

**POWELL COUNTY FISCAL COURT
SPECIAL CALLED MEETING
FEBRUARY 28TH, 2020
4:00 p.m.**

A G E N D A

- I. Call Meeting to Order
- II. Roll Call
 - Bills
 - Airport Board
 - Roll Off Truck
 - EMS

**POWELL COUNTY FISCAL COURT
SPECIAL CALLED MEETING**

Date: FEBRUARY 28TH, 2020

Time: 4:00 p.m.

Location: **Powell County Courthouse
Office of the County Judge Executive
Room 102**

The Powell County Fiscal Court met at the Office of the County Judge Executive for a special called meeting.

Those present for the meeting were the following:

County Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King, Ambulance Director Nathan Hall, Clay City Times Reporter Madison Allen, County Surveyor and Chairman of the Powell County Airport Board Kevin Davis and Powell County Airport Board Director William "Bill" Harrison.

Judge Executive James Anderson called the special meeting to order at 4:00 p.m.

Judge Executive James Anderson ask the Fiscal Court Clerk Connie Crabtree to call roll for Magistrates in attendance for this meeting.

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

Fiscal Court Clerk noted that all court members was present for the meeting.

The following items were discussed:

Powell County Airport Board Project:

Director William "Bill" Harrison and Surveyor/Chairman Kevin Davis was present for the meeting representing the Powell County Airport.

Mr. Davis approached the court to discuss the airport project. First he let members know that he has been the Chairman of the Powell County Airport Board for around 6 years. Mr. Davis said they have been working on this airport project for the last 6 years. He also gave members of the court a copy of a map showing the project which had been computer generated.

Mr. Davis told court members that there is a 3000 foot long runway but there is no safety areas at the end of it and the FFA regulations requires that there be 3000 foot safety area at the end of each side which is the grassy area and not the blacktop. He said they are not looking to expand the runway they just need to put in the safety area. They addressed the west side first and Lisa Lane comes around the end of the runway really close to the end and the FFA regulations does not allow for this because of it being a safety issue. It is a safety issue for the flying general public and also a safety issue for people traveling on Lisa Lane as they come around the end of the runway within a matter of 50 feet from the edge of the runway. Mr. Davis said that the airport had voted to reroute Lisa Lane to get it out of the safety area which is a 300 foot area pass the end of the blacktop. It needs to be rerouted to come out

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on Marshall Lane next to the old depot and then put a road through there and take away Lisa Lane and build up the ground because it is a low swamp in there. Magistrate Mike Lockard ask if he thought he would slow any of the water flow down from Main Street by doing this. Mr. Davis told him that it should not affect this. Magistrate Lockard said he wasn't for sure if the ditch would be rerouted. He told Magistrate Lockard that there would be little rerouting of the ditch accept right around the safety area where there is a ditch already there on the Smallwood property. He said they have consulted with engineers at Hanson Professional Services to do all of their regulatory things with the FFA and engineering services. They along with the engineers from Frankfort see no reason why they cannot build the road to make sure that any flood water does not negatively impact the rest of their property. He said they have made formal offers to the Smallwood's since last August but hasn't received any counter offers as of this time. We cannot move forward with this project without the property. The property will need to be designed and constructed along with the safety area and the new road.

Judge Anderson told court members that we are taking about a federal funding project somewhere around 2 million dollars. Mr. Davis told court members that the FFA had a million dollars that will pay to reroute the road so it will not come from the county at all. Magistrate Lockard ask Mr. Davis how many feet the road would be. He told him that the road would come from the subdivision north side of the airport and continue on through a street(he couldn't think of the name of the street) and then tie into the industrial property that the county has already acquired (BP property). The actual runway safety area will be the square off the end of Lisa Lane (referring to the map). All the people on the north side of the airport in the subdivision will leave their neighborhood taking the new road. The people over behind Save a Lot will not have the through traffic anymore. They will have a dead end street over by Butch Morris's house.

The vast majority of actual runway safety area will be in grass and is not encompassing their crop land. Mr. Davis said a quarter of an acre of the agriculture land will be taken in by safety area.

Judge Anderson said currently there has been some state money for aviation and if we do not met the requirements we want get those funding's as well there is talk of future projects here in Powell County that will make the airport more viable.

Mr. Davis said they are declaring the runway at 2400 even though it's physically 3000 feet.

The safety area needs to be in the grass to have friction just in case there is an over shoot of the runway or coming in short the plane would not impact the hard surface.

There is no plans for the other end of the runway at this time but will have to be addressed at some point which will have more property owners involved.

Judge Anderson told court members that previously the court had voted to take whatever action was necessary even condemnation. Since there has been some changes to the court members they would like this new body as it exists now to vote to do it again.

Mr. Harrison said when the FFA makes their allotment we should have around \$850,000.00 in the account to go towards this project. It will be used to buy the property and build the road.

Magistrate Lockard ask what they offered for the property. Mr. Davis said the appraisal was \$36,000.00 and they offered that amount to the landowner last August which is for four or five acres. They did not counter offer so he said that him along with Judge Anderson then offered \$45,000.00 last December 9th which if the highest that they can go. The FFA will refund them for all of it but will only refund for 15 percent over the appraisal amount which would be \$45,000.00.

This has been going on for 6 years but we cannot move forward with this project without the property.

Mr. Davis said that they have made a good effort in negotiating but hasn't has a counter offer at this time. Judge Anderson said we are at the point to take action to condemn it and then they will go ahead and escrow the funds so the project can start.

Magistrate Timmy Tipton ask Mr. Davis what they would be paid if it comes to condemnation. He told him that whatever the court decides the value is worth then the FFA would pay 100 percent of that. So for example if the court decides on \$100,000.00 then the FFA would pay \$100,000.00 but cannot if it's not a court order. There would be no county money involved for the land if it comes to this point.

After discussion a motion was made by Judge Executive James Anderson that this court as it exists now takes any action necessary all the way through condemnation to get this project started this motion was then seconded by Magistrate Mike Lockard.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in favor of this motion.

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

This motion passes unanimously with all members of the court in favor.

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Bills submitted for payment:

- A and A Towing in the amount of \$75.00 for towing a 2007 Dodge Ram Salt truck from Bowen to the Powell County Road Department.
- RIO Grande – Lexington in the amount of \$18,493.23 for the Powell County Airport Board.
- County Judge Executive James Anderson incentive payment for successfully completing 40 hour training unit for the calendar year 2020. A letter of approval was sent from The Department for Local Government showing County Judge Executive James Anderson had successfully completed 4 units and are due 4 incentive payments of \$1078.15 for a total of \$4,312.60 (a copy of the letter from the Department for Local Government will follow minutes).

After Fiscal Court members reviewed the bills submitted there were no objections to paying all of the bills therefore all bills will be paid and to include the annual incentive payment for Judge Executive James Anderson in the amount of \$4,312.60 for the calendar year 2020.

2021 Mack Granite Roll off Truck:

Court discussed leasing a new 2021 Mack Granite Roll Off truck.

Judge Anderson said he had been crunching a lot of numbers and found out where we could do better. Some of it was what is was costing us per ton at the transfer station to dispose of our garbage. Judge Anderson said that when he came in office we had the old Mack truck and was hauling around two loads a week. It was the most cost effective at that time to contract it out.

A couple of things has happened since then is that we are disposing more tonnage a week and averaging four to five tons less per container with the new compactor.

Judge Anderson said in order to where we can cover our cost we need to get to the point to where we are using our new scales at the transfer station and we will need to look into hiring a third person to make this practical. He said he thinks there will be enough savings by leasing this truck to do so.

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Currently Red River Ranch hauls the trash to Advance Disposal in Estill County. Judge Anderson said he has read the contract and they are currently charging the county too much so he contacted them and they are giving us around a \$500.00 credit.

As of today the county has spent \$30,424.41 in haul bills. Judge Anderson said he had called Worldwide/Municipal Equipment to get an idea what the lease price would be on a 2021 Mack Granite Roll off truck and if it would have a resale price. The price of the complete truck and roll off hoist would be \$160,260.00

A motion was made by Magistrate Patton seconded by Magistrate Gabbard to approve the lease agreement through Worldwide/Municipal Equipment for a 2021 Mack Granite Roll off truck and also to approve the lease application through KACO for a 2021 Mack Granite Roll off truck. This motion authorizes Judge Executive James Anderson and Treasurer Connie Crabtree to sign any and all papers concerning the 2021 Mack Granite Roll off truck lease through Worldwide/Municipal Equipment Inc. and the lease application with KACO. The price of the complete truck and roll off hoist is \$160,260.00.

The motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Judge Anderson told court members that he would contact Glen at Red River Ranch to let him know.

EMS

Closed Session: KRS 61.810 subsection F

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton to go into closed session.

Motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Court Resumes at 5:10 p.m.

No Action was taken in closed session

With no further discussion a motion was made by Magistrate Patton seconded by Magistrate Lockard to adjourn. The meeting adjourned at 5:15 p.m.

Motion passes unanimously

Magistrate Dennis Combs – Aye

Magistrate Donna Gabbard – Aye

Magistrate Mike Lockard – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton - Aye

Judge Executive James Anderson - Aye

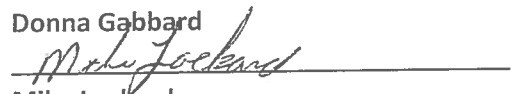


James Anderson

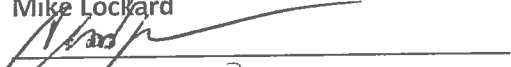


Dennis Combs

Donna Gabbard



Mike Lockard



Chad Patton



Timmy Tipton