

698

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: **September 6th, 2022**

Time: **6:00 p.m.**

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

Meeting ID: **829 4501 4915**

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:

Items to be discussed:

- ***Paving Bids***
- ***Broadband***
- ***Closed Session***

- VII. Other

Zoom

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

Fri 9/2/2022 5:43 PM

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

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: My Meeting

Time: Sep 6, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82945014915>

Meeting ID: 829 4501 4915

One tap mobile

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Dial by your location

+1 301 715 8592 US (Washington DC)

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+1 646 931 3860 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 719 359 4580 US

Meeting ID: 829 4501 4915

Find your local number: <https://us02web.zoom.us/u/kdbJ2KkRyl>

James D. Anderson Jr.

Powell County Judge Executive

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

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33 Commerce Drive
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The September 6th, 2022 regular called meeting was held at the Powell County Emergency Operations Center. The meeting was held 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, Solid Waste Coordinator Tim Snowden, CSEPP Director Kevin Babcock, County Attorney Robert King, Rueben Turner (Hinkle Contracting) , Brandon Wells (Walker Construction) via ZOOM, Charlotte Denniston (Powell County Library) and State Representative Bill Wesley.

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

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

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

Public Comments:

No one sign sheet to speak under public comments.

Clerk's Report for the August 9th, 2022 Meeting:

The meeting minutes for the regular called meeting dated August 9th, 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 the 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 August 9th, 2022 as 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. There was no objections therefore all bills will be paid at this time. Due to the meeting being held a week early members of the court also had no objections in paying any of the usual bills that may arrived in the next week.

Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the 8/1/22 – 8/30/22 financial statement, interfund transfers, cash transfers, budget transfers and cash statement balances.

Treasurer's Transfers:

Treasurer presented the transfers to members of the court for their approval. Transfers to include 8/1/22 – 8/31/22 interfund transfers, cash and budget transfers.

A motion by Magistrate Donna Gabbard seconded by Magistrate Mike Lockard **to approve all of the Treasurer Transfers. To include interfund transfers, budget and cash 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

Department Head Updates:

CSEPP/EMA Director Kevin Babcock told members of the court that everything was going good with CSEPP and EMA. He made them aware of the EOC portion of the exercise coming up next Wednesday. SAR, fire departments and EMS continue to support Eastern Kentucky due to the flooding.

Ambulance Director Nathan Hall could not be presented for the meeting but he ask Judge Anderson to bring before the court about purchasing body cams for EMT's and Paramedic's. Judge Anderson said for liability sake this would be a good thing. There is money in the ambulance emergency equipment line to purchase these. Magistrate Tipton ask if this would be something that could go through CSEPP. Kevin told him that it couldn't go through CSEPP but our EMPG funding it may be something that we could match. A grant was put in for these but was denied. We would need to purchase a total of 7 cameras which would be including Nathan. Judge Anderson said we are hoping that this will help with the less serious calls that come in.

Nathan also mention getting Wi-Fi in his Tahoe. Kevin said it works fine in his Tahoe but it's better for him to switch to his iPad so he can take it away from the vehicle. It is only good for about 15 feet from the Tahoe. Magistrate Tipton ask how much the body cameras were. Judge Anderson told him that Nathan said he would be around \$7,000.00 for seven cameras. The cameras is not that expensive, it's the cloud storage that is associated with these that costs. Court members agreed to move forward with these request to purchase these 7 cameras along with cloud storage associated with these cameras.

Solid Waste Coordinator Tim Snowden – Nothing at this time.

Road Foreman Patrick McCoy – was not present for the meeting due to being sick.

Magistrate Timmy Tipton ask if we had heard anything about the slope mower. Judge Anderson told him that we are supposed to get a demo to use for a week but no one has contacted us about it.

Magisterial District Updates:

Magistrate Donna Gabbard – Nothing at this time

Magistrate Mike Lockard – Nothing at this time

Magistrate Dennis Combs – Nothing at this time

Magistrate Chad Patton – He had talked to Patrick about the culvert on Turley Road.

Magistrate Timmy Tipton – Nothing at this time

Judge Anderson – Let members of the court that the closing on the EMS property was last Friday. Most of our ARPA monies will be spent on this. For the county to have a nice EMS will benefit generations to come. Hopefully we can get the architect here by the next meeting.

New Business:

Acknowledgment of the Powell County Library District Board 2022 Tax Rates:

Powell County Library Board Co- Director Charlotte Denniston was present for the meeting to present the Powell County Library District Board 2022 tax rates. The rates will remain the same as last years.

5.2 Real Property

5.2 Personal Property

The minutes reflects the acknowledgement of the Powell County Library Board 2022 tax rates.

Paving Bids:

Notice of paving bids was advertised in the Clay City Times. The Powell County Fiscal Court will be accepting these in a per ton amount for both base and surface materials. Bidder may also submit these prices based on distance from plant, anything under 25 miles and anything greater than 25 miles. Judge Anderson told members of the court that we had around \$576,000.00 in flex funds that can spent on paving.

Minutes to reflect that Magistrate Timmy Tipton left the meeting while discussing these bids.

Hinkle Contracting Company, LLC

Judge Anderson opened the sealed bid submitted from Hinkle Contracting Company, LLC. This bid was received on 9/2/22 at 12:11 p.m.

Hinkle Contracting Company, LLC hereby submits bids on the following asphalt paving items as advertised.

CL2 ASPH Base 0.75D PG64-22 (In place) - \$99.50/TN

CL2 ASPH Surface 0.38D PG64-22 (In place) - \$107.90/TN

Walker Construction

Judge Anderson opened the seal bid submitted from Walker Construction. This bid was received on 9/2/22 at 11:00 a.m.

They quote on the price per ton for roads under/over 25 miles from our asphalt plants located in Mt. Sterling & Frenchburg.

Per ton Hot Mix Asphalt prices under 25 miles from plant.

Asphalt Base - \$88.00 per ton

Asphalt Binder - \$92.00 per ton

Asphalt Surface - \$94.00 per ton

Per ton In-Place Hot Mix Asphalt prices over 25 miles from plant.

Asphalt Base - \$89.75 per ton

Asphalt Binder - \$93.75 per ton

Asphalt Surface - \$95.75 per ton

After discussion Judge Executive James Anderson made the motion to accept both companies' bids and naturally try and go with the lowest bidder which was Walker Construction. Timelessly and figuring out how much can and will be spent on the paving will factor into making the decision. This motion was then seconded by Magistrate Donna Gabbard.

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

Judge Anderson told Brandon with Walker Construction and Ruben with Hinkle Contracting Company that they would try and schedule a special meeting in the next few days to determine what we can do concerning the paving.

Minutes to reflect that Magistrate Tipton re-enters the meeting.

Broadband:

When the Clay City Times came out a few weeks ago it appeared that they said the court rejected Broadband. Judge Anderson wanted to make it clear that the court did not reject Broadband for Powell County they just rejected the Broadband proposals in order to be legal.

Since that time Judge Anderson has talked to a couple of vendors as well as the two that submitted the proposals. This topic will also need to be discussed if a special meeting is called to discuss paving. These vendors could come and make a presentation to members of the court so that we may can move forward with awarding a vendor for this project.

Representative Bill Wesley:

Mr. Wesley was presented for the meeting to discuss getting some citizens from Estill County annexed into Powell County. He read a paragraph saying that a petition describing a particular territory of a county and signed in person by not less than the majority of the voters living in this territory is filed with the County Judge Executive. Asking for an election on the proposition of dividing the county or striking the described territory from the county and attaching into an adjoining county. The County Judge Executive by an awarder entered of a record shall call for an election. This election would be held in Estill County. This would be at the cost of Powell County to bring these citizens in. The tax money that Powell County will bring in from these citizens coming over could pay for the election.

Judge Anderson read something that he found in the court order book back in 6/11/93.

Whereas the residents of the area of Estill County Kentucky known as Abney Hollow have expressed desire to succeed from Estill County Kentucky and then came a part of Powell County Kentucky. Whereas it appears that residents of Abney Hollow use Powell County schools, has Powell County postal addresses, telephone exchanges and cannot be reached by Estill County emergency personnel without traveling several miles through Powell County Kentucky be ordain as follows. Upon certification election results that the residents of Abney Hollow as described in the election petition for such election wish to separate from Estill County Kentucky such region shall be immediately annexed and accepted as part of Powell County Kentucky and the bounties of Powell County Kentucky shall be changed necessary by law to reflect the addition of this territory further than precinct and Magisterial boundaries shall be modified as necessary introducing the 1st reading at the meeting of Powell County Fiscal Court on 6/11/93 and given 2nd reading and adopted by a special meeting by Powell County Fiscal Court on 21st day of July 1994. The Ordinance shall be effective upon publication. The votes were 4 yes and 0 no. Judge Anderson ask if anyone ever remembered having an election on this. A citizen from Estill County that was presented for this meeting said that he remembers state people being but ended up walking out and that's the last they heard about it.

Mr. Wesley said that he could get tax revenue paperwork together and a rough guess from what Estill makes. He is already on the agenda for the meeting and has talked to the County Judge and Magistrate for that area and they are on board with this. Mr. Wesley ask members of the court if he can get them to sign the petition would this court be agreeable to call for an election for the citizens to be brought into Powell County. This court said they are on board with this but would need to know what the election would cost. Mr. Wesley said that he would get all the paperwork together. Judge Anderson told him again that they all are in favor and would be willing to attend a fiscal court meeting in Estill County.

Judge Anderson said the petition before only included Abney Hollow. Mr. Wesley said there is a total of 60 homes. A new Ordinance would have to be drawn up to include all of the roads.

This would not hit this election cycle. Mr. King said the election has to be held on a day of a regular election held in the county for other than county officers.

Judge Anderson he would like to see Estill County go for discretionary money so that the roads could be addressed. In closing Mr. Wesley said that he appreciates anything that this court could do to help him out.

2022 Incentive for Travis Crabtree, Powell County Jailer:

Travis Crabtree has completed 40 hours of training for calendar year 2022. Records show that Travis has successfully completed 4 (units) and is due 4 incentive payments of \$1,169.77 for a total of \$4,679.08.

Judge Anderson entertained a motion to approve incentive payment for Travis Crabtree.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard ***to approve the incentive payment for Travis Crabtree in the amount of \$4,679.08 for calendar year 2022.***

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

Closed Session: KRS 61.810

Judge Anderson entertained a motion to go into closed session KRS. 61.810

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs **to go into closed session.**

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

Court Resumes:

Judge Anderson made it aware that there was no Action taken in closed session but as a result of the discussion in closed session.

As a result of the discussion in closed session the court will be looking into making new hires or changes to personnel positions. This will all be positive with no disciplinary actions.

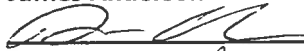
Adjourn:

With no further discussion the court moved **to adjourn.**

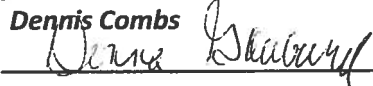
A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to adjourn.**

The meeting adjourned at 7:02 p.m.

James Anderson



Dennis Combs



Donna Gabbard



Mike Lockard



Chad Patton



Timmy Tipton