

Powell County Fiscal Court

Regular Called Meeting

Date: July 11th, 2023

Time: 6:00 p.m.

Location: Powell County Emergency Operations Center (EOC)

33 Commerce Drive

Stanton, Kentucky 40380

- I.** Call Meeting to Order
- II.** Pledge of Allegiance/Prayer
- III.** Roll Call
- IV.** Public Comments
- V.** Clerk Report
 - June 13th, 2023 (regular)**
 - June 30th, 2023 (special)**
- VI.** Bills Submitted for Payment
- VII.** Approval of Treasurer's Financial Statements
- VIII.** Approval of Treasurers Transfers/Amendments
 - (First reading of Budget Amendment #1)**
- IX.** Old Business:
- X.** Department Head Updates:
- XI.** District Updates:
- XII.** New Business:

Agenda Items:

- PVA Carmen Rogers – Tax Appeal Board Appointments
- Motion to approve the disbursements of the 2023-2024 County Contributions
- Fire Departments
- Ambulance Service
- Homestead
- Resignation of Derek Townsend
- Jail Policy and Procedures
- Motion to allow Transfers for 2023-2024 Insurance's
- Discussion of Field Tax Enforcer
- Discussion of sick time prior to July 1, 2013

XIII. Adjournment

Next Regular Meeting scheduled for August 8th, 2023.

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Time: 6:00 p.m.

Location: Powell County Emergency Operations Center (EOC)

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Present: Judge Executive Eddie Barnes, Fiscal Court Clerk/Treasurer Connie Crabtree, Magistrate J.L. Bowen, Magistrate Dennis Combs, Magistrate Brian McKinney, Magistrate Mike Lockard, Magistrate Chad Patton, County Attorney Robert King, Solid Waste Coordinator Tim Snowden, Ambulance Director Nathan Hall, Dispatch Director Larry Hall, Assistant Dispatch Director Justin Rice, CSEPP/EMA Director Kevin Babcock, Rita Tolson – Tourism, Chief Deputy Jailer Neil Hamilton, Jailer Teddy Lacy, Derek Townsend, Jason Randall and Lynn Stidham – Tourism,

Eddie Barnes, County Judge Executive, called the meeting to order.

Kevin Babcock offered a prayer.

County Judge Executive Eddie Barnes led the Pledge of Allegiance.

The Roll was called with all members present:

Judge Executive Eddie Barnes

Magistrate J. L. Bowen

Magistrate Dennis Combs

Magistrate Mike Lockard

Magistrate Brain McKinney

Magistrate Chad Patton

Public Comments:

Lois Embry came to the last meeting discussing Old Gritters Ridge Loop. She was asking the court to either start maintaining her road or revert to her as a private drive. Court members tabled the discussion so that the County Attorney could check on the statues.

Ms. Embry was present for this meeting to ask members of the court what they had found out.

Judge Barnes told her that he had gone and looked at the road and he did not see a problem with reverting the road back to her. Ms. Embry is the only resident that uses this section of roadway to access her property. She told members that if this was going to be a county road then the county needed to maintain it and if it is her private drive then she will keep it up. The County Attorney said there were two ways that this could be done. Either the court could do it on their own or she can petition the court to have it done. He suggested the court do it on her behalf which would be quicker.

A motion made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton with all members voting yes to allow County Attorney Robert King to start the proceeding pursue to the statues to discontinue a county road named Old Gritter's Ridge Loop. The County Attorney told Ms. Embry that it should be completed by the next regular court meeting.

Rita Tolson with Powell County Tourism came to the meeting to give members of the court an update on tourism. She gave each member a packet telling the Powell County Tourism board for the months of July, August and September.

Meeting Minutes for June 13th, 2023, regular meeting:

A motion made by Magistrate Dennis Combs seconded Magistrate Mike Lockard with all members voting yes approving the meeting minutes for the regular meeting dated June 13th, 2023.

Meeting Minutes for June 30th, 2023, special meeting:

A motion made by Magistrate Brian McKinney seconded by Magistrate J.L. Bowen with all members voting yes to approve the meeting minutes for the special meeting dated June 30th, 2023.

Bills Submitted for Payment:

Bills submitted to members of the court for payment approval.

A motion made by Magistrate Dennis Combs seconded by Magistrate Chad Patton with all members voting yes to approve all claims submitted for payment.

Financial Statements: 6/1/23 – 6/31/23 Financial Statement and Cash Statements:

The Treasurer presented all the financial statements for court approval. Financials to include 6/1/23 – 6/30/23 financial statement and cash statements.

A motion made by Magistrate Chad Patton and seconded by Magistrate Brian McKinney with all members voting yes to approve all financial statements including the 6/1/23 – 6/30/23 financial statement and cash statements.

Treasurer's Transfers:

The Treasurer presented the transfers for court approval. Transfers to include interfund transfers, cash transfers and budget transfers.

A motion was made by Magistrate Dennis Combs and seconded by Magistrate Chad Patton with all members voting yes to approve the transfers to include interfund transfers, cash transfers, and budget transfers. Budget transfers were made to balance the fourth quarter report totaling \$2,251,858.29.

1st Reading Budget Amendment #1.

The budget for the current fiscal year is amended to increase the receipts for the general fund in the total amount of \$ 432,489.02.

01-4113 2023-2024 Recycling Grant - \$129,912.23

01-5217-366 2023-2024 Recycling Grant - \$129,912.23

01-4510 2023-2024 Composting Grant - \$278,576.79

01-5212-366 2023-2024 Composting Grant - \$278,576.79

01-4510 2023 Rubber Grant - \$24,000.00

01-5212-467 2023 Rubber Grant - \$24,000.00

Old Business:

Magistrate Mike Lockard asked if the purchase of the A/C machine had been made. Derek told him that it had, and he given a tutorial on how to use it.

Department Head Updates:

CSEPP/EMA Director Kevin Babcock let members of the court know that there would be a site visit for the flood on Star Gap, Popular Bluff, and the canoe ramp on Tuesday. He has put in for a litigation for 15 sirens and a new controller totaling over \$460,000.00. If we get the grant and the fiscal court approves it the county will have to put up 13 percent of its which would be around \$ 67,000.00. We will not know if we got the grant until later in the year, at that time the fiscal court can decide if they want it or not.

Dispatch Director Larry Hall let members of the court know that Shanna Charles started the academy this week and he had hired a couple of part-time people.

The phone system is out for bids. This was advertised in the paper and the deadline to submit a bid will be Friday July 14th at 4:00 p.m.

Larry let members of the court know the phone system went down again about a week ago around 5:30 in the morning. AT&T is going to submit a bid. The cost of this phone system will be around \$66,000.00. CSEPP is going to help with this cost. Larry asks members of the court to give Judge Barnes the authority to open any bids that we receive on Friday at 4:00 so that we can get this process moving forward.

A motion made by Magistrate Mike Lockard seconded by Magistrate J.L. Bowen with an all members voting yes to give Judge Executive Eddie Barnes the authority to open all the submitted for the new phone system on Friday July 14th at 4:00 p.m.

Ambulance Director Nathan Hall:

Nathan told members of the court that they had gone and looked for new ambulances. The price originally started out at \$252,000.00 which was for a Type 1 truck and chassis. They are now looking into getting some boxes remounted, it will all depend on what the court agrees to spend.

Judge Barnes said the van's front end they were looking at was priced at \$215,000.00 last month and now is \$252,000.00. They contacted a couple of people on refurbishing a couple of ambulance boxes which would be around \$150,000.00.

A guy is coming tomorrow and bringing an ambulance to look at. This ambulance is in the \$160,000.00 to \$170,000.00 range.

Jailer Teddy Lacy & Deputy Jailer Neil Hamilton:

Jailer Lacy asked members of the court to approve a razor wire fence to be installed in front of the RCC building to prevent any inmates from escaping. The total amount including materials and labor would be \$3,541.24.

A motion was made by Magistrate Dennis Combs and seconded by Magistrate J.L. Bowen with all members voting yes to approve for razor wire fence in front of RCC building in the total amount of \$3,541.24 which includes materials and labor.

Jailer Lacy asked members of the court to approve raising his starting pay from \$10.00 per hour to \$13.00 per hour in hopes of finding better applicants. Currently, he wants to raise his employees making \$10.00 to \$13.00 an hour. There are around 15 employees that would need to be increased. Teddy said he has mentioned them working 12-hour shifts, but no one will do it for \$10.00 per hour.

Court members asked him to get some figures together so that they would know how much money these increases would be. All members were open to this request.

Court members agreed to table this discussion until the next fiscal court meeting to allow Jailer Lacy to get some figures together to present at the next regular meeting.

Solid Waste Coordinator Tim Snowden:

Tim made members of the court that he went to Sharpsburg to look at 5ft foot box trailers.

He worked out a deal for 8 new tires, 2 new back doors and some other odd and ends stuff. They will be \$6,600.00 each. All members of the court agreed during the last meeting to let Tim spend up to \$15,000.00 for trailers.

Tim told members of the court that a former employee was hired back a few months ago but this person is still waiting to hear something from retirement. Tim is asking to hire Roger Hollon as a part-time employee to fill this spot. Roger will help with cleaning up the roadways.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Brian McKinney with all members voting yes to hire Roger Hollon as a part-time employee at the transfer station.

Assistant Dispatch Director Justin Rice:

Justin told members of the court that a lady needs an address. Her property is on Mtn. Springs in Powell County, but her driveway access is in Estill County. He asks if he needs to refer her to Estill County for an address. Judge Barnes said he would contact Estill County mapping and see what they say. Magistrate Bowen said that he is fine with whatever Justin works out with them.

Justin also let members of the court know they ordered door hangers so that person/resident knows they have been there.

Magistrate McKinney asked Justin what he does on Air B&B's. Justin told him that he does ask them, so it is an honor system. If they tell him then he notes, it on a spreadsheet. He has around 100 addresses that he has given so far.

Justin asks the County Attorney if he could share people's phone numbers. The County Attorney said he did not see a problem with this.

District Updates:

Magistrate Chad Patton – Nothing currently

Magistrate Brian McKinney - Brian has been working with the Broadband Committee. They have had two meetings so far. They have an RFP put in place. They sent it to Bluegrass Area Development to look over it. They may possibly get some grants for broadband here in the county. The Governor announced 1.1 million dollars coming for internet. He has talked to AT&T, Crystal Broadband, Spectrum, Mtn Telephone and Eastern Telephone trying to find what their plans are for the county. He said himself along with Eddie has a meeting scheduled with Mtn. Telephone on Friday. They are the ones that got the 9-million-dollar grant at Slade but cannot start construction until October 1st because of it being in the National Forest and its bat matching season. They must wait until the mating season is over to start construction. The construction must be done by March 31st.

Brian filled in at the Animal Shelter for 11 days due to Justin being on vacation. He bragged on Teresa and Justin for doing such a great job. There are two inmates who get right to work cleaning out the cages, etc. They did not stop until all the work was complete. They went above and beyond everything they did. Brian said we have a great staff at our animal shelter.

Magistrate J.L. Bowen talked about some state roads in our county. There are issues on 1639 Cat Creek and South Fork. He has sent pictures to the Governor's office and contacted the resident engineer's office.

They fixed the slips but left it dangerous. The county roads are better than the rural secondary roads. J.L. said we cannot get anything fixed. He wants to give commends to Eddie and our road department for filling it in. There was an emergency in his district concerning the water line. When this happened a portion of Hwy 15 was closed. They needed gravel to fix the water line and the quarry was closed at the time. He contacted Patrick and they sent a truck load of dense grade so they could repair the water line. Kudos to everyone that helped.

Magistrate Dennis Combs asked about the log jam on 82. Judge Barnes said the log jam has freed itself some, but we still need to pursue it because of all the debris. After this last rain, the water is moving. We had been expected to receive around \$89,000 for this project but the federal government found out we had muscles in the river, so they contacted the US Fish and Wildlife. They will come in and do a study of the muscles. We had to give them a GPS location that we plan to take the debris. They will also have to do a study to make sure we are not distributing the bats.

Magistrate Mike Lockard – Nothing Currently.

Judge Executive Eddie Barnes told members of the court that they have been working on broadband. The Appalachian Regional Committee invited him to come to Ashland on July 18 for an event. They are going to have an ARC meeting on September 11th – 13th. The Governor has told him several times that there is money coming to Powell County. We had put in a grant to replace the telephone equipment at the dispatch. We were denied the money so the Governor's office was contacted. Rocky Adkins, Joe Williams and Eddie Jacobs started calling and said they have found money for Powell County, but it will not be until September.

Jailer Teddy had to leave the meeting due to him coughing. Members of the court thanked him for coming to the meeting.

Joe Williams from the Governor's office came up around eight days ago and talked about economic development. A representative from Andy Barr's will be here on Friday to talk to us about water and sewer.

Until we get the infrastructure fixed here in the county, we cannot get jobs here. We do not need a large factory here in the county. We need to have four or five small factories so that we can employ 25 to 30 people. If one of the factories goes down, we will still have some left.

J.L. ask about fixing the cut at Turkey Knob. Judge Barnes said the plans are they are doing to blacktop from Stonegate to Danny Boys. This includes fixing the dangerous cut.

Road Foreman Patrick McCoy:

Patrick could not attend the meeting due to other plans. He did submit a report to members of the court telling them what the road crew had been doing. (This report will follow minutes)

Judge Barnes asked CSEPP/EMA Director Kevin Babcock what Kentucky Emergency Management had told him. Kevin said they do not want the EM Director associated with any disaster process other than the response because it is a conflict of interest. They would like an independent person such as the road

crew supervisor. They did make it clear they could not tell the county what to do, they were just suggesting this.

New Business:

PVA Carmen Rogers: Tax Appeal Appointments:

Mrs. Rogers could not attend the meeting because of personal reasons.

The City of Stanton appointed Delbert Brown to the Tax Appeal Board.

The County Judge Executive has one appointment, and the Fiscal Court has two appointments.

Carmen's recommendations for the Powell County Tax Appeal Board appointments are Greg Meade, Vanessa Crowe, and Matthew Abney.

A motion was made by Magistrate J.L. Bowen seconded by Magistrate Chad Patton with all members voting yes to accept PVA Carmen Rogers recommendations to appoint Greg Meade, Vanessa Crowe, and Matthew Abney to the tax appeal board.

Powell County Fiscal Court Appointments:

A motion made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton with all members voting yes to appointment Matthew Abney to the Powell County Tax Appeal Board.

A motion made by Magistrate Chad Patton and seconded by Magistrate Brian McKinney with all members voting yes to appoint Vanessa Crowe to the Powell County Tax Appeal Board.

Powell County Judge Executive's Appointment:

A motion made by Magistrate Chad Patton and seconded by Magistrate Brian McKinney with all members voting yes to appoint Greg Meade to the Powell County Tax Appeal Board.

Approval of Disbursements for the 2023/2024 County Contributions:

A motion made by Magistrate Chad Patton and seconded by Magistrate Dennis Combs with all members voting yes to approve the disbursements of the 2023/2024 county contributions.

Fire Department Discussion:

Judge Executive Eddie Barnes discussed merging the Clay City Fire Department, Stanton Fire Department and Middlefork Fire Department as one entity.

One of the best pro's is Stanton has four members that live in Clay City, and they do not respond until Stanton is toned out to them.

Magistrate J.L. Bowen asked how this would affect the grants. Judge Barnes told him that it would help with grants. It will not affect contributions or state aid. Magistrate Bowen said that Middlefork is for it but has some questions. Clay City Fire Department is not for it, but they are being kicked out as of 7/25/23. They have contacted an attorney to file a suit against Clay City. The City of Clay City is all for it. Spanky with the Fire Commissioner office said communities are going with this because of the lack of membership and money.

They all would be a county fire department. You would have three deputy chiefs, and one person in charge of it all. People do not want to participate anymore so doing this will help.

Judge Barnes said this is just a discussion at this time we need to check and see if this is something we would want to do. The fire service is not like it used to be. There was a reported structure fire and only three people showed up. Magistrate Patton asked if it would be all volunteers. Judge Barnes said you never want to say a taxing district but if we educate people on what is going on they may not be opposed to paying fifty or seventy-five dollars a year to save two hundred dollars.

Magistrate McKinney said this is not just a Powell County problem, it is all over. The Chief positions would be the Fiscal Court, City of Stanton, and Clay City's pick. Judge Barnes also let members of the court know that he had put in a grant for a new fire truck. Members of the court discussed having a meeting with all the fire departments to discuss and answer any questions they may have.

Homestead Subdivision:

Judge Barnes said that he would like to move forward in getting someone to do a survey so that the county could take ownership. FEMA said if it belongs to us then there is a good possibility, they can fix it. The people deserve better representation than what they are getting. The County Attorney said we should get a deed from the City of Stanton and John Brewer. This will clear up any issue of who owns it. A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Mike Lockard with all members voting yes to move forward with the process of getting ownership of Homestead.

Resignation of Derek Townsend:

Derek told members of the court that he appreciated them letting him work the last couple of years. He is not leaving over any hard feelings he just has an opportunity he cannot pass up. He will be working at a place that he worked at before. Derek did ask the members of the court to let him stay employed as a part-time employee on an as-needed basis for nights and weekends. Derek said he would be using his own tools when he is called out. Judge Barnes said with court approval they could change his status from full time to part-time. The only way he would come out to work is him getting a call from a department head. He said he would then call dispatch, so they had it logged that he was called out. Derek is requesting \$40.00 per hour. He would also like access to the county garage. He said he talked to Patrick about this, and he was ok with it.

A motion made by Magistrate J.L. Bowen and seconded by Magistrate Brian McKinney with all members voting yes to move Derek Townsend from a full-time position status to a part-time position status with a rate of \$40.00 per hour.

Jail Policy and Procedures:

A motion made by Magistrate Dennis Combs and seconded by Magistrate Chad Patton with all members voting yes to approve the Powell County Detention Center Policy and Procedures Manual.

Transfer Approvals:

The treasurer told members of the court that she was going to ask for transfers to pay the 2023/2024 insurances, but she was going to wait and see how the funds are in couple of weeks.

Discussion of Field Tax Enforcer:

Judge Barnes told members of the court that he would like to add an Economic Development Director or employee that can do both. He said we are behind in collecting taxes such as occupational and net profit. We have introduced this new business license and he thinks we need to bring someone in on a full time basic to collect this along with working on our economic development. We are paying \$10,000.00 currently for someone to collect the occupational and net profit. Judge Barnes said to be honest this is not happening we need someone to do this position full time. We need someone out every day collecting this money. The current tax enforcer is averaging 16 hours per paid period, so we

are not getting our bang for our buck. Judge Barnes said that we need to eliminate the part-time position and make this a full-time position as a tax collector/economic development. All members agreed to table this discussion until the next meeting.

Sick hours – Employees hired prior to July 1, 2013:

Judge Barnes told members of the court that this was discussed during the June 30th, 2023, meeting. The court moved to approve the Policy and Procedures at its entirety with additions and deletions being made.

Section 6.4 Sick Leave B (5)

(Highlighted Section Added)

- A. Employees hired prior to July 01, 2013, are grandfathered in and can, with County Judge and Fiscal Court approval, be compensated for all incurred sick time. The compensation will be paid out in a manner that does not cause undue hardship in the county. After the employee falls below 60 days sick leave, they will be required to follow the updated sick leave policy.***

Members of the court agreed to pay these employees 80 hours per quarter to reduce these sick hours. In doing this would reduce the burden of paying these hours out at one time.

CSEPP/EMA Director Kevin Babcock told members of the court that CSEPP should pay some of his time so as long as it did not exceed 80 hours per quarter.

A motion made by Magistrate Brian McKinney and seconded by Magistrate Dennis Combs with all members voting yes to approve section added to Policy and Procedure to compensate employees hired prior to July 01,2013 that are grandfathered in for all incurred sick time. Compensation will be paid out 80 hours per quarter for these employees.

Acknowledgement of the 2022/2023 Jail Commissary and Inmate Wellness Reports:

Members of the court were given a copy of the 2022/2023 Jail Commissary and Inmate Wellness Reports for their review.

Adjournment: The Meeting adjourned at 8:08 p.m.

A motion made by Magistrate Dennis Combs and seconded by Magistrate Mike Lockard with all members voting yes to adjourn.

E.O. Barnes

Eddie Barnes

J.L. Bowen

J.L. Bowen

Dennis Combs

Dennis Combs

Mike Lockard

Mike Lockard

Brian McKinney

Brian McKinney

Chad Patton

Chad Patton