the swift water equates too. We need to get the fire department chief meeting set up. Kevin said he will move forward with the purchase of the Jon boats to get them purchased as quickly as possible.

Brief Discussion on the bid process for debris removal:

Judge Anderson said that we need to get the bid process started for the debris removal on the side of the roads. We just now got direction and because of the size and limitations with the amount of work the road department has we will have to look at getting a contractor to come in and chip it so we can get the process started. The debris has to be on county right-of-way or county maintain property.

Updates:

Judge Anderson made members of the court aware that the 1st Renewal Red River Canoe Festival is going on this weekend. It is a lot more limited than what was planned before because of the pandemic but we are very excited to see this happening. Next year when we are getting past the pandemic it can be a very huge thing. Magistrate Tipton and Bill Cress have been very instrumental in it. The day we did the dedication for Carmen's Landing in Clay City we created a task force to initiate the process. Timmy and Bill met numerous times and actually because of the pandemic worked with the Kentucky Waterway Alliance which Laura Gregory is over and also with a gentleman named Jerry James which does the waterman series and very versed in the battle craft field. Waterway Alliance is a non-profit which works through grant funding. We are very excited to see what this first race does this year.

Ambulance Director Nathan Hall:

Nathan made members of the court aware that the ambulance service had their inspection last week. The only problem was the air conditioner in the Mercedes. The temperature got down to 72 degrees and it's supposed to be 65 degrees. They failed the truck but overall they passed the inspection. Ryland has the part ordered so it can be repaired.

He also updated them on the new ambulance. He said they have a cabin chassis and a new box ready he just is not aware of when they will be put together.

Magistrate Donna Gabbard ask if we had the cemetery all covered. Judge Anderson told her that they all are not covered but they are grading and rocking them. Because of the pandemic the truck drivers have been a little slower.

Magistrate Timmy Tipton said that he would be ok with the road department employees working some overtime up to Memorial Day to get thing done instead of taking that 5th day off.

He also discuss the ditcher. He ask if we have had part issues with it. Judge Anderson told him the reality is that they are still trying to dig out from the ice storm and flooding so they have not had a chance to even work on it. As of this time we are waiting on the paddle wheels for it.

Treasurer presented a copy of the 2019/2020 completed Audit.

Judge Anderson told members of the court that it is testament to Kacey and Connie for what they do in having a clean audit. You would be hard pressed to find these clean of audits in any county. One of the audit finding was the debt from the jail. Until the Jail gets enough monies to pay the Road Fund back that finding will be there. This happened years ago and is prior to any of this administration. Having good audits is a savings to out tax payers because that means less hours they have to spend on doing them.

Judge Anderson said is very proud of the job that Kacey and Connie does. This is a testament to the job not only for what we try to do to be transparent but to do things the right way. It is a lot of team effort and the departments are doing things in the right manner.

1st Reading of the 2021/2022 Budget:

Members of the court was presented a copy of the proposed 2021/2022 budget on April 30th, 2021 This will be the 1st Reading of the 2021/2022 Budget.

There will be some minor adjustments made to the budget now that we have the insurance rates. We will also be taking out the transit tax that was figured into the General Fund.

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 Dennis Combs seconded by Magistrate Chad Patton **to go into closed session KRS 61.810 subsection F.**

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

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Court resumes at 7:45 p.m.

Judge Executive James Anderson made it aware that there were **No Action Taken** in closed session.

June 8th, 2021 Regular Meeting date changed to June 1st, 2021.

Due to some members of the court being on vacation and going to the Jailer’s Conference Fiscal Court members changed the June 8th, 2021 regular meeting date to June 1st, 2021. Judge Executive James Anderson entertained a motion to change the date.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to change the June 8th, 2021 regular meeting date to June 1st, 2021.** **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

Adjourn:

With no further discussion Judge Executive entertained a motion to adjourn. The meeting adjourned at 8:10 p.m.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to adjourn.**

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

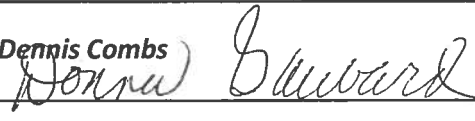
Judge Executive James Anderson – I



Motion passes unanimously

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James Anderson

Dennis Combs

Donna Gabbard

Mike Lockard

Chad Patton

Timmy Tipton