

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: June 14th, 2022

Time: 6:00 p.m.

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

Meeting ID: 835 4004 1684

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 – *2nd reading Amendment # 7*
1st reading Emergency Amendment #8
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates
- XI. District Updates:

Items to be discussed:

- Jesse Riley
- Bill Wesley
- Approval to open new account for Clerk’s Storage Fees
- Approval of the Pay Schedule for new Fiscal Year 7/1/22 – 6/30/23
- Ambulance Bid
- Powell’s Valley Water District Appointment
- 2nd Reading of 2022/2023 Budget

VII. Other

Zoom

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

Mon 6/13/2022 8:05 PM

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

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: June Powell County Fiscal Court Meeting

Time: Jun 14, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83540041684>

Meeting ID: 835 4004 1684

One tap mobile

+16465588656,,83540041684# US (New York)

+13017158592,,83540041684# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 835 4004 1684

Find your local number: <https://us02web.zoom.us/u/kd639cbMZB>

James D. Anderson Jr.

Powell County Judge Executive

185

POWELL COUNTY FISCAL COURT

REGULAR CALLED MEETING

JUNE 14TH, 2022

Time: 6:00 p.m.

Location: POWELL COUNTY EMERGENCY OPERATIONS CENTER

33 COMMERCE DR

STANTON, KENTUCKY 40380

http://us-web.zoom.us/j/86573781599

Meeting ID: 865 7378 1599

Fiscal Court Meeting held at the Emergency Operations Center at 6:00 p.m.

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, County Attorney Robert King, CSEPP/EMA Director Kevin Babcock, Ambulance Director Nathan Hall, Solid Waste Coordinator Tim Snowden, State Representative Bill Wesley, Jesse Riley, Hazard Community College Coordinator Jennifer Lindon, Economic Development Coordinator for the Kentucky River Add Development District Rick Riggs, Officer Mike Townsend, Rick and Patty Borders and several residents from Powell/Estill line.

Judge Executive James Anderson called the meeting to Order by 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:

Rick Riggs – Discussion of sewer on Boone Creek Road

Rick Riggs approach the court and told them he had been waiting on sewer for a long time. The city starting running sewer a few years ago but stopped the project because they said they had run out of funds. Mr. Riggs wanted to know if anything could be done. Everybody in the area of Boone Creek and half way up to the hill to his house has sewer but himself along with his daughter are the ones that they missed. If they could come up the back side of Boone Creek he thinks with the natural gravity flow it may not cost as much to do. He said that he had talked to a gentlemen and he seemed to think that there could be funding to do this. Magistrate Lockard ask him how many feet he thought it was. Rick told him that if you go down the back side it was around 800 to 900 feet and if you went up to the hill to his house it would probably be the same distance. Magistrate Tipton ask him who was the last house that had sewer. Rick told him that Dee Dotson was the last one but they came in from the Boone Creek side but actually the Sizemore house is where it actually stopped. He also said the Magistrate Tipton's son is planning on building some cabins up there and having sewer would be beneficial to him. Rick said

that he had been waiting 40 years to get sewer and if he had it his yard work would be a lot easier. Judge Anderson said there is money flowing through KI but this project would need to be initiated through the city but the court would be supportive of this. The Judge said he did not care to reach out to them and would encourage him to do the same. State Representative Bill Wesley said that there is KIA funding available and he did not know if Pine View Heights was in the county or city. It is actually in the county but the utilities are through the city. It would take the city to apply for the funding of this project. Members of the court thanked Mr. Riggs for attending the meeting.

Rick and Patty Borders – Discussion of annexing Powell and Estill County.

Rick Borders approach the court and said the Bill Wesley was working on something for them that he hope will do through. Mr. Borders said they are considered Powell County residents until they need help and then they are Estill County residents. He said that Powell and Estill Counties need to be annexed. Their house caught on fire and they called Powell County 911 but was told they are in Estill County but both counties ended up there. Judge Anderson said they had a very unique situation. Currently they pay taxes and vote in Estill County but everything else in Powell. Patty Borders also spoke to the court about her brother needing emergency care and she dialed 911 but was told she needed to call Estill County. She ended up having to take him to the clinic herself.

Resolution for the Pine Ridge Educational Facility Project: (Jesse Riley & Jennifer Lindon)

Jesse Riley Economic Development Coordinator for the Kentucky River Add Development District was attending the meeting on behalf of the Pine Ridge Educational Facility Project. He made members of the court aware that Kacey Davidson has been on the board for the last year. They have been working with HTCT on a couple of grants and at this time they are at the phase where they are ready to establish a line of credit.

Jennifer Lindon President of HTCT approached the court to talk about the college. Ms. Lindon passed out a handout to members of the court. She let the members know that HTCT had been working with Pine Ridge Industrial Authority. They have been partnering together on this project. They are trying to build a campus for HTCT on the Pine Ridge Industrial property which is located right off of Quilling Chapel exit. There are five counties that are involved which are Breathitt, Powell, Owsley, Wolfe and Lee. A resolution has been presented to Breathitt, Owsley, Wolfe and Lee which all Fiscal Court's passed. Ms. Lindon is here this evening at our meeting to present the same said Resolution to Powell County.

With this campus they will offer several different programs. Some of them are an electrical technology program, a component of solar, CDL's, Lineman, LPN, RN, Phlebotomy, and Pharmacy techs. They also want to tie in to what's going on with Red River Gorge so they would have an outdoor training facility. They are looking at a 5 year economic impact with the five counties involved of around 38 million dollars. They have put in applications and have been working indignity at the Pine Ridge Industrial Authority meetings. They have also put in applications with the Abandon Mind lands and expect to hear back from that grant at any time now. They are also planning an application with Economic Development of Administration.

Ms. Lindon said they expect to have a million dollar line of credit in order to make this construction happen for this project. With the million dollar line of credit they are talking to a couple of local banks. They expect during any phrase of construction they would have about \$300,000.00 out on this line of credit which would lead to about a \$3000.00 interest payment. Once you are reimbursed you can pay

the bank back. With this line of credit they expect to begin construction hopefully in the fall of 2023. It will take about a year to be able to begin anything. They are asking for this counties involved in this park to put up some of the money for this interest towards the revolving line of credit. They expect the interest to be \$3,000.00. Wolfe County will be paying 30% of this so they will be paying \$900.00 a month. They are asking for the other four counties to pay \$525.00 a month which would only be during the construction period which is expected to be around two years.

Magistrate Tipton said it will be great to have this kind of training in our area. He ask her how many employees does she think would be part of this facility. She told him they would have to hire constructors and they always try and hire local. There would have to be an instructor for each program, along with maintenance and operations for the building. They would expect around 25 or so. Magistrate Tipton said that Stanton may would have some opportunity to place people in those positions.

Judge Anderson said in his first 8 years in office what familiarity he had with the Pine Ridge Industrial Authority there was a tunnel vison for one particular project and as a result that park sit there so the evolution of the board and mindset to actually put something in there will benefit our area and region makes him thankful. Judge Anderson said he appreciates their time serving and is very exciting to see where it's stopped and how far they have advanced since that time.

The said Resolution reads as:

Adoption of Resolution of the Powell County Fiscal Court authorizing the interest fee proposal from Pine Ridge Industrial Authority on behalf of the Pine Ridge: Educational Facility Project.

After discussion Judge Anderson made the motion ***to approve this said Resolution Whereas, The Powell County Fiscal Court pledges to allocate 17.5% (\$525.00) of the monthly fee associated with Pine Ridge Industrial Authority establishing a line of credit pursuant to the Pine Ridge: Educational Facility Project.***

This motion was then seconded by Magistrate Dennis Combs. This motion also authorizes Judge Executive James Anderson to sign any and all papers concerning this said Resolution.

Judge 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

Representative Bill Wesley: Discussion of Annexing Little Hardwicks Creek:

Mr. Wesley approached the court and said that last time he attended our meeting he addressed four things that he would like to do for the county, which were tourism, broadband, fire departments, road infrastructure and water sewer. One of the things he would like to address was annexing Little Hardwicks Creek. It has been addressed in the court meeting back in 2002. It had been addressed back in the 1990's also. Magistrate Tipton said that he remembers the members of the fiscal court went to the Estill County fiscal court meeting on behalf of this area for these people but no action was taken.

Mr. Wesley told members of the court that he would like to give it another shot with the courts permission. He would like the County Attorney to prepare a letter with members of the Fiscal Court signing it saying why they think it should be annexed. Mr. Wesley said he is for sure he could get some of the first responders to sign a letter also. He is trying to persuade Estill County why we should have them annexed in Powell County. There are many reason why they should be. The number one thing would be safety. To get rid of the confusion of who is representing who especially in a life or death situation. The only thing that he sees why Estill County has is the constituents is for tax purposes. Mr. Wesley said he had talk with a Magistrate that is over Little Hardwick's Creek and he is willing to allow Powell County to have Little Hardwicks. Bill has also talked to PVA Jeff Hicks and he said he was willing to sign a letter in regards to this situation. He is all for allowing them to be annexed. Mr. Wesley said he was going to collect different letters from different people and go before their Estill County Fiscal Court meeting in July and try to persuade them to let be annexed.

Judge Anderson said that there is probably no one that lives there considers their selves from Powell County but at the end of the day it's the legalities in making it happen. Mr. Wesley said he went to Secretary Gray's office to try and get discretionary monies for that specific area of road. He also talked to the Estill County Judge Executive and Road Foreman they both said they have been neglected. It's too far for the road department, fire department, sheriff's department and EMS to come there. He is here today to ask for help. As a representative he finds it easier at his job if everyone will works together to get something done. Judge Anderson ask the residents of Hardwicks Creek what amenities they had. They said that they have Powell County electric and water. They said every year they have to sign a paper saying their children go to Powell County schools but live in Estill County. Mr. Wesley said he spoke at the County Judge's conference and discussed how it would be more expensive for Estill County to get that little section of broadband there. He vision was to get his district involved with a company from Virginia to do all broadband for the area and service them instead of being split into sections especially with the vision they have for the Natural Bridge area and the Red River Gorge.

Mr. Wesley ask again if he could get a letter drawn up from the Fiscal Court and County Attorney Robert King requesting and naming specific things like why they should be annex into Powell County for the benefits of these residents. Judge Anderson said from his prospective he is very favorable of this. He said he thought Estill County will have to initiate the process. He also said he would like to add about what the cost would be upfront for this process. In looking at the KYTC map it looks like he came up with about 1.575 miles of road which would be Hardwicks Creek, Marcum, Abney Hollow and Little Hardwicks Creek spur. Magistrate Tipton said as far as he knows Powell County has embraced annexing and we do need to get the County Attorney to write a letter. Mr. Wesley ask permission from the court if something did get wrote up to go to all the first responders and sheriff's department to see if they would be on board for this. He also said that if Estill County will not agree to the annexing because of tax reasoning this this is wrong. It just makes sense for the annexing to happen.

Magistrate Tipton said back in the day when Jeff Stiles was the County Attorney the court authorized him to write a letter to the Estill County Attorney about the situation. Later on our whole court actually went to the Estill County Fiscal Court meeting. Judge Anderson told Mr. Wesley that if he wanted he would be willing to have an informal meeting to see how willing they would be and what the options would be. Mr. King said he would have to look into it. He went through an annexation one time and he recalls there are two ways it can be done. One would be if everyone agreed to it and the other one if they didn't all agree then there would be a process that would have to be taken. Judge Anderson said that he would also reach out to Rich Ornstein to get his opinion on what to do.

Mr. Wesley thanked members of the court for allowing him to speak.

Clerk's Report for the May 2022 Meetings:

May 10th, 2022 (regular) and May 31st, 2022 (special)

May 10th, 2022 Regular Meeting

The meeting minutes for the regular called meeting dated May 10th, 2022 were presented to members of the court. Judge Anderson ask members of the court if they would like any changes to be made to these meeting minutes. There were no requests for any changes to be made to the minutes, therefore the meeting minutes for the regular called meeting dated May 10th, 2022 are accepted as presented.

May 31st, 2022 Special Meeting

The meeting minutes for the special called meeting dated May 31st, 2022 were presented to members of the court. Judge Anderson ask members of the court if they would like any changes to be made to these meeting minutes. There were no requests for any changes to be made to the minutes, therefore the meeting minutes for the special called meeting dated May 31st, 2022 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 any of the bills submitted for payment. There were no objections at this time, therefore all bills submitted for payment will be paid at this time.

Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the 5/1/22 – 5/31/22 financial statement, 5/1/22 – 5/31/22 interfund transfers, cash transfer, budget Transfers and cash statement balances.

Treasurer's Transfers:

Treasurer presented all of the treasurer's transfers for court approval. Transfers to include 5/1/22 - 5/31/22 interfund transfers, cash transfers and budget transfers.

Cash Transfer:

- 01-1000 transfer to Grants Fund - \$1,922.00
- 78-1008 transfer from General Fund- \$1922.00
- 78-4542 transfer to Grants Fund – 1,922.00
- 01-4731 transfer from General Fund – 1,922.00

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

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

Judge 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

2nd Reading of Budget Amendment # 7:

Increasing the General Fund totaling \$25,809.38

The Powell County Industrial Authority gives the Powell County Fiscal Court money to cover the Payment due.

Treasurer presented Budget Amendment #7 totaling \$25,809.38 for the 2nd reading.

01-4912 – Governmental Leasing Receipts

01-5405-715 – Industrial Park Payment

The budget amendment was sent to the Department for Local Government and was signed by the by State Local Finance Officer Robert Brown on May 12th, 2022.

Judge Anderson entertained a motion to approve the 2nd reading of Budget Amendment #7 increasing General Fund in the total amount of \$25,809.38.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to approve the 2nd Reading of Budget Amendment # 7 increasing the General Fund in the total amount of \$25,809.38**

Judge 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

Emergency Budget Amendment # 8:

Treasurer presented Emergency Amendment #8 to members of the court increasing the following funds. After looking at the appropriation lines Treasurer requested that the members of the court approve this Emergency Amendment so that the appropriation lines could be balanced for the 4th quarter report. The check received for the Powell CFC Stanton Furnace Rd SW in the amount of \$36,302.52 was not received until 6/14/22 so this amount was also included in the emergency amendment.

Was also included in this emergency amendment.

General Fund 01-4514 Powell CFC Stanton Furnace Rd SW totaling \$36,302.52

General Fund 01-9200-999 Reserve for Transfers totaling \$36,302.52

General Fund 01-4901 Surplus from Prior Year totaling \$250,000.00

General Fund 01-9200-999 Reserve for Transfers totaling \$250,000.00

Ambulance Fund 09-4608 Ambulance Service billing totaling \$112,000.00

Ambulance Fund 09-9200-999 Reserve for Transfers totaling \$112,000.00

Jail Fund 03-4537 B – HB 556 Jail Payments – Attendance & Completion totaling \$284,000.00

Jail Fund 03-9200-999 Reserve for Transfers totaling \$284,000.00

Total Revenues and Expenditures - \$765,302.52

Old Business:

Discussion of RFP's for Broadband Expansion:

191-

Proposals. After discussion they were more favorable from the proposal submitted from All Points Broadband. At that time they went ahead and submitted this proposal to Bluegrass Area Development so they could also review it to make sure it meets all the criteria for the RFP. If something happens that it does not meet the criteria then it will be voted not to accept any and then would have to negotiate. There is a lot of confusion that relates to broadband. The concept that there is going to be one provider that serves all of the people is more than likely not realistic. They are taking small portions because of several reasons. One of them being that two to three years ago the Federal government had a pot of money which they were allowed to bid on certain areas and one of those was awarded in Powell County to Spectrum and Charter. They are in the process now and have approximately have six years to complete and will service around 1500 residents. We are where we need to be but there is a process of getting the grant monies and funding to do it. We are all frustrated and want it done tomorrow but it's nothing on the counties part. It just takes time to go through the grant funding process to get this done.

Alcohol Beverage Control Administrator Kacey Davidson – Permission to purchase another Enforcement Vehicle for the City of Clay City to be used for their K-9 unit.

Alcohol Beverage Control Administrator Kacey Davidson was present for the court meeting to ask members of the court permission to purchase another enforcement vehicle for the City of Clay City for their K-9 unit to use during our ABC checkpoints. The K-9 unit would serve as a different nose that will pick up other issues that a human nose may not during these checkpoints. This purchase will be at state contract price and will come out of the Alcohol Beverage Control account. Magistrate Lockard ask if it would be equipped for a K-9 unit. Ms. Davidson told him that Clay City would do this portion of it. The K-9 unit will be very beneficial during these check points to be able to pick up on something that a human may not.

Magistrate Patton ask if this vehicle was going to be a Tahoe. Kacey told him that a Tahoe had been requested and she feels this request is valid.

After discussion Judge Executive James Anderson made the motion ***grant the request from Alcohol Beverage Control Administrator Kacey Davidson to purchase another enforcement vehicle for the City of Clay City to be used for the K-9 unit. This vehicle is be a Tahoe and will be purchased at state contract price. The funds to pay for this Tahoe will come out of the Alcohol Control Beverage account. This motion was then seconded by Magistrate Chad Patton.***

Judge 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

Judge Anderson told members of the court that he has had several inquiries about the last two vehicles that were purchased as to where they are at. Kacey let the court know that she went with Daryl Collins to equip the two vehicles because L&W is so far behind. He is working on trying to get the one purchased for the City of Clay City equipped and the one that was brought for the Powell County

Sheriff's office is waiting to be lettered with ABC on the back. After the lettering is done it can be turned over to the Sheriff's department and then at that time it can be equipped as they see necessary. This vehicle will remain in the ABC's name. Kacey let the court know that the vehicle will sit until it's labeled properly. Daryl is almost completed with the one purchased for the City of Clay City. Magistrate Mike Lockard ask if we could get stickers anywhere else. Kacey told him that she prefers to stay local. L&W is 9 to 12 weeks behind at this time.

Judge Anderson said that he is not preventing any department from getting their vehicle. Kacey said that she does not want anyone to accuse James or herself of trying to do something under handed because that is not ok. It's simply a labor issue and when it gets fixed it should be fine.

Judge Anderson told members of the court that regardless of how people felt about the initial wet dry vote if you look during this pandemic it afforded a lot of our hospitality type places, it help with a lot of them surviving.

New Business:

Updates:

Solid Waste Coordinator Tim Snowden:

Solid Waste Coordinator Tim Snowden made members of the court aware that the county was approved for a recycling grant. The grant will be around \$70,000.00 for the new fiscal year.

The new machine that is supposed to be arriving has not made it to the United States. It is still on a boat somewhere. He received an email from RUMPKE saying with the heat index being so high they were asking everyone to sit their garbage out the night before so they could start earlier in the mornings.

Judge Anderson said that he had not seen that. They need to give us some kind of press release so that we can put it on our public information page. Tim said that he would forward the email that he received to Kacey and Kevin so they can get it put out to the public as much as possible.

Ambulance Director Nathan Hall: Ambulance Bid

Ambulance Director Nathan Hall told members of the court that a bid had been put out for the price of a new ambulance and also a price of a remount. One bid was received from Southeast Apparatus.

Ambulance Director Nathan Hall opened the sealed bid from Southeast Apparatus.

The bid price for a new unit was in the amount of \$135,882.00 and the remount unit was in the amount of \$109,857.00.

The new unit would be a 2022 or newer Chevrolet G3500 Gasoline cutaway DRW, 139" WB with a 6.6L V8 Direct Injection 401 HP Gas Engine.

The remount unit listed remount of "EC-6" unit onto 2022 or newer Chevrolet G3500 chassis.

Magistrate Timmy Tipton ask if a remount one would be as good as a new one. Nathan told him it would basically be a new one. They go completely through it and check all the wiring.

It will take up to 18 months to 2 years to receive a new one. Judge Anderson said that some level of government is going to have to step up and mandate that some of these emergency vehicles get put out sooner.

After discussion Magistrate Tipton made a motion ***to go with the Remount unit in the amount of \$109,857.00. Judge Anderson said at one time they was going to take the two old ambulances in on trade. Would it be best to order two remounts? This motion was then seconded by Magistrate Mike Lockard.***

Judge Anderson ask those in favor by a show of hands.

Magistrate Dennis Combs – Nay

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Nay

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Nay

This motion fails due to a tie vote.

After this motion failed Judge Executive James Anderson made a motion to move forward with 2 remounts. This motion was then seconded by Magistrate Dennis Combs.

Judge Anderson ask all those in favor by signifying by raising their right hand.

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Nay

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Nay

Judge Executive James Anderson – Aye

Motion passes

4-2

Magistrate Timmy Tipton left meeting due to his mom being sick. Judge Anderson ask everyone to remember her in their prayers.

Powell's Valley Water District Appointment:

Judge Anderson received a letter from Powell's Valley Water District. The district's Secretary/Treasurer term which is now held by Mr. Shawn Skidmore.

Judge Executive James Anderson ask for court approval to reappoint Mr. Shawn Skidmore to the Powell's Valley Water District.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to approve Judge Executive James Anderson's request to reappoint Mr. Shawn Skidmore to the Powell's Valley Water District Board.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Approval to Open New Bank Account for the Clerk's Storage Fee:

Treasurer Connie Crabtree as for court approval to open a new bank account at Whitaker Bank for the Clerk's Storage Fees.

County Treasurers received an email from State Local Finance Officer Robert Brown on 4/21/22 concerning the Senate Bill 135. This bill will allow county clerks to receive \$10.00 reimbursement for

permanent storage of records. This fee must be accumulated and transferred to the Fiscal Court each month. The fiscal court must maintain these fees in a separate bank account and account for them in a special fund. The monies accumulated from this fee shall be held in perpetuity by the fiscal court for the county clerk's exclusive use for items needed to maintain permanent storage. Mr. Brown is recommending that the treasurers utilize any special Fund code within range outlined in the budget manual (75-88). When the clerk submits claims for payment relative to permanent storage, please expend by using the appropriate expenditure code in the budget manual.

Judge Anderson entertained a motion to approve the Treasurer's request to allow Treasurer Connie Crabtree permission to open a new account at Whitaker Bank to be used for SB 135- County Clerk Permanent Storage Fees. This new account will be opened in July 2022 and was included in the 2022/2023 budget.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs to allow Treasurer Connie Crabtree permission to open up a new account at Whitaker Bank to be used for SB 135 – County Clerk Permanent Storage Fees. This motion also authorizes for County Judge Executive James Anderson and Treasurer Connie Crabtree to sign any paperwork needed for the purpose of this new bank account at Whitaker Bank and to also be signers for the checks on this account. This new bank account will be opened in July 2022 and was included in the 2022/2023 budget.

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs –

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

Approval of the Pay Schedule for the New Fiscal Year to begin 7/1/22 through 6/30/23.

As it was discussed in a special meeting held on April 29th members of the court were made aware that a 3 percent raise was figured into the new budget for the majority of the departments.

Judge Anderson entertained a motion to approve the new pay schedule for the new fiscal year to begin 7/1/22 and go through 6/30/23. A copy of a gross wage report reflecting new wages to begin 7/1/22 will follow minutes.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Mike Lockard to approve the new pay schedule for the new fiscal year to begin 7/1/22 and go through 6/30/23. A copy of a gross wage report reflecting new wages to begin 7/1/22 will follow minutes.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

195

Short Term Bank Note: Citizens Guaranty Bank: Borrowed for Road Fund due to offset of Cash in Relation to the Emergency Funding.

A short term Promissory note was taken out in the amount of \$1,001,000.00 from Citizens Guaranty Bank. The loan was taken out due to the offset of cash in our road fund in relation to the emergency projects. The plans was to pay the whole amount in full by 6/30/22. The funding for these emergency projects are taking longer to receive than expected. The court discussed paying \$500,000.00 by 6/30/22 and carry over the remaining balance to the 2022/2023 fiscal year budget. The treasurer will make this change to reflect this in the new 2022/2023 budget.

Judge Anderson entertained a motion to authorize a payment of \$500,000 to be made on or before 6/30/22 to Citizens Guaranty Bank to cover ½ of loan amount and the remaining balance to be carried over to the 2022/2023 fiscal year budget.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to authorize payment of \$500,000.00 to be made on or before 6/30/22 to Citizens Guaranty Bank for the promissory note borrowed for the road fund. The remaining balance of this loan will be carried over to the 2022/2023 fiscal year budget. Treasurer will make the change in the new budget to reflect this and make the Department for Local Government aware of the change when the final copy of the 2022/2023 budget is sent in.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

2ND READING OF THE 2022/2023 BUDGET:

Judge Anderson entertained a motion to approve the 2nd reading of the 2022/2023 budget.

The first reading of the 2022/2023 budget was held on 5/12/22. It was then sent to the Department for Local Government and signed by the State Local Finance Officer Robert Brown on 5/18/22.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton **to approve the 2nd Reading of the 2022/2033 budget.**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton - I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

CSEPP/EMA Director: Kevin Babcock

CSEPP/EMA Director Kevin Babcock said he would first like to say thank the volunteer fire departments, EMS, law enforcement and the search and rescue for doing a wonderful job during the annual CSEPP drill. They had some issues but plan on doing some trainings and they also have been authorized by KYEM to solicit an instructor to come in and do some individual trainings in individuals departments. Kevin said that it really humbled him to see volunteers come out and spend their time learning skills that will keep us safer. We need to thank them for all they do because we don't say it enough.

FEMA has finished with all of their obligations of funds for the flooding last year and has been transferred to the state. We will be working through the state to get our funds.

The EM budget has to be submitted once the county budget is submitted. Kevin said he would get it to the state. They have been working on the 2023 budget for CSEPP and as of a reminder they are looking at doing an extended budget for 2023 that will take us into 2024. We anticipate the closeout of CSEPP will be in November 2024 for surety which means there is no more chemicals. Right now we are treaty which means that we have done what we are supposed to do and surety means no more nerve agent at all. It November 2024 it will take around 90 to 180 days to close out the program could be around January 2025 which means no more money. During close out they will allow one or two phone lines and a small percentage on the electric and water. Magistrate Donna Gabbard ask if the new lights in the parking lot at the CSEPP was solar. Kevin told her they were and also have a seven year unconditional warranty and they should last around 15 years. Kuddos to the county road department for coming out to help install them.

Judge Anderson said we are going to have to figure out how we are doing to fund the CSEPP by 2025. We need to be having the discussion now in ways to address this. Kevin said that Bluegrass Area Development is doing a representation of what the loss will be once CSEPP is gone.

Road Department Update:

Road Foreman Patrick McCoy was unable to attend meeting. He emailed members of the court his monthly report. He let members know that they had completed the first round of mowing on all county roadways. They have begun another round of grading on gravel roadways. Trees have been trimmed around numerous bridges to assist with visibility and line of site. Numerous roadways have been cold patched to repair potholes. They are currently working on drainage issues as well. There are many issues they have not addressed. With limited equipment and personnel, the growing season poses some strains on the department. They are striving every day to improve the county road ways. Many has voiced concerns about overgrowth encroaching upon many of our county roadways, they are striving to utilize the slope mower and they are going to demo a mowing deck for the excavator to see if the attachment would have utility for the tax payers of Powell County.

Patrick also sent a letter to members of the court about street signs, hazard warning signs and informational signs disappearing for the county road ways at an alarming rate. It's becoming a large problem for the road department. On an average the road funds expends approximately six thousand dollars on signs and the required mounting hardware for their installation. This issue is having a negative effect on our emergency response personnel, fire, EMS and police services.

Patrick said as a representative for the Powell County Road Department he would like to express the need for action from the Fiscal Court whether it be in the form of an increased penalty if a person is caught in possession of a stolen sign or an ordinance declaring an amnesty date for people to return

197

stolen signs or an ordinance declaring an amnesty date for people to return stolen signage. He is working with the County Attorney as well as the Sheriff to express his departments concerns and the associated dangers to our community that this issue has created.

Judge Anderson said that he would like to come up with an Ordinance that gives the county the ability that if law enforcement found someone with a road sign that they are charged. When someone steals a road sign it is causing a lot of problems for our first responders. County Attorney Robert King said that he has spoken with Patrick and he does not see where we would need to draft an ordinance. Robert thinks this would be considered a theft of county property and they could be prosecuted on a theft charge.

We are averaging spending \$6,000.00 to \$10,000.00 a year on road sign. James spoke of what Patrick has put in his letter saying that if we could hold an amnesty day to allow them to turn them in. If law enforcement went to serve a warrant and this person had twenty signs then they could be charged with 20 counts of theft.

Ambulance Director Nathan Hall ask if the signs had Powell County on them. Judge Anderson told him that a county notation that is exclusive to the county on the sign to show it's county property. Robert said that he thinks we could charge as a theft, receiving or wanton endangerment. If you charge a person with wanton endangerment the theory behind this would be that they know it's a county road sign, it's missing and you got it on your garage. Robert seems to think that they could definitely be charged as stolen property or theft and be prosecuted this way. Robert again told members of the court that drafting an ordinance would not make it any more severe than it would be just to charge the person. We could make this person pay restitution to the county plus fine them.

Robert also said that it would be nice to have an identifying mark on them to show they are county property. The next time signs are ordered we could check to see if they could be marked somehow to show they are the property of the county's.

Adjourn:

Judge Anderson entertained a motion to adjourn. The meeting adjourned at 7:45

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to adjourn**

Judge Anderson ask those in favor by signifying I.

Magistrate Dennis Combs – I

Magistrate Donna Gabbard – I

Magistrate Mike Lockard – I

Magistrate Chad Patton – I

Judge Executive James Anderson – I

Motion passes unanimously

5-0

James Anderson
James Anderson

Dennis Combs
Dennis Combs

Donna Gabbard
Donna Gabbard

Donna Gabbard
Donna Gabbard

Mike Lockard
Mike Lockard

Chad Patton
Chad Patton

Timmy Tipton