

**POWELL COUNTY FISCAL COURT
 REGULAR CALLED MEETING
 NOVEMBER 13TH, 2018
 6:00 p.m.
 LOCATION – COURTHOUSE**

A G E N D A

- I. Call Meeting To Order
- II. Roll Call
- III. Clerk’s Report of Last Meeting
- IV. Bills Submitted for Payment
- V. Financial Statement presented for Court’s review
- VI. Approval Treasurer’s Transfers/Amendments
 Budget Amendment #3 (second reading)
- VII. Old Business
 - Multi County Recreation Board .
 - Interlocal Agreement *Resolution*
 - Wildcat Lane
 - Industrial Board Appointments
 - Extension Board Appointments
 - Road Department Equipment
 - Animal Control
- VIII. Other



**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING
NOVEMBER 13TH, 2018
6:00 P.M.**

The Powell County Fiscal Court met at the Office of the County Judge Executive for a regular meeting held at 6:00 p.m.

Present: Judge Anderson, County Judge Executive
Connie Crabtree, Fiscal Court Clerk
Robert King, County Attorney
Arlene Rogers, Asst. Ambulance Director
Kevin Babcock, CSEPP Director
Steve Asbury, EMA Director
Chad Patton, Incoming New Magistrate
Dennis Combs, Incoming New Magistrate

Meeting called to order by Judge Anderson

Judge Anderson ask the Clerk to call roll:

Magistrate Donna Gabbard – Present
Magistrate Keith Hall – Present
Magistrate Mike Lockard- Present
Magistrate Kenneth Rice – Absent (physical therapy appointment)
Magistrate Timmy Tipton – Present

Meeting began with the Magistrates approving the Clerk's report for the October 9th, 2018 regular called meeting.

A motion was made by Magistrate Hall seconded by Magistrate Lockard to approve the Clerk's report for the October 9th, 2018 regular called meeting.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

There were no objections in paying all bills submitted for payment.

Treasurer presented all the Financials records for court members to review.

A motion was made by Magistrate Hall seconded by Magistrate Gabbard to approve all of the Treasurers transfers.

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Motion passes

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

A motion was made by Magistrate Gabbard seconded by Magistrate Lockard to approve the 2nd reading of Budget Amendment # 3 increasing the Road Fund by \$133,6500.00 for the sale of the 2018 Mack Truck.

Motion passes

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

No Public Comments as this time

Old Business:

Judge Anderson made the court aware that the Opioid Litigation Contract is still in the works. Files are due in by January 2019. The Opioid Litigation is approving and directing the Employment of Certain Law Firms to Represent the County in Potential Litigation against Contributors of Opioid Addiction Crisis.

Judge Anderson made the court aware that the emergency funding had been approved to do 2 projects. The projects will be on Hatcher’s Creek Road and Hatton Creek School Road. After going through the procurement process King-Crete Drilling was the lowest bidder for these projects and will start on these projects as soon as weather permits.

Bridge repairs on Millstone Road and Popular Bluff Road are currently being repaired under last year’s 80/20 Bridge Program.

Bridge repairs on Little Hardwick’s Creek and Fife Lick Road will also be starting soon and should be completed quickly.

The Adams Ridge Bridge which a portion of this is the Clay City Bridge. Judge Anderson said he had spoken with the Department of Transportation Cabinet as well as our State Representative. He said they had applied for some FEMA money and should know around the first of the year if they get it. They lowered the weight limit on this bridge to three ton so the buses cannot cross over.

Judge Anderson along with Magistrate Rice has been looking at some options. The state estimate was a quarter of a million dollars. He told the court that he had been originally been told that they could use the 80/20 bridge program funds. They also use to let you bank two years but this has now changed. (A copy of the proposal will follow minutes)

New Business:

Judge Anderson discussed a **Resolution No. 18-11-13** approving an Inter-Local Agreement between the counties of Estill, Lee, Powell and Wolfe to renew establishment of the Multi-County Recreational Board.

Whereas, The Powell County Fiscal Court has determined it is in the best interest of the county to become members of the joint authority to efficiently implement the Multi-County Recreational Development Plan which includes creation of an Off-Road Adventure Park; and to utilize the authorities provided in KRS 65.210, et seq. To enter into a joint authority to oversee such implementation; and Whereas, representative from the multi-counties involved have met collaboratively and determined it is in their best interest to create and become members of a joint recreational authority to efficiently implement regional recreation plans.

The membership of the Multi-County Recreational Board is comprised of three appointments made by the chief elected official from the Estill, Lee, Powell and Wolfe County Fiscal Court's. This agreement is entered into for a period of five (5) years from the date of the original agreement, and may be renewed for additional years as deemed acceptable by the membership. Powell County is currently represented by Chad Birch, John Brewer and Craig Dawson.

A motion was made by Magistrate Lockard seconded by Magistrate Tipton to enter into a Resolution approving an Inter-Local Agreement between the counties of Estill, Lee, Powell and Wolfe to renew establishment of the Multi-County Recreational Board. This duration of the Agreement is entered into for a period of five (5) years from the date of the original agreement, and may be renewed for additional years as deemed acceptable by the membership.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Judge Anderson told members that Darrell Townsend had approached him asking for permission to name his private drive Wildcat Lane. Mr. Townsend is currently building a house there. The only reason it has to be brought before the court is to see if the county has a drive that already exists with that name for safety concerns. After discussion with the County Attorney the court had no objection to Mr. Townsend's request to name the private drive Wildcat Lane.

Board Appointments:

Powell County Industrial Board:

Judge Anderson re-appointed Bill Cress and Jerlene Rose to the Industrial Board.

Powell County Extension Board:

Judge Anderson made the court aware that Christine Randall's 2 year term will be expiring.

Judge Anderson appointed Tammy Whitehead to Family Consumer Science to fill this position.

Judge Anderson appointed Kevin Babcock to the 4-H and Youth Development.

A motion was made by Magistrate Gabbard seconded by Magistrate Lockard to approve these appointments.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

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Road Department Equipment was the next topic to discuss.

During the last meeting the court discussed replacing one of the backhoes with another Excavator and purchasing a new backhoe. Wilson Equipment and Holbrook Implement turned in quotes for this equipment.

One of the question in relation to the backhoe was to purchase it out right or to lease.

Judge Anderson told members that he planned on having Road Foreman Daniel Clair to go and look at the backhoe before purchasing it to make sure that it meets all the specifications. If it does meet all the specifications the court agreed to enter into the 60 month lease option.

A motion was made by Magistrate Tipton seconded by Magistrate Hall to enter in a 60 month Municipal Lease Agreement with Wilson Equipment for the Case 580N Tractor Loader Backhoe in the amount of \$1,488.65. Municipal Lease Option available through Lease One Magnolia, 1 advanced payment, \$400 doc fee due at signing. \$1.00 purchase option at end of lease period. Lease includes the "Non-Appropriations" clause Monthly estimated muni lease payments options. Total amount of the Case 580N Tractor Loader Backhoe is \$79,750.00.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson - Aye

The second piece was the Excavator

Holbrook quoted a Kubota KX057-4R3AP Excavator in the amount of \$59,900.00

V2607 47.6 Gross HP 45.2 Net HP.

Wilson Equipment quoted a Takeuchi TB240 Compact Excavator 33.9 SAE net horsepower in the amount of \$48,904.00.

Factory New Warranty: Two years of 2,000 hours, whichever occurs first, Full Machine Coverage.

Excludes normal wear and maintenance items.

A motion was made by Magistrate Lockard seconded by Magistrate Gabbard to go with Holbrook Implement for the Kubota KX057-4R#AP Excavator. This machine meets more of the specifications that is needed. All the lease payments that has already been made will come off this amount.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

Holbrook also quoted a track hoe in the amount of \$10,600.00.

6 month rental purchase \$165 day/\$660 week/\$1275 monthly rental rate

The court all agreed to rent the track hoe as needed.

Department Heads:

Assistant Ambulance Director Arlene Rogers made the court that they did have an ambulance to replace the wrecked one at this time. This makes them having 4 running ambulances.

EMA Director Steve Asbury made the court aware that the

- Lone Oak project is now complete and will be submitting for reimbursement.
- The county did not have to give any of the Emergency Management money back this year and it only cost the county \$98.00 in order to get our full reimbursement.
- All Sirens are now working. He said he was looking into doing an annual post maintenance on them and would be more money than he anticipated so we may have to increase the budget next year to cover this expense.

CSEPP Director Kevin Babcock made the court aware that the CSEPP exercise went well this year with no findings. FEMA was impressed with how all the departments worked together.

They are going to start getting rid of the weapons at the Army Depot starting next year. Each county has an ISP and Powell Counties is not really married to the EOP so they are in the process in making sure that the county is prepared both action wise and the documentation is needed to get the funding and be ready in case an incident happens at the depot.

We received \$7,000.00 in funding for blood control kits. They can be distributed to the first responders and partner with the schools.

We are receiving approximately \$100,000.00 for medical and training kits to station at the shelters.

We received \$33,300.00 to replace the laptops at the EOC.

Judge Anderson told members that people are not fully aware of the benefits that we receive from CSEPP. All of the radio communications has been afforded through this program. We are very aware that if it makes it to 2023 all of this stuff will become the counties responsibility so we are trying to get ourselves in good shape as far as getting all of our handheld devices replaced.

Judge Anderson commended Mr. Asbury and Mr. Babcock on what they do for the county.

A motion was made by Magistrate Hall seconded by Magistrate Gabbard to go into closed session KRS 61-810 paragraph C&F.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

A motion was made by Magistrate Hall seconded by Magistrate Lockard to come out of closed session.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

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No action was taken in closed session

The court went into closed session to discuss acquiring property west of the Stanton Airport runway to accommodate safety improvements to the runway safety area and the relocation of Lisa Lane so that it goes west north of the runway connecting to the existing right-of-way on Marshall Street.

The reason this has to be done is because if we don't do this then about 300 ft. of our existing runway has to be tore up to put us in compliance with the FAA.

A motion was made by Judge Anderson seconded by Magistrate Hall to take the necessary action up to condemnation in an effort to get the project underway and to also include a pedestrian path in the project.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Nay

Magistrate Tipton – Aye

Judge Anderson – Aye

Judge Anderson told the court that people affected are fine people. It's very hurtful to have to take action that potentially leads to condemnation but we are here to serve the majority of people and the future of Powell County. There has been an increase in our airport traffic and what it can mean economically in the future and it's very vital that we at least maintain what we have got.

Judge Anderson ask the Clerk to call roll for all the Magistrates agreeing to this project.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Nay

Magistrate Tipton – Aye

Judge Anderson – Aye

Before closing Judge Anderson made the court aware that there is some staffing needs at the animal shelter. He said he has had some proposals made to him and he will make sure all of them gets a copy. He ask if they would be available sometime before December to have a special meeting to address this concern.

With no further discussion a motion was made by Magistrate Hall seconded by Magistrate Lockard to adjourn.

Motion passes

Magistrate Gabbard – Aye

Magistrate Hall – Aye

Magistrate Lockard – Aye

Magistrate Tipton – Aye

Judge Anderson – Aye

James Anderson

Donna DeLward

Donna Gabbard

Keith Hall

Keith Hall

Mike Lockard

Timmy Tipton