

**POWELL COUNTY FISCAL COURT
 REGULAR CALLED MEETING
 FEBRUARY 8TH, 2022
 TIME: 6:00 p.m.
 LOCATION: POWELL COUNTY EMERGENCY OPERATIONS CENTER (EOC)
 33 COMMERCE DR.
 STANTON, KENTUCKY 40380
<http://us02web.zoom.us/j/81339998596>
 Meeting ID: 813 3999 8596**

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, CSEPP Director Kevin Babcock, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton (via ZOOM), Magistrate Timmy Tipton, County Attorney Robert King, Solid Waste Coordinator Tim Snowden, Clay City Times Reporter Madison Fugate (via ZOOM), Powell County Library Board Member Billie Campbell, H.K. Cunningham, April Hall, Charanda Fugate, Daphne Sparkman and several other citizens.

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 via ZOOM***
- Magistrate Timmy Tipton - Present***

Public Comments:

No Public Comments at this time

Clerks Report for the January 11th, 2022 regular called meeting and January 27th, 2022 special called meeting.

The minutes for the regular called meeting dated January 11th, 2022 was presented to members of the court. Judge Anderson ask members of the court if they requested any changes to be made to the meeting minutes. There were no requests for any changes therefore the minutes for the regular called meeting dated January 11th, 2022 is accepted as presented.

The minutes for the special called meeting dated January 27th, 2022 was presented to members of the court. Judge Anderson ask members of the court if they requested any changes to be made to the meeting minutes. There were no request for any changes therefore the minutes for the special called meeting dated January 27th, 2022 as accepted as presented.

Bills Submitted for Payment:

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

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Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the financial statement dated 7/1/21 – 1/31/22 and the financial statement for the month of 1/1/22 – 1/31/22. Other financials to include budget and cash transfers, budget amendments, cash statements as of 2/4/22 and interfund transfers for the month of January 2022.

Treasurers Transfers:

Treasurer presented members of the court with the Treasurers Transfers. Transfers to include interfund transfers, budget and cash transfers for the month of January 2022.

Treasurer presented the interfund transfer from the Road Fund to the General Fund. This approved transfer in the amount of \$130,000.00 was made to pay back the money borrowed to coverage the storage in the Road Fund due to road repairs.

Judge Anderson entertained a motion to approve the Treasurers Transfers presented.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Dennis Combs **to approve all of the Treasurer Transfers as presented.**

Judge Anderson ask members of the court agreeing to these motions 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

1st Reading of Budget Amendment #5:

Treasurer presented members of the court with Budget Amendment # 5 for the 1st Reading to increase the Road Fund by \$1,000,000.00 (02-4911) borrowed money (revenue) and by \$1,000,000.00 (02-9200-999) reserve for transfers (appropriation).

Old Business:

None at this time.

New Business:

Powell County Public Library Board of Trustees Appointment:

Judge Anderson made members of the court aware that he had received two letters from KDLA for appointments to the Powell County Library Board of Trustees.

Due to the resignation of Amy Manning, from the Powell County Public Library Board of Trustees, we hereby submit the following names for your consideration in filling this vacancy (new term to expire 4/26/2025). Judge Anderson said if there is no objections he usually goes with the first name submitted. (Letter to follow minutes)

Judge Executive James Anderson entertained a motion to approve his appointment of Whitney Merriman to the Powell County Public Library Board of Trustees.

A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard *to approve Judge Executive James Anderson's appointment of Whitney Merriman to the Powell County Public Library Board of Trustees.*

Judge Executive James Anderson ask those 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:

Due to the resignation of Katie Caudill, from the Powell County Public library Board of Trustees, we hereby submit the following names for your consideration in filling this vacancy (new term to expire 4/26/2023).

Judge Executive James Anderson said there again if there of no objections he usually goes with the first name submitted. (Letter to follow minutes).

Judge Executive entertained a motion to approve his appointment of William Rice to the Powell County Public Library Board of Trustees.

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

Judge Executive James Anderson ask for those 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

EMERGENCY WORK – STAR GAP

A project was authorized on January 27th, 2022 to provide Powell County emergency funding for a slide repair located on Star Gap Road (CR 1010) located 1.585 miles east of Skidmore Lane at mile point 2.887. Powell County was approved for \$33,784.00. Fifty percent (50%) of that amount, \$16,892.00 which will be processed soon.

They ask that the county complete this project by January 27, 2023. Within 60 days after completion date, please submit form TC 20-38 along with copies of all invoices and other supporting documents to Rural & Municipal Aid. The remaining balance of \$16,892.00 will then be processed and sent. However if the total project cost is less than the amount which the approval was calculated, the final payment will

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be adjusted as necessary. The county is responsible for 20 % of the project cost as well as any amount over \$33,784.00.

After discussion a motion was made by Judge Executive James Anderson seconded by Magistrate Chad Patton to **approve Blue Rock for this emergency work on Star Gap Road that so as long as they adhere to what was quoted for Steel, Drilling, Cribbing, Geotextile, Excavation, Mobilization, Flagging and Backfill @ \$33.00 per linear feet.**

Judge Executive James Anderson ask for those 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

**Additional Items on FEMA Projects: Boone Creek Road & Woody Ware Road FEMA Projects:
Boone Creek Road: (Inlet end on Bridge)**

Kevin Tipton, Contractor submitted the following bid for **Boone Creed Road for a FEMA Project.** The Description is for an Inlet end on bridge: Install Wing extension to have 24" by 24" footer with reinforcement with reinforcement with attached wing wall to be 12" wide and reinforced. Reinforcement is to be Double Mat placed on 12" centers.

50 % up front to cover material cost. County to assist with excavation of 24 CY gabion baskets and provide backfill material.

Building Materials: \$500.00

Concrete: \$1,800.0

Reinforcement Materials: \$500.00

Miscellaneous Expenses: \$400.00

Labor: \$38,850.00

Total: \$7,050.00

After discussion a motion by made by Magistrate Donna Gabbard seconded by Magistrate Timmy Tipton to **approve this bid submitted from Kevin Tipton, Contractor for the Boone Creek Road FEMA Project for an Inlet end on bridge in the amount of \$7,050.00. This motion also authorizes a 50 percent (50%) payment up front to cover material costs.**

Judge Executive James Anderson ask for those 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

6-0

Boone Creek Road: (Outlet end on Bridge)

Kevin Tipton, Contractor submitted the following bid for **Boone Creek Road for a FEMA Project**. The Description is for an Outlet end on bridge: Install Wing extension to have 24" by 24 footer with reinforcement with attached wing wall to be 12" wide and reinforced. Reinforcement is to be Double Mat placed on 12" centers.

50% up front to cover material costs:

County to assist with excavation of 24 CY gabion baskets and provide back fill material.

Building Materials: \$500.00

Concrete: \$1,800.00

Reinforcement Materials: \$500.00

Miscellaneous Expense: \$400.00

Labor: \$3,850.00

Total: \$7,050.00

After discussion a motion was made by Donna Gabbard seconded by Magistrate Timmy Tipton to **approve the bid submitted from Kevin Tipton, Contractor for the Boone Creek Road FEMA Project for an Outlet end on bridge in the amount of \$7,050.00. This motion also authorizes a 50 percent (50%) payment up front for material costs.**

Judge Executive James Anderson ask for those 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

Woody Ware Road: (Outlet end of Culvert)

Kevin Tipton submitted the following bid for **Woody Ware Road for a FEMA Project**.

The Description is for an outlet end of culvert: Install necessary head wall to prevent scouring and erosion form overland surface flooding.

Head wall to be reinforced properly using rebar in double mat configuration and concreted.

50% up front to cover material cost:

County to assist with excavation of site and provide necessary backfill material.

Building Materials: \$500.00

Concrete: \$1,400.00

Reinforcement Materials: \$300.00

Miscellaneous Expense: \$400.00

Labor: 41,925.00

Total: \$4,525.00

After discussion a motion was made by Magistrate Dennis Combs seconded by Magistrate Donna Gabbard to **approve the bid submitted from Kevin Tipton, Contractor for the Woody Ware Road FEMA**

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Project for an outlet end of culvert in the amount of \$4,525.00. This motion also authorizes a 50 percent (50%) payment up front to cover material costs.

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

James Maple – Rock Climbing:

Mr. Maple is a Professor at Eastern Kentucky University. A few years back he done a rock climbing economic study on what they bring to the area such as Hollerwood and a lot of our outdoor activities. When we apply for grants we can see what they are actually bringing to our economy. Most people say an individual will put around \$80.00 to \$120.00 into our economy.

Judge Anderson said that met with him via ZOOM meeting with Mr. Maple and he submitted a proposal to do the same thing for OHV use. This court is not in place to award it. He is going to visit with Tourism and the Hollerwood Board to see which on they think it would be best and see if they would be interested in partnering to get this accomplished in the next month or two.

Judge Anderson talked to the Estill County Judge Executive about the condition of Barker Branch.

Magistrate Tipton asked if they planned on helping us with that road. Judge Anderson said when he spoke with him he only talked about the complaints they were getting on the 8.2 tenths or whatever is left that is gravel. The balance that was left in Powell County is now paved which was around a year ago but since then there has been no maintenance on it. The Estill County Judge Executive agreed to go out and look at it.

Road Foreman Patrick McCoy said that it is in terrible condition as this time. Previously there were no distention where Powell County stopped and Estill County began. Historically when the road department would go and maintain that section of the roadway the entire thing was grated and rocked and wasn't fair to Powell County. We set our economics correctly by paving our section. Patrick said in his opinion they fulfilled their duties to the people in that area. However, Estill County has not maintained whatsoever since that grading activity stopped. It is in terrible disrepair at this time. Magistrate Tipton said that it effects our people that has to drive that way and the Hollerwood people also.

Department/ District Updates:

Magistrate Donna Gabbard – No calls during snow storm. She said the Road department is doing a great job and she is proud of them.

Magistrate Mike Lockard – Ask Judge Anderson if we could get a quote for two new entry doors for the courthouse. Judge Anderson said that hopefully we can get one by the next meeting.

Magistrate Chad Patton – District wise everything going good. Committee wise he said he had talked to Travis and Neil about the overtime at the jail. They told him it was due to them having to stay at the hospital for inmate hospitalization and being short staffed. Magistrate Tipton said it would be good if they was represented at the Fiscal Court meeting every month. Magistrate Patton said he has invited them and even sent them the ZOOM link.

Judge Anderson said that a few meeting ago Travis said that he had identify some company that specialized in sitting with inmates while they were hospitalized. Magistrate Patton said he would follow up with them about this.

Magistrate Dennis Combs - Complaints on Rumpke for not picking up garbage. Judge Anderson mentioned that when we negotiate the next contract this upcoming time they could talk about giving us some credits throughout the year because they are making the same revenue even though they are not picking up the trash every week.

Magistrate Timmy Tipton - Until Barker Branch is paved he does not think the rock will stay on. Judge Anderson said that all the traffic is not side by sides. If you look back when we graded it prior to paving it was the last time it got any rock. Estill County has 8.02 miles and Powell County 6 tenths at one end and whatever the balance is at the other end. Magistrate Tipton said himself and Craig look at it and he thinks it would take 13 or 14 tri axle loads to put a good coverage on it. Patrick said that it's at the point that it needs more than dense grade on it.

Department Head Updates:

Judge Anderson made court members aware that there were no calls on Friday during the bad weather event. He said that he is very appreciative of the Road Department in their efforts during this time. Also he said that he would not only like to brag on the Road Department but our 1st responders as a whole. Our public was a big partner in this. They used their common sense and stayed in which made the ability to respond a lot easier.

Road Foreman Patrick McCoy thanked the court for commending the road department crew. He told members of the court that they had zero down time and zero problems this go around. He also made them aware that he had changed some of the snow routes on the upper end which will effect a portion of district 4 and 5. This has sped up the clearing of road ways in these two districts by doing this. Having enough people for every truck has also helped out. He said the guys has done great. They have worked on their own salt trucks. They all have spent the last few days cleaning them up to preserve them so that they will last longer.

When the weather breaks they plan on doing several culvert replacements. They are going to attempt to excavate two at the same time in two separate locations to help speed the process up.

They are finding more and more culverts that needs replacing. Road employee Ricky Townsend found one while he was doing his snow route and reported it to Patrick. They coned the dangerous area off and got a material list together and have it scheduled for tomorrow. They also have several entrance pipes installed for people throughout the community. He hopes to be able to change focus and break the salt trucks down and get the salt boxes out of the back of them.

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Solid Waste Coordinator Tim Snowden – Nothing at this time.

Magistrate Mike Lockard ask if they had the new compactor and shed. Tim told him that it would be July or August before they get the new compactor and the new shed now has the roof on it. They have not had any inmates to help with getting the sides on at this time.

Magistrate Chad Patton ask about taking applications for the recycling position. Judge Anderson said that he would revisit this with Tim to get his thoughts on it. Judge Anderson let members of the court know that our recycling receipts were up considerably. When we established this position we hoped that it would be self-sustainable. The previously person that had that position it fell to near nothing.

CSEPP/EMA Director Kevin Babcock:

EMA side – The recycling trailers are being replaced like clockwork.

CSEPP side – As far as the sirens. They are attempting to change out batteries to get them all back up and running. Kevin said that we need someone to work on them that knows about sirens. John Knootz does not have the time right now to work on them. Magistrate Mike Lockard mentioned David Tharpe. Kevin said that he could give him his contact information and he would try and contact him.

1st week in March – Public Information to educate people on the sirens. Also need to encourage citizens to sign up for the Code Red.

They are having a CSEPP meeting tomorrow. They are talking about wrapping up the programs that they have. There will not be any more promatic improvements to CSEPP.

We are operating on the 200,000 to 300,000 basic operating costs for the regular activities for CSEPP through July 2024. We need to be looking into this upcoming budget cycle for CSEPP and then the next budget cycle we will have to budget for operating cost for the EOC itself. We spend approximately \$47,000 per year on just basic operating cost such as utilities, telephone and internet. We also have the tower sites, vehicle maintenance and equipment maintenance to cover. Kevin mentioned getting the cities involved for cost sharing.

Judge Anderson said that Kevin has brought up a lot of good points. We are having our monthly emergency management meetings. The court has been talking about what the county will face when CSEPP is gone.

Judge Anderson said that that there are some social media posting out there that are inaccurate. The concept of having a full time fire department is definitely something that becomes imperative but we also have to realize that the cost not only for something like this, but would be several hundred thousands of dollars on top of it. The discussion of Charter Government is something that we need to have. We cannot tax our way through all of these things. We have to become more unified and work towards pulling our resources together which takes the burden off of tax payers. If we want these kind of things we have to have a way to fund them.

We have a million three dollar budget in the EMS and the bear minimum to start a full time fire department would be around this. You can see where the costs start to out way the revenue. We have to start thinking outside the box and explore these things.

Judge Anderson said that anybody that has questions about these formats he would love to have conversations about having full time fire departments. The last EMS meetings they had they were ask about inventory and what their wishes and wants was but it was never brought up.

Magistrate Tipton said that property taxes is equivalent to \$1.00 a thousand which would generate around \$400,000.00 which will not fund a fire department. Judge Anderson said that they are better ways to get there but with the current models it would be a struggle. Regardless of what kind of department we have we are going to be tagged with a ruleness and the infrastructure to get there. We are hoping that the federal monies coming down for the infrastructure for water districts but if we were unified we could push a little more.

Another thing that is misleading is the concept even if we could establish what we could afford as far as a full time fire department we would still be reliant on our volunteers. They have been a part of our community and helped us out on many things.

Kevin said it is critical for them to be part of the process of developing a full time department. They feel part of it even though they are volunteers. There will be feathers ruffled because it wasn't here or there or this or that person. There is going to have to be tremendous communication to why we are doing to a certain way if we ever get to where we can afford it.

Magistrate Tipton said that we need input from them and make them feel they are part of it. They do a great job and need to be recognized. Kevin said that we need to be recognized more than once a year. They had the 1st responder's day at the Corn Festival last year. We cannot recognize them enough but just having a person from the fiscal court along with Kevin to go to some of their meetings would make them happy.

We have a small amount of money within the EM budget to be able to do some small things for them. If we work together there are so many more opportunities.

Previously EM Director had tried to have meetings but no one would show up. Kevin said he had offered to change it to quarterly meetings but they said no. They wanted to keep them monthly. Magistrate Tipton ask if it would be out of order if we had a full quorum just to have a workshop. Judge Anderson told him it would have to be a meeting and follow all rules. It would have to be posted and minutes taken weather there is action taken or not. Meetings are scheduled for the third Thursday each month at 5:00 p.m.

Adjourn: Meeting Adjourned at 6:50 p.m.

Judge Anderson entertained a motion to adjourn.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard ***to adjourn.***

Judge Anderson ask members in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

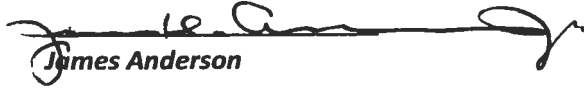
Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

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James Anderson

Dennis Combs

Donna Gabbard


Mike Lockard

Mike Lockard


Chad Patton

Chad Patton


Timmy Tipton

Timmy Tipton