

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: April 12th, 2022

Time: 6:00 p.m.

Location: **Powell County Emergency Operations Center
33 Commerce Drive
Stanton, Kentucky 40380
Join ZOOM Meeting**

Meeting ID: 863 7620 2390

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:

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Items to be discussed:

- Pecks Creek
- Paving
- Rural Secondary Recommendations
- Co-op Agreement
- Powell's Valley Water District Appointment
- Text.Gov
- Pine Ridge Industrial Board Appointments
- EMS Property Building Survey

- VII. Other

Zoom

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

Tue 4/5/2022 8:24 PM

To: rcrabtree33@hotmail.com <rcrabtree33@hotmail.com>

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: April Powell County Fiscal Court Meeting

Time: Apr 12, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86376202390>

Meeting ID: 863 7620 2390

One tap mobile

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Dial by your location

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Meeting ID: 863 7620 2390

Find your local number: <https://us02web.zoom.us/j/kc7GwA8ulv>

James D. Anderson Jr.
Powell County Judge Executive

POWELL COUNTY FISCAL COURT

REGULAR CALLED MEETING

APRIL 12TH, 2022

Time: 6:00 p.m.

LOCATION: POWELL COUNTY EMERGENCY OPERATIONS CENTER (EOC)

33 COMMERCE DR.

STANTON, KENTUCKY 40380

Meeting ID: 863 7620 2390

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Magistrate Donna Gabbard, Magistrate Dennis Combs, Magistrate Chad Patton, Magistrate Timmy Tipton, CSEPP/EMA Director Kevin Babcock, Ambulance Director Nathan Hall, Solid Waste Coordinator Tim Snowden, Search and Rescue Brian McKinney, Jason Lindon, Jailer Travis Crabtree, Asst. Deputy Jailer Neil Hamilton, Red River Outreach Narlon Edwards, James Martin, Lynn Smith and County Attorney Robert King.

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 –Absent***
- Magistrate Chad Patton – Present***
- Magistrate Timmy Tipton – Present***

Solid Waste Coordinator Tim Snowden gave his updates to members of the court first because he couldn't stay for all the meeting. He let them know that the new dumpster rental program they started a few weeks ago was doing great. He also made them aware that there will be a **FREE dump day on May 7th** which will be advertised in the local paper.

Public Comments:

Narlon Edwards approached the court and introduced himself. He told them he had been in California a couple of years back running a nonprofit organization and he got a call about some property here in the county that was available and someone wanted to do something specific for this community. The property is owned by Vulcan Smith and is located where Peck's Creek dead ends. The property is over 600 acres. One of his wishes is that he wants to see something develop that will make a huge difference in our community. Mr. Smith along with his father has owned the property since the late 1980's. Their desire is to bring help, hope and healing to this community. He wants to develop something similar to what Mr. Edwards was running in California. Mr. Edwards agreed to come here to develop this nonprofit organization. Things are developing very nicely and his objective is to see if they can get this road paved. At this time it is a gravel road with many potholes and ditches. There are over 20 people living on the road. They have also started multiple businesses that is serving the community. The businesses are the Plant Based restaurant by Ace Hardware, construction business, HVAC Company and also his wife started a plant based meat company. They are also farming five acres and also go out into

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the community and volunteer this time to help clean people's houses, paint, rack leaves or whatever is needing done.

With the traffic they have going in and out it's making it hard to maintain the road. Judge Anderson told him that we are starting to work on the budget and they would see if there would be funding to do this. The road is in Magistrate Gabbard's district. It would be the about a mile of road off of Pecks Creek.

James Martin approach the court to discuss the cemetery road on Upper Cane Creek. He said that it didn't get fixed last year. Mr. Martin said the bank is going to have to be sloped back. Judge Anderson said that the road foreman went out with Mr. Chapman at the end of February of this year to look at it again. With all the rains the creek crossing are causing issues. They took ivy to help catch some gravel to be able to build up the bed of the creek and plan on doing this again. They also plan to bed it with big rocks so when summer goes on hopefully will go back and grout it in so it don't wash out every rain. Mr. Martin ask them if they would consider bush hogging the whole road from the creek on to the cemetery and maybe grade it along with some rock. Judge Anderson told Mr. Martin that he would talk to Patrick about getting this fix.

Clerk's Report for March 2022 meetings:

There was a regular called meeting dated March 15th, 2022 and a special meeting called dated March 31st, 2022.

The meeting minutes for the regular called meeting dated March 15th, 2022 was presented to members of the court for their review. Judge Anderson ask members of the court if they requested any changes to be made to these meeting minutes. There were no requests at this time therefore the meeting minutes for the March 15th, 2022 regular meeting is accepted as presented.

The meeting minutes for the special called meeting dated March 31st, 2022 was presented to members of the court for their review. Judge Anderson ask members of the court if they requested any changes to be made to these meeting minutes. There were no requests at this time therefore the meeting minutes for the March 31st, 2022 special meeting is 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 are to be paid at this time.

Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the financial statement 7/1/22 – 3/31/22, financial statement 3/1/22 – 3/31/22. Other financials to include interfund transfers for the month of March 2022, budget transfer and cash statements as of 4/1/22. Treasurer also presented budget transfers needed to balance 3rd quarter report.

Treasurers Transfers:

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

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

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton *to approve all of the Treasurers Transfers as presented to include interfund transfers, budget transfers needed to balance the 3rd quarterly report and any cash transfers.*

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

1st reading of Budget Amendment # 6

Treasurer presented budget amendment #6 for the 1st reading.

Budget Amendment #00000006 to include the unbudgeted receipts for the Powell County Dispatch Fund 85-4510 for Kentucky 911 Services Grant and to expend 85-9200-999 reserve for transfers in the amount of \$16,000.00

Budget Amendment #00000006 to include unbudgeted receipts for the Powell County Road Fund 02-4516 Truck License Refund and to expend 02-9200-999 reserve for transfers in the amount of \$23,232.38.

Budget Amendment #00000006 to include unbudgeted receipts for the Powell County General Fund 01-4733 Insurance reimbursement and to expend 01-9200-999 reserve for transfers in the amount of \$18,881.84.

Budget Amendment #00000006 totaling \$58,114.22.

3RD QUARTERLY REPORT (copy to members of the court)

Treasurer noted that she gave each member of the court a copy of the 3rd quarterly report. 1/1/22 through 3/31/22.

Old Business:

Judge Anderson told members of the court that County Attorney Robert King has received a letter from Mr. Saylers explaining what he thought would be the best route to take on Woody Ware road to allow folks an outlet when it floods.

Magistrate Chad Patton ask if there was any news about the landfill. Judge Anderson told him that he had not heard of anything at this time.

New Business:

Department Head updates:

CSEPP/EMA Director Kevin Babcock told members of the court that they had extended the closing of CSEPP by 6 months. Now they are saying it will be December 2024 instead of July 2024.

Ambulance Director Nathan Hall made members of the court aware that they would be having an inspection next week. Since we are uncertain how long it will take to get a new ambulance in Judge Anderson talked to Nathan about moving forward with ordering a new one. Nathan said we are looking

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at a year to eighteen months to receive it. They had talked about getting an ambulance refurbished. We need to also move forward with getting bids out for this.

Brian McKinney – Search and Rescue – Nothing at this time.

Jailer Travis Crabtree and Asst. Deputy Jailer Neil Hamilton – Travis requested that we change the HB556 receipt line in the new upcoming budget to \$125,000.00. Treasurer told him that she would make the change to reflect this number.

Travis also passed out an excel sheet showing the overtime hours. They started keeping track of these hours. The handout shows PTO and OT hours for pay periods from 7/9/21 to 3/31/22.

Neil told members of the court that some of this was Covid related due to staff being out.

District Updates:

Magistrate Donna Gabbard – Nothing at this time

Magistrate Dennis Combs – Adams Ridge bridge project is going good. Judge Anderson said this project is something we should be proud of. We are fortunate to have our relationship with District 10. It's not every day that you get the state to come in and facilitate something on a county and city street combo. There are going to be 60 some residents that should no longer be trapped in or forced to use the gate on the parkway.

Magistrate Tipton – discussed Manning Road slip. This was turned into FEMA but was rejected but hopefully it can be fixed. Also what ditches that has been done are good.

Magistrate Tipton also ask about the invoice for the archaeological survey for the mesonet site.

Judge Anderson told him that we are going to get a mesonet weather site that is granted funded with the county paying their percentage. It will be located on the property adjacent to the high school.

This property has virgin soil meaning it has never having construction on it prior to this. It will require an archaeological survey because of this. They did find some things so they had to move to the far corner of the lot where it is expectable.

Magistrate Chad Patton - started paving on Virden Ridge and hopefully to be completed soon.

Judge Anderson – Flex funding rural secondary paving has started. Wireless Coordinator Cory Graham ask him to mention the NCIC and TextMyGov 911. Hopefully by the end of April these things can come into play. The Kentucky State police has to get certification to make sure we are certified and qualified to do this.

Our county paving should be completed soon.

Updates on paving: In 2019 when Craig Lindon helped with the paving conditions of the roads and scoring them 1 through 10. The roads was scored so that each road got paved regardless of the district it was in.

District Ten 2022-2023 Rural Secondary Recommendations:

Breakdown as follows:

Allotment - \$782,411

County Judge Executive Fund - \$2,584

Maintenance/traffic - \$362,800

County Road Allotment - \$179,779

Balance - \$238,939

District-10 Recommendations:

Route #: KY 1057 (High Rock), MP 13.473-15.073, Width 20', Length – 1.6 miles

Beginning End: 53 feet from Intersection KY 3354 1.193 miles from Intersection KY 1639

\$143,221

Route#: KY 613 (North Fork Road), MP 1.143 – 2.067, Width – 20', Length – 0.924 miles

Beginning End: 0.563 miles from Intersection of KY 599 1.487 miles from, Intersection KY 599

\$95,118

TOTAL: \$238,339

After discussion Judge Anderson entertained a motion to approve the District Ten 2022-2023 Rural Secondary Recommendations.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Chad Patton **to approve the District Ten 2022-2023 Rural Secondary Recommendations.**

Judge Anderson ask those in favor be signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard - I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

County Road Aid Cooperative Program Agreement & Resolution:

Judge Anderson presented last year's agreement but the new one will be based the same way.

The county agrees three percent (3%) of the apportionment shall be withheld the department in an emergency fund.

After discussion Judge Anderson entertained a motion to approve the County Road Aid Cooperative And said resolution.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to approve the County Road Aid Cooperative Program Agreement and said Resolution. This motion also authorizes Judge Executive James Anderson to sign any and all necessary paperwork concerning this County Road Aid Agreement and said Resolution.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton –

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Powell's Valley Water District Appointment:

Judge Executive James Anderson entertained a motion for his approval of the re-appointment of Shawn Skidmore to the Powell's Valley Water District.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to approve Judge Executive James Anderson's re-appointment of Shawn Skidmore to the Powell's Valley Water District.**

Judge Anderson ask those in favor by signifying I.

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

5-0

TextMyGov:

Right now the county has CODERED and as of now we plan on keeping it. Judge Anderson said they have been looking for a different vessel and TextMyGov is a texting app. This company only tailors to governments. The county pays \$11,100.00 for CODERED at this time which includes IPAS and is unlimited. CSEPP/EMA Director said he has been looking into other less expensive options when CSEPP goes away. He has look into Hyper Reach which is around \$4,400.00 annually. These do not set up a texting app where you can get information simply by going to an app and pushing a widget it would take you to a particular task. Judge Anderson said that this one is only a push mechanism.

Members of the court received a copy of a Partnership Proposal for TextMyGov.

TextMyGov was developed to open lines of communication with local government agencies and citizens. The system works 24 hours a day and easily connects with your website. Using the regular messaging app on any smartphone, the smart texting technology allows the citizens to ask questions and get immediate responses, find links to information on the agency’s website, address problems, report any issues and upload photos. TextMyGov uses smart texting technology to communicate with citizens. Local government agencies can answer questions, send links to their website, and provide details on garbage pickup, utility payments, city news, events, office hours, just to name a few. TextMyGov uses smart texting information to track and record all the information that is sent in. Agencies can track the cell phone number, date, and time of every request. After the execution of the basic service agreement, a project manager will be assigned to assist the client through implementation. A local phone number will be obtained for use with TextMyGov. After initial implementation and training, unlimited on-going support is included. Their experts will be available Monday-Friday from 6am-5pm MST. This will work well for the courthouse, emergency Services, road department, etc.

TextMygov - \$4,500

Implementation/Setup Fee - \$1,125.00

Total (First Year) - \$5,625

Total (Ongoing) - \$4,500.00 (Annual)

After discussion of TextMyGov and pricing Judge Anderson made a motion **to move forward with the TextMyGov with the one year option in the amount of \$5,625.00.**

Judge Anderson ask those in favor by signifying I.

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

5-0

Pine Ridge Industrial Board Appointment:

When Steve Hale resigned from the Pine Ridge Industrial Board Judge Executive James Anderson appointed Kacey Davidson to serve in that position. It is now time for renewal. Judge Anderson entertained a motion to approve his reappointment of Kacey Davidson to the Pine Ridge Industrial Board.

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs ***to approve Judge Executive James Anderson's re-appointment of Kacey Davidson to the Pine Ridge Industrial Board.***

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Proposal for Site Survey (250 E. Elkins Street property – new EMS facility)

Judge Anderson let members of the court know that the commercial appraisal had been completed for the property on 250 E. Elkins Street. The only remaining step is to get the Site Survey. 5253 Design Group put together a proposal for site survey. They listed twenty two items that would be needed for this survey. Nesbitt Engineering Inc. submitted a bid for this site survey in the amount \$6,200.00 to compile a list of these requirements which should be completed within 30 days.

Judge Anderson entertained a motion to move forward with awarding Nesbitt Engineering Inc. for the site survey.

A motion was made by Magistrate Chad Patton seconded by Magistrate Donna Gabbard ***to award Nesbitt Engineering Inc. to do the Site Survey for the property located at 250 E. Elkins Street Stanton, Kentucky in the amount of \$6,200.00. (Proposal will follow minutes).***

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Judge Anderson discussed the current EMS facility. This is an aging structure with limited ways to improve it. It is also located in a residential area which causes complaints due to the sirens in the middle of the night. The property at 250 E. Elkins Street will be idea for an EMS facility. It is closer to medical facilities and the parkway. Ambulance Director Nathan Hall helped out with the drafting of what size building they would need which came to 60 ft. by 120 ft. This property already has an existing building on it that is 60 ft. by 103 ft. They have been trying to make sure everything will be included that is needed.

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King Crete Drilling:

A few meetings back the court approved payment to King Crete Drilling for steel that was drove on 2 sites on Star Gap and Daniels Branch also Sang Mountain was turned in. The minutes reflected that as long as the invoice reflected what he said he would do for the price then it would be approved. King Crete Drilling drove steel on Sang Mountain which members of the court did not know about. Judge Anderson told members that the work was performed on Sang Mountain but they did not for formally agreed to it nor did they pass it in court meeting. King Crete Drilling was notified that the court did not approve for Sang Mountain to be done and could pay for the other sites but this one would had to be approved before payment could be made.

After discussion Judge Anderson entertained a motion to approve payment to be made to King Crete Drilling for the work performed on Sang Mountain.

A motion was by Magistrate Chad Patton seconded by Magistrate Donna Gabbard **to approve payment to King Crete Drilling for the work performed on Sang Mountain.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Closed Session: KRS 61.810 subsection B

Judge Anderson entertained a motion to do into closed session per KRS 61.810 subsection B to discuss property acquisition.

A motion was made by Magistrate Chad Patton seconded by Magistrate Donna Gabbard **to go into closed per KRS 61.810 subsection B to discuss property acquisition.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Court Resumes 7:53 p.m. (attorney for deed search and title insurance for the potential EMS property located at 250 E. Elkins Street:

Judge Anderson made in known that No Action was taken in Closed Session but as a result of the discussion in closed session Judge Executive James Anderson entertained a motion to secure an Attorney for a deed title search and a title insurance up to \$2,000.00 for the potential EMS property located at 250 E. Elkins Street.

A motion was made by Judge Executive James Anderson seconded by Magistrate Dennis Combs **to secure an Attorney for a deed title search and title insurance up to \$2,000.00 for the potential EMS property located at E. Elkins Street Stanton, Kentucky.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Execute Purchase Agreement (EMS Property 250 E. Elkins Street Stanton, Kentucky):

Judge Executive James Anderson entertained a motion for the ability to execute a purchase agreement for the price that was quoted on the said property located at E. Elkins Street Stanton, Kentucky contingent that everything is in order such as the title search and site survey. The purchase agreement would require a payment in the amount of \$5,000.00 at that time to secure the purchase of this property.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to execute a purchase agreement for the potential EMS property located at 250 E. Elkins Street Stanton, Kentucky contingent that everything is in order such as the title search and site survey. This motion also allows payment in the amount of \$5,000.00 for the purchase agreement to secure the purchase of this said property at 250 E. Elkins Street Stanton, Kentucky.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Chad Patton – I

Magistrate Timmy Tipton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

County Attorney Robert King will check with some local attorney to do the title search for this potential EMS property located at 250 E. Elkins Street Stanton, Kentucky.

Adjourn: Meeting adjourn at 8:00 p.m.

Judge Anderson entertained a motion to adjourn.

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

Judge Anderson ask members by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

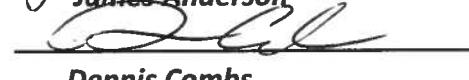
Magistrate Chad Patton – I

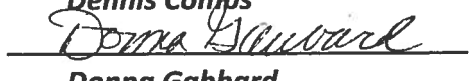
Magistrate Timmy Tipton – I

Judge Executive James Anderson - I

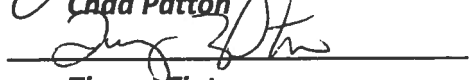
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James Anderson


Dennis Combs


Donna Gabbard


Chad Patton


Timmy Tipton