

**POWELL COUNTY FISCAL COURT  
REGULAR CALLED MEETING**

**DATE: November 10, 2020**

**TIME: 6:00 P.M.**

**LOCATION: POWELL COUNTY EMERGENCY OPERATIONS CENTER**

**33 COMMERCE DRIVE**

**STANTON, KENTUCKY 40380**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/83925507349>**

**Meeting ID: 839 2550 7349**

## **AGENDA**

- 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
- VIII.** Old Business:
- IX.** New Business:
- X.** Department Head Updates:
- XI.** District Updates:

**Items to be discussed:**

- BUDGET AMMENDMENTS
- BLAZE REPORT
- CSEPP POLICY
- ABC EQUIPMENT PURCHASES

**VII. Other:**

**Powell County Fiscal Court  
Regular Called Meeting  
November 10<sup>TH</sup>, 2020  
6:00 p.m.**

**Location: Powell County Emergency Operations Center  
33 Commerce Drive**

**Stanton, Kentucky 40380**

**[Http://us02web.zoom.us/j/83925507349](http://us02web.zoom.us/j/83925507349)**

**Meeting ID: 839 2550 7349**

The Powell County Fiscal Court met at the Powell County Emergency Operations Center on November 10<sup>th</sup>, 2020. All members present were practicing social distancing.

Present at the Powell County Emergency Operations Center were Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Magistrate Timmy Tipton, CSEPP Director Kevin Babcock, Road Foreman Patrick McCoy and Clay City Time Reporter Madison Fugate.

Judge Executive James Anderson called the meeting to order at 6:00 p.m.  
Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:

***Magistrate Dennis Combs – Present through ZOOM***

***Magistrate Donna Gabbard – Present through ZOOM***

***Magistrate Mike Lockard – Absent***

***Magistrate Chad Patton – Present through ZOOM***

***Magistrate Timmy Tipton – Present Emergency Operations Center***

***County Attorney Robert King – Present through ZOOM***

***Public Comments:***

Fiscal Court Clerk noted that no one signed the sign in sheet to speak or there were no request for Public comments through ZOOM.

***Clerk's Report for the October 13<sup>th</sup>, 2020 Meeting:***

Judge Executive James Anderson ask members of the court if they would like the Fiscal Court Clerk to make any modifications to the Clerk's report dated October 13<sup>th</sup>, 2020. There we no request for any changes. Therefore the Clerk's report dated October 13<sup>th</sup>, 2020 is accepted.

***Bills Submitted for Payment:***

All bills were submitted to members of the court. There were no objections in paying any of the bills submitted for payments. Therefore all bills will be paid.

**Financial Statements:**

The Treasurer presented members of the court with the Financial Statement, Cash Statements, Interfund Transfer statement, Cash and Budget Transfers statements for court's review.

**Treasurers Transfers:**

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs to approve the Treasurers transfers to include any Interfund transfers, cash and budget transfers.

Motion passes unanimously

- Magistrate Dennis Combs – Aye
- Magistrate Donna Gabbard – Aye
- Magistrate Chad Patton – Aye
- Magistrate Timmy Tipton – Aye
- Judge Executive James Anderson – Aye

**Budget Amendment #1, #2 and #3**

**Budget Amendment #1:**

Treasurer presented members of the court with Budget Amendment # 1 increasing the Road Fund by \$139,225.00. This increase was for the sale of the 2020 Mack Truck. Robert Brown with the Department for Local Government signed this amendment on October 12<sup>th</sup>, 2020.

Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> Reading of Budget Amendment #1 in the amount of \$139,225.00

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs to approve the 2<sup>nd</sup> Reading of Budget Amendment #1 increasing the Road Fund by \$139,225.00.

Motion passes unanimously

- Magistrate Dennis Combs – Aye
- Magistrate Donna Gabbard – Aye
- Magistrate Chad Patton – Aye
- Magistrate Timmy Tipton – Aye
- Judge Executive James Anderson – Aye

**Budget Amendment #2:**

Treasurer presented members of the court with Budget Amendment #2 increasing the Road Fund by \$146,422.00. This increase was for the purchase of the 2020 Mack Truck. Robert Brown with the Department for Local Government signed this amendment on October 12<sup>th</sup>, 2020.

Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> Reading of Budget Amendment #2 in the amount of \$146,422.00.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Timmy Tipton to approve the 2<sup>nd</sup> Reading of Budget Amendments #2 increasing the Road fund by \$146,422.00.

Motion passes unanimously

- Magistrate Dennis Combs – Aye
- Magistrate Donna Gabbard – Aye
- Magistrate Chad Patton – Aye
- Magistrate Timmy Tipton – Aye
- Judge Executive James Anderson – Aye

**Budget Amendment #3:**

Treasurer presented members of the court with Budget Amendments #3 increasing the General Fund by \$160,260.00. This increase was for the purchase of a 2020 Mack Truck w/ roll off hoist. Robert Brown with the Department for Local Government signed this amendment on October 12<sup>th</sup>, 2020.

Judge Executive James Anderson entertained a motion to approve the 2<sup>nd</sup> Reading of Budget Amendment #3 in the amount of \$160,260.00.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton to approve the 2<sup>nd</sup> Reading of Budget Amendment #3 increasing the General Fund by \$160,260.00.

**Motion passes unanimously**

**Magistrate Dennis Combs – Aye**

**Magistrate Donna Gabbard – Aye**

**Magistrate Chad Patton – Aye**

**Magistrate Timmy Tipton – Aye**

**Judge Executive James Anderson – Aye**

**Old Business:**

Judge Anderson made members of the court aware that we are close in finishing the FEMA projects. All the steel on Cow Creek and Mill Stone Roads has been completed. They were to be paved this week but they had a paver to break down but hopefully weather permitting those should be paved soon. He also made members of the court aware that we would be opening the bid for Rose Lane later on in the meeting which will be the last project. They also have done some of the Flex paving in the Hatton Creek area. We got our Flex Aid Agreement which we have around \$310,000.00 to spend. The roads that was approved within this agreement were Hatton Creek Road as well as Halls Hill Road. The remaining funds which will be around \$12,000.00 which was amended to take in Hatchers Creek Road and a portion of Frames Branch Road. The MOA is completed and if weather permitting we can get these projects completed this cycle.

**United States Forestry Service:**

Judge Anderson said some of the court members that has been on the court longer than the others may be aware of the issues we have had with the damages done on county roads and illegal confiscations. We have been in conference calls with Congressman Barr's office in relation to trying to get these issue resolved once again. We have had some correspondences as well as they have done some inquires to see if they could ever justify how they ceased those roads but are unable to do this at this time. Judge Anderson said they appreciate Congressman Barr and his staff for assisting us on that. We have had several correspondences on this in the last month to try and do this particularly Sand Lick Road. Judge Anderson said he would encourage court members as well as the public to be very mindful that they are currently looking at their LAC (Limits of Acceptable Change) model and back in 2017 they did a travel analysis. Both of these are very troubling as the Judge said he put in his correspondence with them. Their management strategy has typically been an exclusion of the public and further shutting down trails and roads. Judge Anderson said we need to stay engaged with what they are doing. Similar actions were taken back in 2006 which was prior to any of this Fiscal Court. They shut down Sand Lick

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Road and operated under the bell of secretively is accomplishing this. We need to be very cognitive of actions they are currently taking to potentially to do some of the same type things. Something that is very concerning is tourism has been increasing with people coming to our area. We have all witness as a result of this pandemic that our area has been perceived as safe and has a lot of outdoor activity. Also coinciding with the fact that the parkway had both lanes shut down for a period of time has really magnified some of the increase in the traffic that we have had. They are using this extra influx of traffic to sell that this is the reality everyday which is not fair. Judge Anderson said his opinion is they are using this additional influx to try and push their agenda. Judge Anderson said he would be very blunt in saying that there is a lot of propaganda involved in what they put out and it's not founded by base numbers. If you look at the pictures in this evenings presentation they had the apparel and hair styles looked like it was some time ago and not recent.

The Forestry Service actions can have some severe consequences on our community and our economy. We need to be very watchful in the next few months as they move through this process and make sure our voices are heard and our citizens are aware of what they are potentially doing.

***Brief discussion of Charter Government:***

Last month Judge Anderson brought up the subject of charter government. Magistrate Timmy Tipton ask Judge Anderson when he thought we should start the process. Judge Anderson told him that in the next couple of weeks he should have an announcement on it. We have a lot of issues with the rock quarry, resort and other things which has put people in panic mode with the lack of planning and zoning and the ability to control activities going on in the county. Judge Anderson said he has had a lot more contacts in the last year and half to two years pertaining to this. The increase in traffic and growth we are seeing is putting an additional burdens on our emergency responders, search and rescue, fire departments and police agencies. In looking in what we have to do to further address these things in the future as well as being cogitative that our revenues in many compassities especially from the state and federal level are diminishing we have to look into any revenue that we have to become more self-efficient and sustainable. This court has been very mindful of our tax payers and have not wanted to further burden them with increase in property taxes or taxation.

Our means is to be more efficient as well as grow our revenue. Exploring what charter government may mean and all those capacities is very worthy to explore and does not mean that that's what we will do but it's only fair that our citizens have a chance to participate in it. At the end of the process when we get there it would be up to our citizens to vote.

***Brief Discussion of Hollerwood Park:***

Judge Executive James Anderson made members of the court aware that there should be some information on this project in the next couple of months. If you look at the amount of traffic and revenue that is coming into our community it is very positive and very few people has any issues with it. During this pandemic it's been one of the things that has brought some needed revenue into our economy. We are starting to get into the tourism season and on the weekends you can see the amount of traffic that comes in that may not otherwise be here. Our gas stations, restaurants, cabins and motels are very pleased to have this.

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### ***New Business/ Updates***

Road Foreman Patrick McCoy came in and left his November 2020 Work Report for members of the court to review. Due to the county being in the Red Zone we are trying to reduce the number of in person crowd size so we don't have the normal department heads at this meeting. CSEPP Director Kevin is the only one that is attending this meeting.

Beyond the normal work load the amount of work and facilitation they had to have to make sure the FEMA projects were completed took most of their time for this month.

### ***CSEPP Director Kevin Babcock Update:***

KRS Section 45A.385 was changed last year due to federal changes – Small Purchases by local Public agencies, Jun 26, 2019.

To help elevate the process of getting things in the newspaper and being able to process small purchases quicker, more efficiently and cost effective the amount of the small claims was raised from \$20,000.00 to \$30,000.00. CSEPP Director Kevin Babcock is requesting that our local administrative code reflect this whenever we are making purchases. As a rule the way things are done now will not change it will just allow for the Judge Executive and Fiscal Court to work without having to put things in the paper in that particular \$10,000.00 span.

***CSEPP Director Kevin Babcock recommends revising the Powell County Administrative Codes, and a 1<sup>st</sup> reading as follows:***

**Chapter 12 – Purchases and Contracts, Section 12.2 Selection of Vendors and Contractors** (Procedures for Sealed Bidding), **paragraph C.** Mr. Babcock would like the change to read as follows:

Any expenditure or contract for materials, supplies (expect perishable meat, fish and vegetables), equipment, or for contractual services other than professional, involving an expenditure of more than **Thirty Thousand Dollars (\$30,000)** shall be subject to competitive bidding.

**And**

### **Section 12.6 Small Purchase Procedures**

- A. All expenditures of less than **\$30,000** shall be considered a "small purchase", which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise.
- B. The County Judge determines the need for any item requested and whether or not the contract is for less than **\$30,000** and the expenditure is provided for in the budget.

The request is based on the following amendment to KRS 45A.385 – Small purchase by local public agencies, Jun 26, 2019.

KRS Section 45A.385 – Small purchases by local public agencies "The local public agency may use small purchase procedure for any contract for which a determination is made that the aggregate amount of the contract does not exceed thirty thousand dollars ( \$30,000.00) if small purchases procedures are in writing and available to the public. KRS 45A.385" Ky. Rev. Stat 45A.385

As a rule Mr. Babcock said that, unless directed differently, he will us the following as a guide for purchases/contracts upon approval of the changes to the Administrative Codes:

- Purchases less than \$3,000.00 – Use best effort to obtain the lowest price from a responsible and responsive bidder for the supplies, services or construction to be purchases.
- Purchases equal to or exceed \$3,000.00 but less than \$9,999.00 – obtain at least two quotes.

- Purchases equal to or exceed \$10,000.00 but less than \$30,000.00 – the following procedures shall be followed.
  - A minimum of three (3) vendors shall be solicited for quotes.
  - Expect the lowest of three quotes expect as outlined in the Admin. Code.
  - Under \$19,999 – telephone, online or catalog quotes are acceptable.
  - Between \$20,000.00 and \$29,999.00 – A minimum of three (3) written quotes
  - Shall be solicited from potential bidders or suppliers.
  - Exceptions may be made for Sole-Sourced or State Contract Priced items and Approved by the Fiscal Court.

Mr. Babcock also let the court know that CSEPP is getting ready for two Decon Exercises next year in June and September. This is to make sure that the abilities of Powell County can respond to CSEPP emergencies.

***District Updates:***

***Magistrate Dennis Combs – No updates***

***Magistrate Chad Patton:***

Magistrate Chad Patton made members of the court aware that he along with County Attorney Robert King spoke with Attorney Joe Childers concerning Blaze.

County Attorney Robert King said that the Attorney basically feels that there is no sense in pushing the civil court case that we have in order currently which says that they are not supposed to have any activity going on. He said he explained to the Mr. Childers that we are getting a lot of questions from citizens in that area and they want something done. He wanted to know what the Fiscal Court is requesting him to do. Either he can leave as is and wait on Blaze to take some action in the circuit court case or the Fiscal Court go ahead and push through with it.

Judge Anderson said that he didn't know how often they was supposed to report activity per their license. Blaze Enterprises, LLC did mail the Fiscal Court a quarterly waste quantity report which was received on October 26<sup>th</sup>, 2020. The report was for the months of July, August and September 2020. (Each member of the court received a copy in their packet). The report showed all zero activity.

As far as the court knows their license is in stay or injunction against it until this was ruled on. Judge Anderson ask the record to reflect that the Fiscal Court accepting this report is no way acknowledgment that the landfill exists and wonder if they are intentionally reporting.

We understand that there has been some activity there in the past months and appears to be mostly in regards to the state coming in and cleaning up previous things left from the previous owner. Judge Anderson suggested to the state if they are going to undertake activities on this project why would they not notify us prior to this. Our citizens has been in a panic that there is some kind of activity going on. If they would contact us prior we could put something out in our public information to inform citizens that the state will be there removing some stuff.

The Fiscal Court needs clarification on why they are submitting a report on something that shouldn't even be functioning at this time.

Again the minutes is to reflect that the Fiscal Court accepting this report is in no way acknowledging that this is a functioning landfill even though they are not taking in any solid waste at this time and secondly if the states not going to do it that if the owner is going to allow any activity to go this property other than mowing or grading a road that there is some prevision that they notified the Fiscal Court before any activities take place where it be the state or the landowner. It's only fair that we should be aware of anything going on.

Judge Executive James Anderson ask what the members of the court thoughts was on this. County Attorney Robert King said that he can see what the Mr. Childers was saying and can understand is argument but we didn't file the lawsuit they did and it's upon them to prove their case. Mr. Childers's thoughts was as long as we have an order that states they are not supposed to be dumping out there we win. Mr. King said he didn't know why they meaning Blaze are not trying to pursue this in circuit court right now. Mr. King Thoughts was that it would be beneficial for us to get it over with.

Judge Anderson said he thinks we are 100 percent content that we are going to get the resolve that we want and that there is no way with our current Ordinance that they will be able to operate and secondly the only reason they are not pursuing it is that they do not want to accrue some legal cost for a lost battle.

This community out there on Virden Ridge effects the whole county. We need to get this resolved to give them a piece of mind. They are worried every time they hear a piece of machinery operating. Judge Anderson ask Mr. King due to this being a special election will they take 30 days after the election certified verses after the first of the year.

Mr. King said the worst thing we could do was to start under Judge Profit knowing that he is not going to be there long.

Judge Executive James Anderson entertained a motion that as soon as we hear that a new Circuit Judge is taking office we proceed with whatever we need to do with the circuit court case involving Blaze Enterprises, LLC. Regarding their proposed CDC landfill this motion was then seconded by Magistrate Chad Patton.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates agreeing with this motion by stating I.

- Magistrate Dennis Combs – Stated I
  - Magistrate Donna Gabbard – Stated I
  - Magistrate Chad Patton – Stated I
  - Magistrate Timmy Tipton – Stated I
  - Judge Executive James Anderson – Stated I
- Motion passes unanimously

**Magistrate Donna Gabbard – No updates**

Judge Anderson said that the Road Department is doing a great job. Hatton Creek has all the cross drains and ditching is complete. That is the way we want to address our county roads. We are doing a much better job about being proactive. Some of the culverts were starting to show separation as far as the old concrete tiles. If we are doing to spend the money and put forward the effort to pay those we can go ahead and elevate any trouble stops before they become a major issue.



**Magistrate Timmy Tipton:**

Magistrate Timmy Tipton said that having the steel drove on Cow Creek is a positive thing. We have done well in getting the slips taken care of. In looking at the road report that Road Foreman Patrick McCoy turned in they have been working on rebuilding the salt box. They also have the salt trucks started, boxes oiled and greased and ready to go. Hopefully they will be able to do some dry runs during the month of November.

Magistrate Tipton ask about the salt. Judge Anderson told him that we had our bid secure with Detroit Salt for additional salt. Right now we have around 100 tons in place. We have had it this salt for a while and need to utilize it first before we bring any new in. This should get us through at least a couple of significant snow events. If we do need more salt Detroit Salt usually has a 24 hour turnaround.

Hopefully the pandemic situation will not affect their transportation. We will definitely will not try and push it to the 24 hour window.

**Updates:**

Judge Executive James Anderson said that over this previous month it's kind of unprecedented what County Clerks across the country had to go through with this election. This election has been much different election situation than what they have previously encountered. Judge Anderson said that he would like to give County Clerk Jackie Everman and her staff a pat on the back for what they have done. The early voting and paper ballots was a lot different than what they have had to do previously deal with. He said from what is has witnessed there was a lot of effort to make this happen and he was very proud of this.

Magistrate Timmy Tipton ask what percentage we had in voting. Judge Anderson told him that it was around 5400 to 5500 votes we hadn't seen the final numbers yet. Judge Anderson said that he would applauded everyone that took the time to exercise their right. As we approach Veterans Day this week this is one of the most important things you can do to honor our Veterans. At the same time there is not excuse of the population that chose not to vote. You basically had three different options in ways to vote. It's just unacceptable to choose not to exercise your right to vote.

**RED ZONE (COVID**

In the last week our community moved into the Red Zone regarding Covid. Judge Anderson along with CSEPP Director Kevin Babcock gets daily updates. Mr. Babcock was on the news this week.

We can all agree that there has been exaggerations on what this virus looks like and what it does. We all can agree this virus is the real deal. Judge Anderson said that this virus is the real deal and he is not in the mind set to shut everything down. He does want to see everyone exercise the best practices we can to help control this with such things as masking's and practicing social distancing in an effort to prevent having to have further regulations or mandates. Our businesses would be one of the first ones to get hurt if we don't do these things. If you look it's starting to hit our community and as we moved toward the holidays, shorter days and everyone staying indoors because of cold weather. Most of the spread seems to becoming from small groups or family gatherings. We need to be very mindful as we approach the holidays to us our best judgement so we do not negatively impact not only our lives but our economy.

**CSEPP POLICY: KRS Section 45A.385 – Small Purchases**

The legislature's moved to up the state procedure from \$20,000.00 to \$30,000.00. At that time we left the \$20,000.00 option in our Policy and Procedure manual. The road department and CSEPP typically would be the two to make this large purchases but it would be a lot cleaner across the board if we move to this. It would not change the way we do anything and always want to ensure the best deal. Many times there is not a lot of a significantly amount of people that produce those products. You may have a vendor or two. This would simplify Mr. Babcock's ability to utilize our funds more expediently. It would be worthwhile to go with the new statue and change our procurement to move it to \$30,000.00 in place of \$20,000.00.

It's in our Policy and Procedure manual as an Ordinance so in order to make this change we would have to use the Ordinance process to implement this.

Based on KRS Section 45A.385 – Small purchases by Local public agencies.

This is the 1<sup>st</sup> reading of changing and implementing the \$30,000.00 versus the \$20,000.00 pretty much mirroring any other aspect of our procurement.

All members agreed to make this change and this to be the first reading in doing so.

We will move forward in starting the process in changing our Ordinance to make this change.

**ABC Equipment Purchase:**

Judge Executive James Anderson made members of the court aware that he had talked with ABC Administrator Kacey Davidson as well as ABC Investigator Rob Williams.

Judge Anderson said they had been very conservative with our regulatory fees we had accumulated during the first year just to see what it would be and what we could expect.

We have some ideas of what we would like to do in the future now that we kind of know what kind of revenue flow we look like.

In talking to Mr. Williams in the law enforcement capacity there are a couple of things they saw as a need. There has been a few times to where they have had a business out of compliance and had to cease the stash of liquor or beer they had. Mr. Williams is requesting that they purchase a vehicle along with covered trailer so the stuff can be locked up. This would also help in assisting other law enforcement agencies with road blocks in the future. Having this vehicle with the lights as well as the trailer which would help with the barricades they have to use to shut down one lanes in order to vacillate these check point and such.

The court members were given a copy of the invoice for the purchase of the vehicle but at this time we do not have an invoice for the barricades.

The vehicle that they are interested in purchasing which is state contract is a 2020 Chevrolet Tahoe (CK15706) 4WD 4dr Commercial in the amount of \$37,931.48. This vehicle would be capable of towing the trailer. They also are looking into equipping it to be able to assist in investigations or should they need to use it in police capacity.

Since this is state contract price we do not have to bid it. Also they come equipped with the leads and wiring for the lights and sirens but you still have to have the package as well as if there are any lettering and stuff added. CSEPP Director Kevin Babcock told members of the court that CSEPP could purchase the radio to go into the vehicle.

The state quote price contact submitted from L&W Emergency Equipment for this package is in the amount of \$8,131.75. This would be in additional to the purchase of the purchase of the vehicle.

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They have also talked about getting an electronic message board which would have to be bided. At the current time we do not have a state contract price and they would be over \$20,000.00 per board. We would have the option to bid them or potentially wait until the 2<sup>nd</sup> reading of the Ordinance changing the purchase amount from \$20,000.00 to \$30,000.00 in our Policy and Procedures manual. This board could be used for educational reasoning such as Don't Drink and Drive. This vehicle could also be used to transport these message boards from place to place.

The City of Clay City is also looking into purchasing a couple.

Judge Anderson ask what the pleasure of the court was in utilizing these funds.

Judge Executive James Anderson entertained a motion to approve the purchase of the 2020 Chevrolet Tahoe (CK 15706) 4WD 4dr Commercial which is state contact price in the amount of \$37,931.48.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Donna Gabbard **to move forward with the purchase of a 2020 Chevrolet Tahoe (CK15706) 3WD 4dr Commercial state contract price in the amount of \$37,931.48. These funds will be taken from the Alcohol Beverage Account.**

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance to this purchase by stating I.

Magistrate Dennis Combs – Stated I

Magistrate Donna Gabbard – Stated I

Magistrate Chad Patton – Stated I

Magistrate Timmy Tipton – Stated I

Judge Executive James Anderson – Stated I

Motion passes unanimously

Judge Executive James Anderson entertained a motion to move forward with the package deal to equip the 2020 Chevrolet Tahoe 4WD 4DR submitted from L&W Emergency Equipment in the amount of the state contact price of \$8,131.75. This package includes:

- *Whelen Visor LED*
- *Whelen Headlight Flasher/Tail Light Flasher*
- *Whelen Siren Speaker*
- *Whelen Speaker Mount*
- *Whelen Siren Switch*
- *Feniex Cobra Side Windows & L Brackets*
- *Feniex Cobra Rear Window & L Brackets*
- *Jotto Desk Contour Console*
- *Setina 12-VS Rear Partition – Tahoe*
- *Setina 10-RP Recessed Panel Partition – Tahoe*
- *Setina Dual Gun Locks*
- *Setina PB-450L4 Push Bumper with Whelen ION'S*
- *Shop Materials/Plugs/Wire/Connectors/Breakers/Fuses*
- *Freight*
- *Install Labor 2021 Tahoe*
- *Full Graphics package 1 – Tahoe*
- *Laird Antenna Lead and Quaterwave Antenna*

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to move forward with the purchase packet deal submitted from L&W Emergency Equipment in the amount of**

\$8,131.75 to equip the 2020 Chevrolet Tahoe 4wd 4dr. These funds will be taken out of the Alcohol Beverage account.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance with this purchase by stating I

Magistrate Dennis Combs – Stated I

Magistrate Donna Gabbard – Stated I

Magistrate Chad Patton – Stated I

Magistrate Timmy Tipton – Stated I

Judge Executive James Anderson – Stated I

Motion passes unanimously

**FEMA Projects:**

When we done the FEMA projects we only one vendor to submit a bid for the Rose Lane project. The vendor was Midnight Oil. The original scope of this work was for a more expensive option. After reviewing we found out that it was a lesser option so we went back and ask this vendor to re-submit a bid for this project. The original bids were submitted in June 2020 which was not formally opened.

Judge Executive James Anderson opened the new sealed bids submitted from Midnight Oil. The bids were received on September 15<sup>th</sup>, 2020. This new bid submitted is without the gabion baskets. When we found out that this project did not require gabion baskets we ask the vendor to resubmit a new bid.

The bid submitted was for Rose Lane #1 was in the amount of \$39,075.00 and for Rose Lane #2 in the amount of \$8,450.00. The amount awarded from FEMA for this project was \$30,912.71.

Judge Anderson ask that this was an emergency project and needs to be done.

We were not awarded any funds for Rose Lane #2. We would need to check and see if this is one of the projects that we already done. Judge Anderson said he could talk to this vendor and see if there is some stuff that we could negotiate. For instance the Rip Rap price. We can check and see if it can be purchased from the county to save taxes and the same thing with the concrete. Also tree removal & disposal and traffic control can also be discussed. Judge Anderson said that he would take to the vendor and see if we can get the price to come down as close as possible to our awarded amount.

A motion was made by Magistrate Chad Patton seconded by Magistrate Timmy Tipton to give Judge Executive James Anderson the authority to negotiate with the vendor Midnight Oil the best terms he can hopefully better than the \$39,075.00 and if unable to do so the court gives authority to proceed with the Rose Lane #1 project in the amount of \$39,075.00.

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll for Magistrates in agreeance to this project by stating I

Magistrate Dennis Combs – Stated I

Magistrate Donna Gabbard – Stated I

Magistrate Chad Patton- Stated I

Magistrate Timmy Tipton – Stated I

Judge Executive James Anderson – Stated I

**Tourism – Miranda Fallen**  
**(Tourism partnering with the Animal Shelter)**

Mrs. Miranda Fallen contacted Judge Anderson in regards to two different items. The first one is that the Tourism partnered with the Animal Shelter to potentially maybe weekly to go and take one of the animals that the Animal Shelter has up for adoption on a trail to show that this animal is suitable for adoption plus this will give the animal some exercise. A video can be took of this to hopefully getting the animal adopted sooner. We give the animals a rabies shot at the shelter prior to it be adopted out which is included in the adoption fee. If you look at our adoption numbers we have very few that we have to euthanize. We usually only have to if it's a viscous dog. Judge Anderson said that he did not see any problem with this and prior to adoption authorizing them go ahead and have the animal vaccinated. All court members agreed with Judge Anderson that this is a good idea. If they want to work ahead and pick animal to feature they can go ahead and get it up to date on its vaccinations.

**Second** Mrs. Fallen contacted Judge Anderson in regards about the programs such as Shop with a Cop and the Angel Program that they do for the under privileged kids will not happen this year due to the schools being closed because of the pandemic. There are usually around 500 kids that need these resources. Mrs. Fallen said that Tourism was going to try and sponsor this and Judge Anderson encouraged her to reach out to the some of the other groups. Mrs. Fallen said she was going to try and find some community partners such as the Ministerial Association and different folks to see if we get anywhere close to having enough people to potentially take on 500 of those names which would be around \$50.00 each. Mrs. Fallen is going to contact Judge Anderson to see if this would be a possibility.

**Amendment to the Clerk's Report dated September 8<sup>th</sup>, 2020 for the Apollo w/Pre-activated Euro (Scanner Tool for Road Department)**

During the September 8<sup>th</sup>, 2020 meeting there was a brief discussion about Magistrate Mike Lockard getting with Road Mechanic Ryland Ledford about purchasing the scanning tool to be used at the road department. At that time no vendor or amount was mentioned. All members agreed for this purchase. Fiscal Court Clerk will go back and amend the minutes dated September 8<sup>th</sup>, 2020 to reflect this invoice from Snap – On (Allen Wheeler) in the amount of \$4,094.00 for a Apollo W/Pre-Activated Euro with a 1yr PPD Plan.

Judge Executive James Anderson entertained a motion to allow Fiscal Court Clerk to do back and amend the Clerk's Report dated September 8<sup>th</sup>, 2020 to reflect the approval for the purchase of this scanner tool in the amount of \$4,094.00 from Snap-On (Alan Wheeler) for a Apollo w/Pre-activated Euro(Scanner Tool for Road Department).

A motion was made by Magistrate Dennis Combs and seconded by Magistrate Donna Gabbard to allow Fiscal Court Clerk to go back and amend the Clerk's Report dated September 8<sup>th</sup>, 2020 to reflect the approval for the purchase of this scanner tool in the amount of \$4,094.00.

Judge Executive James Anderson ask members of the court in favor of this motion by stating I.

- Magistrate Dennis Combs – Stated I
- Magistrate Donna Gabbard – Stated I
- Magistrate Chad Patton – Stated I
- Magistrate Timmy Tipton – Stated I
- Judge Executive James Anderson – Stated I

Motion passes unanimously

With no further discussion Judge Executive James Anderson entertained a motion to adjourn. The meeting adjourned at 7:05 p.m.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton to adjourn the meeting. Judge Executive James Anderson ask members of the court in favor by stating I.

**Magistrate Dennis Combs – Stated I**

**Magistrate Donna Gabbard – Stated I**

**Magistrate Chad Patton Stated I**

**Magistrate Timmy Tipton – Stated I**

**Judge Executive James Anderson – Stated I**