

**POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING  
FEBRUARY 14<sup>TH</sup>, 2017  
6:00 p.m.**

Present: James Anderson, Judge Executive  
Connie Crabtree, Fiscal Court Clerk  
Gary West, Road Foreman  
Tim Snowden – Landfill  
Serena Bowen, Tourism  
Cory Graham, Wireless 911 Director  
Steve Asbury, EMA

Judge Anderson called the meeting to Order:

Judge Anderson asked the Clerk to call roll:

**Magistrate Donna Gabbard – Present**

**Magistrate Keith Hall – Present**

**Magistrate Mike Lockard - Present**

**Magistrate Kenneth Rice – Present**

**Magistrate Timmy Tipton – Present**

The meeting began with approving the Clerks report's the prior meetings.

A motion was made by Magistrate Lockard seconded by Magistrate Gabbard to approve the Clerk's report for the January 10th, 2017 regular called meeting.

**Motion Passes**

**Magistrate Gab bard – Aye**

**Magistrate Hall – Aye**

**Magistrate Lockard – Aye**

**Magistrate Rice – Aye**

**Magistrate Tipton – Aye**

**Judge Anderson - Aye**

A motion was made by Magistrate Gab bard seconded by Magistrate Lockard to approve the Clerk's report for January 13<sup>th</sup>, 2017 special called meeting.

**Motion Passes**

**Magistrate Gab bard – Aye**

**Magistrate Hall – Aye**

**Magistrate Lockard – Aye**

**Magistrate Rice – Aye**

**Magistrate Tipton – Aye**

**Judge Anderson - Aye**

- Magistrate Gabbard – Aye**
- Magistrate Hall – Aye**
- Magistrate Lockard – Aye**
- Magistrate Rice – Aye**
- Magistrate Tipton- Aye**
- Judge Anderson - Aye**

The next speaker was Library Director Julie Carroll. She said she would like to publically thank Judge Anderson for discovering the franchise tax issue. She also wanted to know if there were any updates about the franchise tax. She said the Library has not collected for the past two years and the total amount is around \$42,000.00.

Judge Anderson said he didn't want to take full credit because the whole court had been on board with this issue. He said he did have an update he wanted to share with everyone. The certification for 2016 had been billed. The total amounts due were as follows:

- \$98,537.20 – County
- \$362,310.16 – School
- \$46,065.14 – Library
- \$53,008.07 – Health
- \$31,903.95 – Extension

The court moved on to the water bill issues. Mayor Dale Allen was present for the meeting to discuss this issue. The first bill he discussed was the CSEPP. He said the CSEPP bill wasn't the one in question. The bill last month was in the amount of \$69.78. When it was averaged out the county paid \$73.75 which was more than the bill.

The Mayor went on to discuss the dog pound bill. The bill for December shows 448,000 gallons. The meter was read on December 22<sup>nd</sup> between then and when he starting reading the meter the dog pound had use 80 some thousand gallons. The mayor seems to think something went on there because of the gallons used. He said it was back down to normal reading this month.

He feels that the Ambulance and the Courthouse Annex has the correct billing. He said he would replacing the meter at the courthouse.

The last bill for discussion was the Jail bill. Mayor Allen said he apologizes for what happened but he feels the jail used the water. The Mayor said he would be willing to work with us on paying the jail bill. He suggested paying \$1250.00 a month extra until we get the bill paid.

Magistrate Tipton said our budget last year was based on history for 2015 and then the last bill of the year we get devastated with this. He asked the Mayor how it would impact his budget.

We have paid all of our bills in good faith and he feels it's a breach of trust if we have to pay the

A motion was made by Magistrate Rice seconded by Magistrate Lockard to authorize Judge Anderson to sign the necessary documents.

**Motion Passes**

**Magistrate Gabbard – Aye**

**Magistrate Hall – Aye**

**Magistrate Lockard – Aye**

**Magistrate Rice – Aye**

**Magistrate Tipton- Aye**

**Judge Anderson – Aye**

EMA Director Steve Asbury presented the court with an Emergency Operation Plan for adoption. He told court members that the two city Mayor's had already signed it.

A motion was made by Judge Anderson seconded by Magistrate Hall to adopt the Emergency Operation plan as presented.

**Motion Passes**

**Magistrate Gabbard – Aye**

**Magistrate Hall – Aye**

**Magistrate Lockard – Aye**

**Magistrate Rice – Aye**

**Magistrate Tipton – Aye**

**Judge Anderson - Aye**

Next on the agenda was department property lease. James Ed Dennis had a small lot that joins the county road department. The issue we are having is the CSEPP trailers by the EOC building looks bad and some of the Sheriff's Department seizures takes up space at road department lot. Mr. Dennis said he wasn't interested in selling the small lot but he agreed to lease it to the county if we would put gravel on it. Judge Anderson said the County Attorney had drafted a lease agreement to sign.

A motion was made by Magistrate Lockard seconded by Magistrate Gabbard to enter into the lease agreement.

**Motion Passes**

**Magistrate Gabbard – Aye**

**Magistrate Hall – Aye**

**Magistrate Lockard – Aye**

**Magistrate Rice- Aye**

**Magistrate Tipton – Aye**

**Judge Anderson – Aye**

**Motion Passes****Magistrate Gabbard – Aye****Magistrate Hall – Aye****Magistrate Lockard – Aye****Magistrate Rice – Aye****Magistrate Tipton – Aye****Judge Anderson - Aye**

Judge Anderson said that Kendall Knox with Powell's Valley Water requested permission to use county right of way to put a water line on Wells Lane.

A motion was made by Magistrate Rice seconded by Magistrate Gabbard to allow this request with the stipulation that anything is damaged while doing so will be responsible for the repairs.

**Motion Passes****Magistrate Gabbard – Aye****Magistrate Hall – Aye****Magistrate Lockard – Aye****Magistrate Rice – Aye****Magistrate Tipton – Aye****Judge Anderson – Aye**

The last regular item that the court discussed was the past emergency projects. The Judge said he there were two projects that hadn't got closed out yet. These projects was when Judge Darren Farmer was in office and a lot of the labor was done in house. The two projects was Creech Road and Mill Stone Road. Judge Anderson said these go back till 2010 and it was hard to approve the expenditures for these projects. We received a check for \$9,300.00 for Creech Road and on this particular one Judge Anderson said he signed off on it to the best of his ability. The Mill Stone project was done a little cheaper than what the state estimated which was an overpayment around \$1,550 on this project

A motion was made by Magistrate Hall seconded by Magistrate Lockard to allow the reimbursement to be made up to \$1,600.00.

**Motion Passes****Magistrate Gabbard – Aye****Magistrate Hall – Aye****Magistrate Lockard – Aye****Magistrate Rice – Aye****Magistrate Tipton- Aye****Judge Anderson – Aye**

*James Anderson*

James Anderson

*Donna Gabbard*

Donna Gabbard

Keith Hall

Mike Lockard

*Mike Lockard*

Kenneth Rice

*Kenneth Rice*

Timmy Tipton

*Timmy Tipton*