

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: NOVEMBER 9TH, 2021

Time: 6:00 p.m.

Location: Powell County Emergency Operations Center

33 Commerce Drive

Stanton Kentucky 40380

Join ZOOM Meeting:

<http://us02web.zoom.us/j/86757649756>

Meeting ID: 867 5764 9756

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, CSEPP Director Kevin Babcock, Ambulance Director Nathan Hall, Road Foreman Patrick McCoy, Clay City Times Reporter Madison Fugate, Derek Townsend, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, Jailer Travis Crabtree and Deputy Jailer Neil Hamilton.

Judge Executive James Anderson called 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:

None at this time

Clerk Reports for the October 12th, 2021 regular called meeting:

The meeting minutes dated October 12th, 2021 was presented to members of the court. Judge Anderson ask members of the court if they would like any changes to be made to the meeting minutes. There were no requests for any changes, therefore the meeting minutes dated October 12th, 2021 are accepted as presented.

Bills Submitted for Payment:

All bills were submitted to members of the court for payment. Judge Anderson ask members of the court if they had any objections in paying all of the bills presented. There were no objections therefore all bills submitted for payment will be paid at this time.

Additional Estimates Submitted from Patrick's Collision Center:

Patrick's Collision Center submitted two different estimates for damages done to a 2016 RAM Pickup.

Judge Anderson ask Road Foreman Patrick McCoy to go over both estimates before making a decision.

Financials:

Treasurer presented the financials for courts review. Financials to include 10/1/21 – 10/31/21 Financial Statement, Cash Balance Statements, Cash Transfers and Budget Transfers.

Treasurer's Transfers:

Treasurer presented transfers to members of the court for their approval. Transfers to include interfund transfers, cash transfers and budget transfers.

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

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton **to approve all of the Treasurer's Transfers to include interfund transfers, cash transfers and budget transfers.**

Judge Anderson ask members of the court agreeing to the motion 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

2nd Reading of Budget Amendment #2 – Powell County Transient Tax

Treasurer presented Budget Amendment #2 to members of the court for the 2nd reading increasing the Powell County Transient Tax Fund in the amount of \$150,000.00.

The amendment was signed by State Local Finance Officer Robert Brown on October 14th, 2021.

Judge Anderson entertained a motion to approve the 2nd reading of budget Amendment #2.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton **to approve budget amendment #2 increasing the Powell County Transient Tax Fund revenues 86-4138 in the amount of \$150,000.00 and appropriations 86-5420-902 in the amount of \$150,000.00.**

Judge Anderson ask members of the court agreeing to this motion 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:

None at this time

New Business:

Department Head Updates:

Wireless 911 Director Cory Graham joined the meeting through ZOOM.

Cory made the court aware that the dispatch had been working with the Stanton Police Department on an impressive program that is done through grants and will not cost the county anything. It's going to bring an element of link NCIC System into the dispatch which is something that they have wanted for a long time. It will give them the ability to access records and more information both for public safety and officer safety but it will also speed up the process of things. It will enable them to do silence dispatch when means they will be able to speak directly to units that are out in the field. Sometimes information is sensitive that you don't want to put on the radio so this allow dispatch to get the information directly to their terminal and cruiser. Cory told members of the court that they had a site visit on November 1st from the Kentucky State Police and the EOC JT'S representatives. They came out and looked at the building and said everything looked great but it is too early for them to give a thumbs up or down but definitely said everything seems to be in order as far as what they would need to secure the building. It is a slow process to get everything rolling but the good thing is all of the interested parties are coming in from Chicago to meet with them at the EOC building. All of the training will be done in house at no cost to the county. Cory will let court members know more about this as it happens.

Cory let members of the court aware that a meeting was held and Mariah Rogers which is one of our longer tendered dispatch employees. Cory told members of the court that Mariah has now gone to full time position. She will be taken over a lot of the work as far as public information and outreach within the community. Mariah is an exceptional talented artist which is a great asset to the dispatch and will be a fantastic asset in sharing her message for what's going on with the county through social media. Mariah will also be point of contact other the Cory.

Cory also let members of the court aware that there were two new part time employees at the dispatch. We are getting to a point to where we are being able to slowly staff positions. They have had people to leave from the dispatch to take job offers they could not turn down. They are looking forward to hopefully opening up to create a job fair moving forward.

CSEPP:

CSEPP Director Kevin Babcock:

Kevin let members of the court know that on the Emergency Management side that we had received funding from the ice storm. There were three separate payments received in the amounts of \$9,619.79, \$6,391.79 and \$95,693.65 totaling \$111,705.23.

The payments were for the debris removal, driving steel and repairing Hilltop which was damaged from thawing ice and laying some blacktop on Tiny Jones Rd. The county match was a little over \$16,000.00. and we are still waiting to hear from the flood. Kevin said he really appreciates all the effort Craig Lindon has done along with Judge Anderson.

On the CSEPP side Kevin let members of the court know they are starting to gear up for the Decon Exercise in the spring and do the full exercise again next September. We also need to start looking at closeout to discuss how we are going to pay for the EOC and other things that CSEPP has funded for the last 15 to 20 years. Somewhere around July 2024 CSEPP will be done.

JAIL:

Jailer Travis Crabtree and Deputy Jailer Neil Hamilton:

Jailer Travis told members of the court that last time he was at the meeting they talked about programs and how they was going to start doing MRT classes to get reimbursed from the state. In August they received \$13,000 and September SAP was \$19,600.00 which is additional monies that goes on top of when they graduate. In November they are looking at 12 SAP in the amount of \$12,000 and 37 portals at \$22,200.00. In December 27 SAP will graduate receiving \$20,000.00. Travis said we are looking at receiving \$180,000 to \$200,000.00 they we did not expect to put into the jail budget. Travis has brought over \$85,500.00 in commissary proceeds to date.

He let them know that there had been a lot of hospital stays and sick inmates. Travis also made them aware they has got approved for \$102,000.00 of Covid relief monies. Neil has been going back through invoices for cleaning supplies, sanitation, testing, vaccinations and personal protection equipment. Magistrate Timmy Tipton ask how these funds could be spent. Travis told him that it would back into the budget possibility in the General Fund. Treasurer Connie Crabtree also ask him about where she would need to receipt in the funds into once they was received.

Magistrate Tipton ask the Jailer "if the revenue was stabilized from the state inmates". The Jailer told him that they added \$2.00 to the SAP inmates. They have been going and getting 20 inmates and then when they come back someone will test positive for Covid and they have to shut down for two weeks but as of right now they are at full capacity with 100 SAP inmates. There are around 190 state inmates including the SAP inmates. The Jailer also let members of the court know that they had started an ankle monitoring service which has helped out a lot. Judge Salyers has been great in working with them. Treasurer let members of the court know that that Neil had already brought over a couple of receipts regarding the ankle monitoring service. Magistrate Tipton ask "if they had a copy of the budget to track where they were at." Neil told him that he gets with the Kacey quarterly and they go over their lines in their budget to see where they stand.

There was a brief discussion about rocket docket which never took place. Travis said that the inmates that come in the jail on meth and heroin are sick people. They have sores and their arms are rotting off. Judge Anderson said that the public has no idea what the drug epidemic is on the county. Our law enforcement and jail is dealing with them and the ambulance gets several calls that are drug related.

Ambulance:

Ambulance Director Nathan Hall told members of the court that the new ambulance was doing great with the exception of a little wiring issues that is now taken care of.

Judge Anderson said it is unfair that the rural ambulances services are at a disadvantage because of hospital institutions competing and there is already a shortage. We haven't seen a lot of things done through The Greater Clark Foundation with the communities they serve. There has to be some way to help rural ambulances services. Powell County is unique from the others because of our distant to the hospitals. If they take a call at least two of our staff is out on that call for around an hour and twenty minutes.

Road Department:

Road Foreman Patrick McCoy approached the court and read a letter to them. The letter stated that he proposed donating two, 2 cubic yard salt spreaders from the Powell County Road Department surplus equipment to the cities of Stanton and Clay City. This will allow Stanton and Clay City to be more prepared especially during emergency winter weather situations such as the ice storm earlier this year. The benefits of these donations will also have a positive effect on county employees as any ambulance calls originate within city limits of Stanton and Clay City. This will also benefit response conditions for the Sheriff's officer and the Fire Departments.

Patrick said during the ice storm that happened earlier this year they went out and clearing streets and the City of Stanton finally came out and started plowing roads. He said he took several calls to his office about the conditions of the streets. These salt boxes are used but will still work. If we sell them if our surplus sale he does not see a good return on them so it would be a good gesture to donate them to both cities to be able to help them out some and hopefully allow them to provide additional services to their city. Judge Anderson told Patrick to get the both Mayors and let them know about these donations.

Magistrate Tipton told Patrick that he would like to see them figure out a system as far as radioing, dispatching and figuring out where people are during a snow event.

Magistrate Lockard ask about the GPS trackers in the trucks. A few years ago there was a grant through Bluegrass Area Development that provided equipment. This system would lag and not be in real time. We have explored a better option other than this one. It would be a good safety issue for employees because sometimes an employee would be in a location where the radio would not pick up and cell phone service is challenging. If we had a good tracking system we could go right to the spot they are at. Magistrate Tipton ask Patrick about the routes. Patrick told him that he had a general idea he just has to put it on paper. It will be one of those things they will just have to try to see if it will work out.

Judge Anderson said the model that has historically been in Powell County has broken and he would like to see us get away from it and there was a study done a few years ago. It was the concept of going to the most remote roads we have and working our way back. This is impractical especially since the state has tweaked their plans so we are actually going over city or state roads that has not been treated. If they get in a remote location and get off the road then they would have to spend hours retrieving the equipment. A study showed within the first two and half hours of most events we could have 75 to 80 percent of the population served. If we can incorporate a model working of out from remote areas through treated roads could result in a quicker service. Magistrate Tipton said that more of these remote places are also higher terrain and deeper snow. Sometimes they need to be out addressing remote areas because some of the other areas may not have snow. Patrick said that he agrees in working out from remote roads and working their way back. This would allow them to get to people in a more timely manner because on a per mile bases and there are more population closer to the cities. He is not saying that people on more remote roads are not as important.

Additional bill from Patrick's Collision Center for the repairs of a 2016 RAM pickup 2500

Tradesman. (Road Department)

Patrick told members of the court that he had looked over the quotes from Patrick's Collision to repair a 2016 RAM pickup. He suggested that they approve the quote in the amount of \$3,012.80. Patrick told them that this quote also included fixing a place of the hood that was there prior to his employment with the Fiscal Court.

Magistrate Patton ask Patrick what happened to the truck. He said there was a collision with this particular truck and a parked trailer at the county garage.

Judge Anderson ask if any members of the court would object in paying this quote from Patrick's Collision Center in the amount of \$3,012.80 for the repairs of a 2016 RAM pickup 2500 Tradesman. There were no objections made therefore this quote/invoice will be paid.

Patrick also let members of the court know that things were going well and they had been sticking to their normal routine. They have been doing maintenance on the salt trucks and salt boxes to try and get ready for this winter. It is looking like mid-December before the salt spreaders will be in.

He also told them on the monthly work report that he prepared they could see where they are spending a lot of time on truck maintenance and vehicle maintenance at the county garage so he would like for the court to consider in filling the mechanics position at County Road Department.

Judge Anderson along with Patrick met with Derek Townsend. They went over a list of job descriptions that Patrick had prepared. Derek agreed on all of the items that was discussed.

Patrick went on to say that they have been doing general maintenance practices along with ditching, There was a pipe on Echo Hollow that was lost during the flood events. Midnight Oil Company has been assisting in installing this and is now passable and a lot safer. They will be finishing this emergency project tomorrow. They were able to get that road passable the day of the event thanks to the state partnering with us.

Hiring of Derek Townsend for the mechanic position at the Powell County Road Department:

Judge Executive James Anderson made a motion *to hire Derek Townsend for the mechanic position at the Powell County Road Department. This motion was then seconded by Magistrate Chad Patton.*

Judge Anderson ask members of the court agreeing to the motion 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

Districts Updates:

Magistrate Chad Patton – Nothing at this time

Magistrate Timmy Tipton – Happy that the road crew is prepared for the upcoming snow events. He appreciates the ditching and the bridges that's been installed and hopefully we will be hearing something on our flood event monies.

Magistrate Dennis Combs – Nothing at the time

Magistrate Mike Lockard – Commented on how nice the courthouse and sidewalks looks after pressuring washing them.

Magistrate Donna Gabbard – Nothing at the time.

Judge Anderson told members of the court that white striping the county roads is a great idea. He had visited with a vendor before but since then there has been a shortage in the paint. Our goal was to start when they done new roads. This would not only look better but be a lot safer.

Powell County Alcohol Beverage Control Board Appointments:

It is reappointment time for the Powell County Alcohol Beverage Control Board. This consists of three appointments. Our current board members are the following citizens.

Chris Taylor, Robert Carmichael and Kara Beth Shepherd. Each of these members have been very active on our board and were very helpful in establishing our board and policies. Each have said they would like to serve another term on this board and have asked to be reappointed.

Powell County Alcohol Beverage Control Administrator Kacey Davidson is asking for the following people listed above to be reappointed to the Powell County Alcohol Beverage Control Board, so they can continue on with building this program.

Judge Anderson entertained a motion to reappoint the following names to the Powell County Alcohol Beverage Control Board. Chris Taylor, Robert Carmichael and Kara Beth Shepherd.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs ***to reappoint Chris Taylor, Robert Carmichael and Kara Beth Shepherd to the Powell County Alcohol Beverage Control Board.***

Judge Anderson ask members of the court agreeing to this motion 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 Appointments:

Four of the five library board members has resigned. Judge Anderson told members of the court that they have no say in what goes on at the library other than what names are sent for appointments.

Candidates submit their application to the local board, it is then reviewed and sent on to state, but in this case there was not a quorum to go through this process or even to sign checks. In talking to the Commissioner over libraries at the state level it was determined that the appointments be made by the County Judge Executive with the approval of the Fiscal Court KRS 173.340

The court has no say in what goes on at the library on a daily bases. It is still a taxing district and our tax payer's monies are trusting in this entity. There has been allegation's from both the director and the board side. Judge Anderson said he had received a correspondence from the director and the previous board chair stating their argument. Both correspondence will be included in the meeting minutes.

Judge Anderson said we are not taking sides but we are faced with appointing two new members so that they will have a board with a full quorum.

Due to the resignation of Michael Frazier from the Powell County Public Library Board of Trustees Judge Executive James Anderson ask for court approval to appoint Billie Campbell to the Powell County Public Library Board of Trustees.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to approve Judge Executive James Anderson's appointment of Billie Campbell to the Powell County Public Library Board of Trustees.**

Judge Anderson ask members of the court agreeing to this motion 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

Due to the resignation of Candace Hampton from the Powell County Public Library Board of Trustees Judge Executive James Anderson ask for court approval to appoint Kacey Davidson to the Powell County Library Board of Trustees.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton **to approve Judge Executive James Anderson's appointment of Kacey Davidson to the Powell County Library Board of Trustees.**

Judge Anderson ask members of the court agreeing to this motion 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

6-0

Powell County Extension District Board Appointment:

Judge Executive James Anderson ask for court approval to reappoint Kevin Babcock to the Powell County Extension Board - 4-H & Youth Development.

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs **to approve Judge Executive James Anderson's request to re-appoint Kevin Babcock to the Powell County Extension Board- 4-H & Youth Development to serve for a three year term.**

Judge Anderson ask members of the court agreeing to this motion 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

Judge Executive James Anderson ask for court approval to appoint Josh Blackwell to the Powell County Extension Council - Family and Consumer Science.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to approve Judge Executive James Anderson's appointment of Josh Blackwell to the Powell County Extension Council as the Family and Consumer Science.**

Judge Anderson ask members of the court agreeing to this motion 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

MOU and Resolution # 21-1109 – One Kentucky Opioid Settlement:

Judge Anderson presented members of the court with an MOU and a Resolution for the Kentucky Opioid Settlement.

Judge Anderson refreshed on the Kentucky Opioid Settlement to members of the court. All counties were ask to join against the major pharmaceuticals to try and obtain some of the funding for their opioid abuse to try and help facilitate the opioid abuse we all encountered. This is actually moving faster than anticipated. The proposal they now have counties will receive 50% and the state will receive 50%. So Powell County would receive 50% and then be eligible through grants and other things.

We now need a Resolution saying we are ready to move forward. Every county but two has filed their Resolution in Kentucky. If you did not there is provisions and you would not be forced to do it but it was not as favorable as the 50 50 split. In talking to them the most avaricious way to agree to the MOU and Resolution they presented. The City of Stanton and the City of Clay City will get a portion but the larger portion will be going to the county. They do have a payout schedule but to get the entire amount it will be over an 18 year period.

After discussion Judge Executive James Anderson entertained a motion to move forward with MOU, Resolution # 21-1109 and the Participation Form.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Donna Gabbard **to move with the MOU and Resolution # 21-1109 of the County of Powell, Kentucky authorizing, approving and directing the execution of One Kentucky Opioid Settlement agreement in the pending litigation against contributors of Opioid Addiction crisis. Motion also to include authoring Judge Executive James Anderson and County Attorney Robert King to sign any and all necessary papers concerning the MOU, Resolution and the Participation Form. Judge Anderson ask members of the court agreeing to this motion 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

Blue Rock – Bid for Steel, Drilling, Cribbing, Geotextile, Excavation, Mobilization, Flagging and Backfill.

While working with FEMA the county has bided per job for railing and cribbing.

Now we have several jobs beyond the emergency projects. An Ad was put into the local paper soliciting bids for railing and cribbing. Hilltop is one of the projects.

Blue Rock, LLC submitted the following bid to provide Powell County with road break repair services for the 2021-2022 fiscal year.

Description:

Steel, Drilling, Cribbing, Geotextile, Excavation, Mobilization, Flagging and Backfill.

Quantity:	Unit:	\$ Per Linear Ft.	Total Bid:
Linear Ft	1	\$33.00	\$33.00 LF.

Powell County will be responsible for all associated project utility locates, and/or relocates both above and below ground as needed to allow safe project working conditions.

Due to the volatility associated with the current steel market, any rail and cribbing materials price increase exceeding 10% will be passed on to Powell County Fiscal Court.

Judge Executive James Anderson made a motion **to approve the bid submitted from Blue Rock, LLC. In the amount of \$33.00 Linear Ft. only if they keep it at \$33.00 Linear Ft with no 10% increase and can complete the jobs in a timely fashion. If there is an increase this will be brought back to fiscal court to review again. Judge Anderson also ask for this motion to include to give him authority to negotiate with another vender if Blue Rock, LLC cannot perform these jobs in the time frame that is needed and also not to increase the bid by 10%. This motion was then seconded by Magistrate Timmy Tipton. Judge Anderson ask members of the court agreeing to the motion 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

If Blue Rock, LLC holds to the standards that is described in the prior motion than Judge Executive James Anderson or CSEPP/EMS Director could approach him about doing other FEMA projects.

Other:

Judge Anderson made members of the court aware that our President put down a mandate to go into effect January 9th, 2022. The mandate would be that that any employer that employees over 100 employees would have to have a mandatory vaccination program or testing. Judge Anderson told members of the court that this is going to be a nightmare. Even if you agree it's impractical because there are so many abilities to get out of it. All you have to do is to site a religious reason not to do it.

Magistrate Tipton ask how many other people has resisted. It will force us to go down the road of testing. It is still not clear who would be responsible for the testing costs. Judge Anderson told members of the court that this would have to be discussed in the next meeting. Bluegrass Area Development will hopefully be working on a draft for options that can be taken.

Structure to cover the new Horizontal Bailer at the Transfer Station:

Solid Waste Coordinator Tim Snowden ask Judge Anderson to discuss with members of the court about approving the cost to build a structure to cover the new Horizontal Bailer that was purchase through the recycling grant.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton *to allow spending up to \$20,000.00 for building a structure to cover the Horizontal Bailer.*

Judge Anderson ask members of the court agreeing to the motion 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:

A motion was made by Magistrate Mike Lockard seconded by Magistrate Timmy Tipton *to adjourn.* The meeting adjourned at 7:30 p.m.


James Anderson


Dennis Combs


Donna Gabbard


Mike Lockard


Chad Patton


Timmy Tipton