

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: **October 11th, 2022**

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

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

Meeting ID: **812 5645 3037**

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
Budget Amendment #1**
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates
- XI. District Updates:

Items to be discussed:

- Brandon Smith
- Bill Wesley
- Roads
- Architect Contract
- County Tax Rates
- Powell County Extension Board Tax Rates
- Kentucky Deferred Compensation Agreement
- Date change for November Meeting

- VII. Other

2

Zoom

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

Mon 10/10/2022 5:17 PM

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

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: October Fiscal Court Meeting

Time: Oct 10, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81256453037>

Meeting ID: 812 5645 3037

One tap mobile

+16465588656,,81256453037# US (New York)

+16469313860,,81256453037# US

Dial by your location

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

Meeting ID: 812 5645 3037

Find your local number: <https://us02web.zoom.us/j/81256453037>

James D. Anderson Jr.

Powell County Judge Executive

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

OCTOBER 11TH, 2022

Time: 6:00 p.m.

Location: Powell County Emergency Operations Center

33 Commerce Drive

Stanton, Kentucky 40380

Join ZOOM Meeting

<http://us02web.zoom.us/j/81256453037>

Meeting ID: 812 5645 3037

Present: County 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, State Representative Bill Wesley, Brandon Smith, Road Foreman Patrick McCoy, Hugh Reed, Eddie Barnes, Ellen Creech, April Royce and several citizens regarding the Powell County Homeless.

Judge Executive James Anderson called the meeting to order.

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:

Hugh Reed, Ellen Creech along with several other citizens was present at the meeting speaking on behalf of the homeless population in Powell County. Hugh read some statics on the homeless according to HUD. Unsheltered homelessness are risen 30 percent in 2015 to 2020. 20 percent of the county population is at or below poverty level. One of every 5 people are at risk of becoming homeless. He said the people that experience homelessness are at a greater risk of chronic pain which then will use the ambulance service and police service. Mr. Reed said as far as he knows he has not seen any of the court members helping with the homeless in any way, fashion or form. Magistrate Chad Patton ask him what he considered homeless and how he got his numbers. Hugh said he looked them up on the internet and that's what HUD said. Chad said he was told that homeless meant anyone that did not have a home in their name. Mrs. Creech spoke up and said that was not true. Hugh said he didn't know where he was getting his information. Magistrate Timmy Tipton told Hugh that the Bowen Church of God feed the homeless in Clay City. He cannot go because of work but he is sensitive to the homeless and does contribute to this. Magistrate Tipton also told him that it's not just a Powell County issue it's everywhere.

Hugh said he has contracted Craig Dawson about grant writing. Craig told him that he could do the writing but someone would have to do the research. Judge Anderson ask Hugh what they were

proposing to the court. Hugh told him that they would like to get in touch with someone who can do the grant writing and grant research to help them search for grants to build a building.

Ms. Creech said they already have the land to build it on. She said that have around 10 churches that donate on a monthly bases to them and they do have a homeless fund.

Hugh said he was told that there was FEMA money that could be used to build a shower house and restroom facilities. Judge Anderson ask them if they had a model of what they would like to build.

Hugh said it would be based off of the one in Clark County. They are looking to building a 4000 to 5000 foot facility. They are looking at around 30 to 40 individuals in the county and may be more.

Ellen told members of the court that this facility will just be used as a warming station. They can come in to get out of cold as well as the heat but has to leave the next day. She also said the Mennonites is going to build in the next three to four weeks if they can get some help from the county.

Judge Anderson said the court is very open on trying to find solutions such as grant monies for such things. If a structure could be obtain kind of like the Senior Citizens facility which takes care of their place on their own do they as well foresee them being able to do the same. Judge Anderson also ask them if they had adequate funds to do this if they get this facility built. Hugh said when they talked to the Memmonites they said for a 1280 square foot hull will run around \$40,000.00. Ellen told the Judge that they were talking about two different things.

With the Memmonites it will just be a temporary warming station. They are requesting that the court help them with grants and getting funds. This building would be so that they could do laundry and take showers. Judge Anderson ask them to put in writing exactly what their request was and they would be happy to see what could be done. Ellen ask if the court would have to meet again to vote on what could be done. The judge told her the counties budget is for a fiscal year and they would have to look to see if anything was available. Ellen told the Judge they would get something together and bring to the office.

Clerk's Report for the September 2022 meetings:

September 6th, 2022 (regular) & September 26th, 2022 (special)

The meeting minutes for the regular called meeting dated September 6th, 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 dated September 6th, 2022 is accepted as presented.

The meeting minutes for the special called meeting dated September 26th, 2022 were presented to the members 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 request for any changes to be made to the minutes, therefore the meeting minutes dated September 26th, 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. There was no objections in paying any of the bills therefore all bills will be paid at this time. There was also no objection in paying for Solid Waste Coordinator Tim Snowden to attend the Winter SWaCk meeting. This meeting will be held December 6-8 in Covington.

Sherry Skidmore ask for court approval to pay an invoice from L&W Emergency Equipment for emergency equipment to be installed in and on their 2022 Tahoe in the amount of \$16,733.69.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Dennis Combs **to approve payment up to \$16,733.69 for the emergency equipment for the 2022 Chevy Tahoe.**

Judge Anderson ask all 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

Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the 9/1/22 – 9/30/22 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 interfund 9/1/22 – 9/30/22 cash and budget transfers.

A motion was made by Magistrate Mike Lockard Seconded by Magistrate Chad Patton **to approve all of the Treasurer's 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

1st reading of Budget Amendment #1

Treasurer presented Budget Amendment #1 for the 1st reading in the amount of \$102,374.69. Increasing the ARPA fund by \$50,000.00 and increasing the General Fund by \$78,395.73.

ARPA (LATCF) - 84-4504 ARPA Receipts - \$50,000.00

84-9200-999 ARPA Reserve for Transfers - \$50,000.00

General Fund - 01-4514 Powell CFC Stanton Furnace RD SW - \$26,021.04

01-9200-999 Reserve for Transfers - \$26,021.04

General Fund – 01-4514 Powell CFC Stanton Furnace Rd SW - \$26,353.65

01-9200-999 Reserve for Transfers - \$26,353.65

Brandon Smith:

Mr. Smith said he wanted to come to the meeting to introduce himself and apologize for not being able to attend any meetings. He said he is sure the court has been following the work they have been doing regarding the flood. The air rescue efforts on his side of his operation is still fighting to get families off the ground. There are nine families that he is personally working with that has small children that are sleeping in tents. Some of them has FEMA trailers but cannot get the electrical inspection so they can't get in them. There is a large population that can't get into a trailers because they do not have a piece of property to sit in on so they are stuck on site. In the past 60 days they have gotten around 100 individuals into a warm adequate structures. He told members of the court to call him if they needed anything and that Powell County is a top priority for tourism and economic development. Brandon Storm did have Powell County but with the redistricting Powell County is now Mr. Smith's.

Department Head Updates:

Solid Waste Coordinator Tim Snowden: New machine is helping them speed up their time by one day.

Road Forman Patrick McCoy: Approval to purchase Salt Equipment & Leaf Blower:

Patrick said they have been sticking to the ditching. They have been working on some that has been neglected because of the emergency work they have had to do. In regards to the paving Patrick made it aware that he had attempted to meet with Walker Company and actually had a meeting set up for yesterday to look at the roads. He also wanted to ask how quickly we could get them in to start paving and wanted some clarification on some of the issues with the bid proposal they submitted to court. Patrick talked to a gentleman from Walker Company named Buddy. He said that he never would give him a time to meet. Patrick sent him a text message around 7:30 a.m. about setting up a time to go look at the roads. Buddy gave him a thumbs up emoji but never actually contacted him so there is zero clarification concerning their bid at this time. Patrick made court members aware that they have been working on their snow and ice removal fleet. With this being said the road department has three older trucks which are in considerable worse shape than the third. The frame is rusted into on one of them and has a temperately fix so that they can use it. These two vehicles have been in the salting fleet for around a decade and have done their diligence. Patrick presented some quotes for some salting equipment. The quotes were submitted from

Dukes A&W Enterprises LLC.

SNOWDOGG EX 80 Snow Plow and mounting kit in the amount of \$9,440.00

Spreader, Hopper, STD Chute Poly Electric in the amount of \$9,440.00

After discussion Judge Anderson entertained a motion to approve these two quotes in the amount of \$9,440.00 each.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to approve these two quotes for salt equipment submitted from Dukes A&W Enterprises LLC in the amount of \$9,440.00 each totaling \$ 18,800.00.**

Judge Anderson ask those in favor by signifying I.

Watercraft – 13.30

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

Acknowledgment of the Powell County Extension Board 2022 Tax Rates:

The Powell County Extension Board 2022 Tax Rates was presented to members of the court or their acknowledgement. Rates as follows:

Real Property – 3.5000

Tangible Personal Property – 3.5000

Inventory – 3.500

Kentucky Public Employees’ Deferred Compensation Authority (“KDC”) Joinder Agreement/Resolution:

In accordance with Kentucky Revised Statues 18A.230-275, KDC is the plan administrator of the KY 401(k) Plan and KY 457 Plan. Under Kentucky law, local public employers may join KDC’s Plans, and joiner is accomplished with a Joiner Agreement. This Joinder Agreement replaces your existing Joinder Agreement.

Judge Anderson entertained a motion to approve the Agreement and Resolution for the Kentucky Public Employees’ Deferred Compensation.

A motion was made Magistrate Timmy Tipton seconded by Magistrate Donna Gabbard **to approve the Agreement and Resolution with the Kentucky Deferred Compensation contingent that County Attorney Robert King reads the Agreement and Resolution and approves of both. This motion also authorizes County Judge Executive James Anderson to sign any and all paperwork to include the Agreement and Resolution with the Kentucky Deferred Compensation.**

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

4

Discussion of changing November's regular Fiscal Court Meeting due to Election Day:

After discussion all members of the court agreed to leave the meeting on the regular scheduled date of November 8th, 2022.

Closed Session: KRS 61.810 subsection (F):

Judge Anderson entertained a motion to go into closed session.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **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:

NO action was taken in closed session.

Adjourn: Meeting adjourned at 7:45

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

Judge Anderson ask those in favor by signifying.

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

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

Magistrate Timmy Tipton ask Patrick how may snow routes they had. Patrick told him they had 7 snow routes with 8 fitted trucks for snow removal. They currently have 75 to 100 tons of salt which should be enough for two to three times around the county road system.

Patrick also ask for approval to purchase a Leaf Blower. He presented members of the court with a quote from Rogers Hardware for a Billy Goat Force 408CC Vanguard 4 Cycle Self Propelled walk behind Leaf Blower in the amount of \$2,686.00.

Judge Anderson entertained a motion to approve the purchase of a Leaf Blower for clearing road ways. A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to approve the purchase of a one Billy Goat Force 408CC Vanguard 4 cycle Self Propelled Walk behind Leaf Blower Model F1402SPV in the amount of \$2,686.00.**

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
Motion passes unanimously

6-0

Magistrate District Updates:

Magistrate Donna Gabbard – Nothing at this time

Magistrate Chad Patton – Nothing at this time

Magistrate Timmy Tipton – Mention having a cook out at the road department before him leaving

Magistrate Mike Lockard – Ask if we had any updates on Woody Ware Road concerning an exit when it floods. County Attorney is still looking into it.

Magistrate Dennis Combs – Nothing at this time

Roads:

Judge Anderson made members of the court aware that he had contracted Brandon Wells with Walker Company about the four things in question concerning their quote that was submitted for paving. One of the things was the language in the quote. Brandon did specify that it would be if we were hauling it not placing it. He was questioned on the surplus in relation to if they had the whole contract they would

70

not penalize us for a road being under the 100 ton. The concern on the timeliness Brandon told Judge Anderson he would get back with him on this.

Hilltop, Beech Fork, Tiny Jones and several others needs to be addressed before winter.

Magistrate Timmy Tipton said he thinks we need to commit so that we can move forward with paving.

After discussion a motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton **to move forward with paving so as long as the vendor honors their price.**

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

Architect Contract (5253 Design) EMS Building:

Judge Anderson made court members aware per their request from last meeting that he had spoken with the Architect concerning the EMS building and he agreed to come down \$15,000.00 off the original quote.

After discussion a motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to approve the Architect contract with 5253 Design concerning the EMS building.**

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

County Tax Rates:

The County tax rates were discussed in a prior meeting. The court questioned the compensating rate increase. Judge Anderson told members of the court that he had gotten with Dustin and the 14 million dollars is in grievance with Tennessee Gas so with this being said is what made the rate increased. They will be working on it to get this resolved.

Judge Anderson said he would feel comfortable staying at the same rate as the county was last year which was 10.20.

A motion was made by Judge Executive James Anderson seconded by Magistrate Mike Lockard **to leave the County Tax Rates the same as last years.**

Real Property – 10.20

Personal Property – 11.33

Motor Vehicle – 13.30

James Anderson

James Anderson

Dennis Combs

Dennis Combs

Donna Gabbard

Donna Gabbard

Mike Lockard

Mike Lockard

Chad Patton

Chad Patton

Timmy Tipton

Timmy Tipton