

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: January 12th, 2021

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/86040309264>

Meeting ID: 860 4030 9264

A G E N D A

- 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/Amendments
 - Budget Amendment # 4 (Second Reading)**
 - Budget Amendment # 6 (1st Reading)**
 - Budget Amendment # 7 (1st Reading)**
- VIII. Old Business:
- IX. New Business:
- X. Department Head Updates:
- XI. District Updates:

Items to be discussed:

- **County Clerk Budget/Salary Cap**
- **Sheriff Budget/Salary Cap**
- **Jail – Payments**
- **Airport Project**
- **County Salary Caps/Hiring**
- **PTO-Schedule**
- **Charter Government Commission**
- **Daniel's Branch Emergency Project**

VII. Other:

POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING (ZOOM)
JANUARY 12TH, 2021

6:00 p.m.

Location: Powell County Emergency Operations Center (EOC)

<http://us02web.zoom.us/j/86040309264>

Meeting ID: 860 4030 9264

The Powell County Fiscal Court met at the Powell County Emergency Operations Center for a regular called meeting. (ZOOM).

Those present were: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, County Attorney Robert King present through ZOOM, Magistrate Donna Gabbard present through ZOOM, Magistrate Chad Patton present through ZOOM, Road Foreman Patrick McCoy present through ZOOM, County Clerk Jackie Everman present through ZOOM, Magistrate Dennis Combs (EOC), Magistrate Mike Lockard (EOC), Magistrate Timmy Tipton (EOC), Michael Frazier (EOC), Jacob Estes (EOC), Sherry Skidmore (EOC) and CSEPP Director Kevin Babcock (EOC).

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 at the EOC

Magistrate Donna Gabbard – Present through ZOOM

Magistrate Mike Lockard – Present at the EOC

Magistrate Chad Patton – Present through ZOOM

Magistrate Timmy Tipton – Present at the EOC

No Public Comments at the time:

Clerk's Report for the December 2020 Meeting:

Judge Executive James Anderson ask if any members of the court would like any changes to be made to the Clerk's Report for the regular called meeting dated December 8th, 2020 meeting. Magistrate Timmy Tipton ask the Clerk to change the word from coal credit to tow credit. The Clerk will note this change as requested.

With no further discussion the Clerk's Report for the regular called meeting dated December 8th, 2020 is accepted.

Bills Submitted for Payment:

Judge Executive James Anderson ask if there were any objections in paying all the bills submitted for payment. There were no objections at this time therefore any and all bills submitted for payment will be paid.

Judge Executive James Anderson made members of the court aware that there was an additional submitted for payment. This will be the subscription for Word at \$6.00 per month. No members of the court had any objections in paying this monthly subscription in the amount of \$6.00 per month.

Financials:

Treasurer presented members of the court with all of the financials for their review. Financials to include the Financial Statement, Cash Balances, Cash Transfer, Budget Transfers and Amendments.

Treasurers Transfers:

Treasurer presented members of the court with a list of interfund transfers, cash transfers and a list of budget transfers to balance line items for the 2nd quarterly report ending December 31st, 2020.

Judge Executive James Anderson entertained a motion to approve the Treasurers Transfers.

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs **to approve all of the Treasurers Transfers to include interfund, cash and budget transfers.**

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll.

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passed unanimously

Budget Amendments:

2nd Reading Budget Amendment #4

Treasurer presented members of the court with Budget Amendment #4 for the 2nd Reading.

This amendment was sign by the Department for Local Government on December 16th, 2020

Judge Executive James Anderson entertained a motion to approve the 2nd reading of Budget

Amendment #4 increasing the Ambulance Fund in the amount of \$7,879.64 for an insurance payment to repair vehicle.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to approve the 2nd reading of Budget Amendment #4 increasing the Ambulance fund in the amount of \$7,879.64.**

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll.

Magistrate Dennis Combs- Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passed unanimously

1st Reading Budget Amendment #6

Treasurer presented members of the court with Budget Amendment #6 for the 1st Reading increasing the General Fund in the amount of \$420,770.50 for the Corona Relief Fund Pay.

1st Reading Budget Amendment #7

Treasurer presented members of the court with Budget Amendment # 7 for the 1st Reading increasing the Ambulance Fund in the amount of \$6,066.35 for an insurance payment to repair vehicle.

1st Reading Budget Amendment #8

Treasurer presented members of the court with Budget Amendment #8 for the 1st Reading increasing the General Fund in the amount of \$153,234.00 for the Powell CFC Stanton Furnace Rd SW Project. Judge Anderson explained this project to members of the court. The 213 south project is a federal funding project that District 10 was able to get to facilitate widening the road where it stops in front of UPS up to the foot of the hill to put in turning lanes and do some safety improvements. They will be realigning Caudill Road and addressing some of the site issues they are having at the Industrial Park. Originally it was thought that this project could be worked through District 10 but later found out that the County will have to pay the engineers for the 4 invoices submitted for this project. The County will not be out any money for this project. The check received will cover the total amount of all 4 invoices.

County Clerk Jackie Everman turned over 2019 Excess Fees to Fiscal Court:

Treasurer made members of the court aware that County Clerk Jackie Everman turned over 2019 Excess Fees in the amount of \$36,726.30 to the Fiscal Court. She anticipates to turn over double that amount for the 2020 Excess fees.

Old Business:

Judge Executive James Anderson ask County Attorney Robert King for his opinion on the Hollerwod Park Project about sitting up another sub- entity of the Industrial Authority at this time. Mr. King told that Judge Anderson that he thought this is the route that they should go with at this time about getting this set up. Judge Anderson said that it would be safe to say that they would be sitting up a sub entity for the Hollerwood Industrial Park and they will be under the authority of the Powell County Industrial Authority. Judge Anderson said they will get that formally drafted towards the end of this week and go ahead and recognize the formation of this entity as a holder of this property.

FEMA Project: (Relation to the cash flow – Short Term Loan Approval)

Judge Anderson told members of the court that we had received our invoices yesterday in relation to the FEMA projects. In relation to the cash flow we had talked about taking out a short term loan to cover the expenses of this projects. The discussion was taking out a loan between a half million to three quarters of a million until we get reimbursed.

Magistrate Tipton ask if this would be the reimbursing for the FEMA jobs and the paving that we get money back for. Judge Anderson told him that this would be totally separate. The Flex money has already been submitted and have not received reimbursement at this time. Primarily we would need to cover this point would be the FEMA jobs which are under \$400,000.00 and 3 emergency projects also. Judge Anderson said he would recommended that we borrow no less than ½ million but up to 3 quarters of a million.

Magistrate Tipton ask would it be like a house loan that you could get up to 3 quarters of a million dollars and then only take a draw on ½ million. From the interest standpoint would you just get charge on the interest that you actually borrowed? Judge Anderson said that he would have to check on this Judge Executive entertained a motion to take out a short term loan to pay for these projects.

Magistrate Timmy Tipton made a motion to take out a short term loan in the amount up to \$750,000.00 to cover these projects. Judge Anderson will ask and see if we can only draw out the monies that is needed from the short term loan to complete the projects and only pay the interest on the amount that is actually borrowed. This motion was then seconded by Magistrate Mike Lockard.

Judge Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Powell County Sheriff's 2021 Budget:

One of the requirements from the Department for Local Government is for the Fee offices to present their budget to the Fiscal Court by January 15.

Sherry Skidmore with the Powell County Sheriff's office was present for the meeting to present the Sheriff's 2021 Budget. She made members of the court aware that there was a \$16,000.00 difference in this year's budget compared to last year's due to the increase in deputy's salaries for court security and fuel.

Judge Executive James Anderson entertained a motion to approve the Powell County Sheriff's 2021 budget as presented.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Donna Gabbard *to approve the Powell County Sheriff's 2021 budget as presented and also authorize Judge Executive James Anderson to sign the necessary paperwork for the Powell County Sheriff's 2021 budget.*

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll.

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – yes

Judge Executive James Anderson – Yes

Motion passed unanimously

Powell County Sheriff's calendar year 2021 Annual Order Setting Maximum Amount for Deputies and Assistants for calendar year 2022. (Salary Cap.

Sherry Skidmore presented members of the court with the Powell County Sheriff's calendar year 2021 Annual Order Setting Maximum Amount for Deputies and Assistants in the amount of \$145,000.00 which is less \$500.00 less than last years.

Judge Executive James Anderson entertained a motion to approve the Powell County Sheriff's calendar year 2021 Annual Order Setting Maximum Amount for Deputies and Assistants.

A motion was made Magistrate Dennis Combs seconded by Magistrate Donna Gabbard *to approve the Powell County Sheriff's calendar year 2021 Annual Order Setting Maximum Amount for Deputies and Assistants in the amount of \$145,000.00 and to also authorize Judge Executive James Anderson to sign any necessary papers concerning the Annual Order Setting Maximum Amount for Deputies and Assistants.*

Judge Executive James Anderson ask the Clerk to call roll

Magistrate Dennis Combs – Yes
Magistrate Donna Gabbard – Yes
Magistrate Mike Lockard – Yes
Magistrate Chad Patton- Yes
Magistrate Timmy Tipton – Yes
Judge Executive James Anderson – Yes

Powell County Sheriff – Special Bond of Sheriff for repayment of Advancement:

Sheriff Skidmore presented members of the court with the Special Bond of Sheriff for Repayment of Advancement form to get approval for Judge Executive James Anderson signature.

Judge Executive James Anderson entertained a motion to authorize him to sign the Special Bond of Sheriff for repayment of Advancement form.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard ***to authorize Judge Executive James Anderson to sign the Powell County Sheriff's – Special Bond of Sheriffs for repayment of Advancement form.***

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll.

Magistrate Dennis Combs – Yes
Magistrate Donna Gabbard – Yes
Magistrate Mike Lockard – Yes
Magistrate Chad Patton – Yes
Magistrate Timmy Tipton – Yes
Judge Executive James Anderson - Yes

Powell County Clerk's 2021 Budget:

Powell County Clerk Jackie Everman joined the Fiscal Court meeting through Zoom.

Ms. Everman first thanked members of the court for their patience this past year.

She made members of the court aware that she turned over \$36,726.30 for 2019 excess fees. She hopes to turn over double that amount for 2020. The Powell County Clerk's office is a self-supporting office and she would be asking for increase in her salary cap. She is considering hiring another person because they cannot keep up with everything.

Some of the increase on her budget is due to some of the fees they are having to charge such on deeds. She said she wasn't for sure how to budget for that last year.

Judge Executive James Anderson entertained a motion to approve the Powell County Clerk's 2021 budget.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton ***to approve the Powell County Clerks 2021 budget as presented and also authorize Judge Executive James Anderson to sign the needed paperwork for the Powell County Clerk's 2021 budget.***

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs- Yes
Magistrate Donna Gabbard – Yes
Magistrate Mike Lockard – Yes
Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes
Judge Executive James Anderson – Yes
Motion passes unanimously

Powell County Clerks 2021 Annual Order Settings Maximum Amount for Deputies and Assistants (Salary Cap)

Powell County Clerk Jackie Everman is asking for a \$7,000.00 increase on her salary cap for 2021. She is asking that her new salary cap amount to be approved in the amount of \$240,000.00.

Judge Executive James Anderson entertained a motion to approve the Powell County Clerks 2021 Annual Order Settings Maximum Amount for Deputies and Assistants in the amount of \$240,000.00 (Salary Cap).

Judge Executive James Anderson entertained a motion to approve the Powell County Clerk's 2021 Annual Order Settings Maximum Amount for Deputies and Assistants in the amount of \$240,000.00 (Salary Cap).

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Mike Lockard ***to approve the 2021 Annual Order Settings Maximum Amount for Deputies and Assistants in the amount of \$240,000.00. (Salary Cap) and to authorize Judge Executive James Anderson to sign the necessary paperwork for the 2021 Annual Order Settings Maximum amount for Deputies and Assistants.***

Judge Executive James Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes
Magistrate Donna Gabbard – Yes
Magistrate Mike Lockard – Yes
Magistrate Chad Patton – Yes
Magistrate Timmy Tipton – Yes
Judge Executive James Anderson – Yes

Powell County Clerk's Contract issue:

In relation to the discussion of the Powell County Clerks contract issue. County Attorney Robert King advised the court he would have to talk to County Clerk Jackie Everman more about this issue before discussing. This will be discussed at a later date.

Department Head Updates:

Road Department:

Road Foreman Patrick McCoy joined the meeting through ZOOM to give members of the court an update on the Powell County Road Department. Mr. McCoy said that everything had been going good at the road department. They survived the few snow events that we have had. It was not as graceful as the previous one with the holiday going on. The crew came out on Christmas Eve and then he sent them home to rest and spend Christmas morning with their families before coming back out on Christmas Day. Because of the way the snow kept falling they didn't make the last pass until the snow event was over. It created a layer of slush underneath so they went back with a second pass to clean the road. They are doing their normal day to day operations as far ditching but will be transiting back into that as soon as possible. They are still struggling with some down time on certain pieces of equipment and the mechanic has been tied up lately. The ambulances have been in the shop recently and some fire

engines. They also are struggling some with the slope mower and have not forgotten about it but haven't had the opportunity to get to it to get it back in operation.

He made them aware that he had emailed a copy of the monthly work report to Judge Anderson. Judge Anderson made members of the court aware that he had emailed them a copy for their review.

Patrick said they have had several complaints on gravel roads and he has created a systematic approach to address these issues. They have been grading and rocking these as needed.

Magistrate Mike Lockard thanked him for addressing the beaver problem. Patrick said he got ahold of a guy that is trapping the beavers. This guy has set it up with the landowners about trapping them. Members of the court thanked Patrick for all their work.

Magistrate/ District Updates:

Magistrate Dennis Combs – No updates at this time

Magistrate Chad Patton – Made members of the court aware that he had spoken with County Attorney Robert King about contacting the attorney about pushing the circuit court case concerning the landfill. Mr. King made members of the court aware that he had done what they requested him to do about contacting the attorney about the new Circuit Judge. He will try and contact the attorney again this week about pushing forward with this case and then let Magistrate Patton know what he found out. Magistrate Patton made members of the court aware that he had spoken with Jailer Travis Crabtree and he let him know that ½ of the jail employees received their Covid vaccines last week and the cases they had have all cleared up expect for four (4) employees.

Magistrate Donna Gabbard – No complaints about roads during the snow storm. She also said that she was proud of our road department.

Magistrate Mike Lockard – No updates at this time.

Magistrate Timmy Tipton- Appreciates the job that Patrick and the road department crew has done during the snow removal which was a learning curve for them. The snow event had its own issues but it was not a catastrophic thing. Covid has got us all on edge and they have done a good job of dodging it. Hopefully they will continue to practice social distancing. He said he not only appreciates them but appreciates everyone in these tuff times.

CSEPP Update:

CSEPP Director Kevin Babcock made court members aware that they have been passing out the handheld radios and will be passing out mobiles next month. He said he appreciates the volunteer fire fighters, fire responders including the police departments and EMS. We are trying to make sure they have the best equipment possible. On the EM side we handed out the first 211 doses of vaccine and are making better strides to doing better towards this. He said everyone needs to be reminded that we are still in a pandemic and need to follow CDC recommendations and wear your mask when you are in public, stay 6 feet apart and wash your hands.

Judge Anderson said that he along with Mr. Babcock had received several calls in relation to why other counties were getting vaccines prior to Powell County as well as the amount of doses. Our first responders, our medical field was provided for numbers to solstice's doses initially and there was no

rhyme or reason to where we could tell how they shipped to what county first other than regional hospital type communities.

Mr. Babcock said that he was on several regional meetings with mainly Eastern Kentucky and South Central Kentucky counties. The main first doses went to large institute type hospitals then they switch out to regional hospitals and then on a random bases not alphabetic or numerical to remaining counties. When they were ask to submit numbers they were ask according to CDC guild lines recommendations to the state and to follow the state recommendations within our county. In doing so we requested 213 doses which comes in bricks of 100 doses so we only got 200 doses but because they are some leftovers in each file the health department did a wonderful job of saving all the vaccines possible we got what they call angel doses and there were 11 extra doses. We should be getting the second doses in the next couple of weeks and we have no indication of when we will be getting doses for the public.

Judge Anderson said he would like to clarify that it's not represent of our health department or anyone within his position or EM that has hindered Powell County from getting them and are advocating as hard as anyone else and is an testament to what our health department all of our doses were administrated. Judge Anderson said kudos to them and he appreciates everything that they are doing.

Jail Construction Payment:

The Treasurer made members of the court aware that the Jail Construction payment was due at Peoples Exchange Bank. The total amount due at this time is \$172,111.27.

Judge Executive James Anderson made a motion to pay half (½) of the loan amount due in the amount of \$86,055.64 to Peoples Exchange Bank at this time and revisit the balance at the end of the fiscal year. The motion was then seconded by Magistrate Donna Gabbard. This motion also authorizes Treasurer Connie Crabtree and Judge Executive James Anderson to sign any and all necessary papers concerning this loan. Treasurer will contact Mr. Rick Stamper at Peoples Exchange Bank and make him aware of this decision.

Judge Executive James Anderson ask the Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Airport Project:

Mr. John Talbot joined the meeting through Zoom. He ask County Attorney Robert King at what point should they go into closed session for discussion. Mr. King said he wasn't for sure what may be said. Mr. Talbot told him that the condemnation action report was filed and the commissioners came back with the report. Judge Anderson ask if it would be safe to have the general discussion without the amounts. Mr. Talbot said giving the open nature of this ZOOM meeting he suggests going into closed session.

Judge Executive James Anderson entertained a motion to go into closed session KRS.61.810 Subsection C potential litigation in relation to the airport project.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Mike Lockard **to go into closed session KRS 61.810 Subsection C - potential litigation in relation to the airport board.**

Judge Executive James Anderson ask the Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Court Resumes at 7:00 p.m. when court came out of closed session

Judge Executive James Anderson ask the record to reflect that there were NO ACTION Taken in closed session but as a result of the conversation in closed session Judge Executive James Anderson entertained a motion to proceed with the legal necessities of the airport case as well as in telling the appropriate amount of money as dictated by the appraisal into the account to proceed on.

A motion by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to proceed with the legal necessities of the airport case as well as in telling the appropriate amount of money as dictated by the appraisal into the account to proceed on..**

Judge Executive James Anderson ask the Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Approval of Salaries, Titles and positions of all employees of the Powell County Fiscal Court for the Fiscal Year 2021/2022.

Judge Executive James Anderson entertained a motion to approve the Salaries, Titles and Positions of all employees of the Powell County Fiscal Court for the Fiscal Year 2021-2022.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to approve the Salaries, Titles and Positions of all employees of the Powell County Fiscal Court for the Fiscal Year 2021/2022. (A copy of a current wage report for all county employees will follow minutes).**

Judge Executive ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

PTO Schedule:

There was a lengthy discussion about the holiday schedule during last month's meeting. Judge Anderson said he hopes he has come up with something that would work.

He got a copy of the State's calendar which consists of 12 days most of which we honor with the exception of Statehood Day. Judge Anderson recommends that we move our whole holiday schedule into a PTO model which would consist of 96 hours PTO and we would strike the Statehood Day and implement Fair/Election Day with it. This makes it fairer for our full time employees regardless of the shift or department they work in. The days reflected on this schedule the courthouse will be closed but any employee working would go ahead and use their PTO day. This would make it more standard throughout our departments. This will pertain to all full time employees.

Judge Anderson ask members of the court if they had any thoughts or recommendations concerning this.

Magistrate Chad Patton ask what the difference was with what we got now and the PTO schedule. He ask how many days does county employees we get off now. Judge Anderson told him that it varies from year to year depending on elections days which would be 2 more days on top of what we get and the rest of the days reflect the states schedule minus the fair day. The state does have 1 more day which is Statehood day on June 1st but we can put in fair/election days to replace it.

Magistrate Chad Patton ask if the employee would have to take a personal or vacation day for fair day. Judge Anderson told him they would not what he was saying was if you look at the State holiday calendar this year consists of 12 days which mirrors what we would typically take with the exception of Statehood day which we would replace with fair day for the 2021 calendar and then the years that we have an election we can replace it with fair/election days.

Magistrate Patton ask about how it would work if one year we have an election and fair day. Judge Anderson told him that the employee would get 8 hours to accomplish this either to take off for the fair. The court house will to be closed for the 2 days of election years because they use it for a polling place. The staff could go in and work and use their PTO day.

Judge Executive James Anderson entertained a motion to approve the 2021 Holiday/PTO schedule. A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs ***to approve the 2021 Holiday/PTO schedule.***

Judge Anderson ask the Fiscal Court Clerk to call roll

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Judge Executive entertained a motion that in conjunction with the PTO schedule that we prorate it (if our Fiscal Pay computer program will allow it) and drop ½ of the 96 hours at the first of the year and then the second ½ dropping at the end of the fiscal year and starting of the new fiscal year. The concept being if you had someone that quit early it's not fair to let this person load up on the full 96 hours before their time accrued.

A motion by Magistrate Chad Patton seconded by Magistrate Dennis Combs *that we drop this into two pots ½ being the first of the year and the second part being the second ½ of the fiscal year.*

Judge Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Charter Government Commission:

Michael Frazier who glacially agreed to chair this commission was present for the meeting along with Jacob Estes.

Mr. Frazier told members of the court that he was excited to take on this role. He said that he was glad that him and the citizens of Powell County are coming together to look at this idea of being a unified county government. He said that he would like to thank the Fiscal Court courage for saying what's next and putting the citizens at the heart of everything they do. Asking what next is not an easy question but it showed their commitment to the county and he appreciates this. We are excited that we are asking how we can make things better for the people of Powell County. The purpose of the Powell County United Commission is to find a possible solution to the problems that we experience today so that we can build a better future for our community and citizens. Their commission will consist of members from different areas of expertise, backgrounds and they are going to be intentional with finding representation throughout the county in different demographics' and age groups to make sure voices are heard within the commission. They will also be sitting up sub committees. These sub committees charge in engaging with the public to make sure that all state coders does have a voice and can engage with the public even further. This is going to be an extraordinary project within itself. Their commission and leaders will have candid conversations about unifying our county government. At every step they promise that they will ensure to have input and act with our community being the wind in our sails to drive every decision every idea and moment within it. The parameters are commissions something that Jacob, himself, Judge Anderson and others that has work on for the past month so that we can have a clear goal in mind in assessing and driving what they do. So the parameters of commission are quite clear. Our task is to develop a report that details the advantages and hurdles that need to be addressed in unifying local governments in Powell County. The purpose of this commission is to explore the viability to unify all local governments in Powell County in a way that preserves our local history, ensure fair representation, enable better services for local government, and fosters a government for the future of our citizens. For this work to be done it will be a daunting task and must take it seriously. Mr. Frazier said that he is excited to say that every member of the commission that has been approached so far like himself, Jacob Estes, Eddie Barnes, Tina Epperson are just to name a few and the commission will go onto search for others when we do meet their first time. Their willing to ask ourselves, our county some of the more difficult questions. Taking something on like this is about ideas, assessing and being thoughtful. So we want to bring this in our conversations and hope everyone will join us in this mentality.

Mr. Fraizer said they are excited because they know that what we do today will help us tomorrow. It will help us pull into the history of this county. Over this pandemic each of us will agree that we have seen this county step up. This is what this commission is planning to do. Stepping up to see what works and doesn't work. We plan to do forward in the next month and have our first meeting. We will start to do an timeline for the dates we would like to get. The commission will engage the public at every step by hosting town halls, establish citizen-led subcommittees ensure all stakeholders have a voice and to through county-wide surveys.

Judge Anderson said he would like to clarify and differentiate because it would be easy for people to confuse this commission with what the potential official body would be. The commission's end goal would be to get to the point should the findings be favorable for the community. Mr. Frazier said this is an exploratory commission. This is not the permanent deciding body that will decide if we move forward or if this is something that we shouldn't do. This is a conversation among everyone. This is our primary task in this commission is to bring people together to do the preliminary concerns because we are already knocking at this door of this idea of a unified county government. When we look at some of the zoning issues we are seeing it. When we look at some of our mutual orders of understanding with the police force we are seeing it. We are also seeing it from a state level such as the Magistrate and Judges Association pushing for merge services. We are seeing the idea of a unified county government, a charter government some sort of structure to look into this idea. This is an opportunity for Powell County to entertain this question and to explore it and even possibility get ahead of it so that we can once again led the way. We have led the way and are leading the way. We have the opportunity to establish something that will be a model for Kentucky.

Magistrate Tipton said that one challenge is looking at our 911 service as we transition from the funding that we have to it going away in December 2023. Charter government could help with this.

Judge Anderson said in two aspects not only from the funding model up front but initially what we would do to continue our services as ours. Also to the point that Mr. Frazier made as you are starting to see models that are pushing our dispatch centers such as the state police model which can see wanting to do to silicify that pool where as we start to lose some of our identity or our own ability to dictate wat our call center looks like. We would much rather have these people merge such as Wolfe and Lee verses the state saying you will be serviced by an X entity in Louisville or whatever case it may be. It is imperative that we go ahead and take these first steps because if not we are going to a community sitting back and you are seeing it with the funding already.

We want to look into this so we can ensure that Powell County remains in the hands of the citizens of Powell County. Basically ever model that we have to get funds is on the back of our working class citizens and unfortunately a lot of our services are being used by people that are not paying the property taxes or contributing in another matter so therefore.

We could legally put a \$4.00 across the board on water meters which would force everybody to pay for their services to lessen the load or need to raise such as property taxes or insurance premium taxes. This commission will come back and show us this kind of items.

Mr. Frazier said we will have to take baby steps and take the polls to see where we should move forward next. Judge Anderson said the two means of getting this is either by petition or by ordinance by 3 governing bodies to get it to a ballot. Going down this road answers the question is the public supportive of it and is there enough good or bad. What they do over the next few months proves out then this would give the governing bodies of the three as well as the public.

Mr. Frazier said when some people hear unified county government or charter county government they think we are getting rid of everything and this is not the case. A lot of people have a lot of pride and the places that they come from here in the county. We want to preserve this history but at the same time we want to make sure at our pride and history don't blind us with the realities of today. We should take this pride and figure out how to address these things. In closing Mr. Frazier said he would like to thank the fiscal court and look forward with working with them, Judge Anderson and everyone in the county. Judge Anderson said he appreciates their effort and willing to give their time to do such an important thing. Hopefully by next month we should have the rest of the commission named and will operate independently of us and hopefully bi monthly or monthly one of them or the whole body can come back and let us know what they learned or what else they may be looking at. Magistrate Lockard ask how many would be on the committee. Mr. Frazier told him that it would consist of 8 people. If this moves forward and gets to an end result you would have a citizen body of 20 to 40 people. All three of the governing bodies will have representation and at large make sure everyone had a voice. It is not dictated by democrats, republican or independents.

Daniels Branch Emergency Project: (DECLARED AN EMERGENCY)

Judge Executive James Anderson ***DECLARED AN EMERGENCY ON A SLIP ON DANIEL'S BRANCH.***

Judge Anderson made members of the court aware that we had already been awarded an Emergency Project for this. As a result of this Judge Anderson entertained a motion to give him authority to sign the Resolution and any paperwork pertaining to this emergency event on Daniel's Branch.

A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard ***to give Judge Executive James Anderson the authority to sign the resolution and any paperwork necessary pertaining to the emergency event on Daniel's Branch.***

Judge Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Resolution – Adams Ridge:

Resolution for authorization of Department of Highways to Act on Behalf of the Powell County Fiscal Court.

Whereas, the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, proposes to construct a project, designated as 10-00150.00, to provide for the construction or reconstruction of the Adams Ridge Road Bridge and Approaches over the Brush Creek on CR1316.

Whereas, the Powell County Fiscal Court agrees to cooperate with the Department of Highways as set forth in this said resolution, so that the State Highway Plan may be carried out in accordance with the intent of the General Assembly.

Judge Anderson said this project is still going to be way behind but is starting to get some traction. Judge Anderson said that he had talked to men from the District 10 and they are to the point of looking at right of way and utilities at this point. Judge Anderson said that if the new proposal went through the new route the county would be willing to take over that portion up to where the county maintenance starts now. The city would still have their section from Main Street down to the cut off and the existing bridge would no longer be in this deal. The new road would take off from a different point on Main Street and go on in front of where Jerry Knox lives. We are talking about a 250 to 300 foot dry bridge in essence and is a million and half dollar project. The county would be willing to put this in their name. This will be a state project and be turned over to the county in essence once it is completed.

Judge Executive James Anderson entertained a motion by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to authorize Judge Executive James Anderson to sign the said resolution and any other necessary paperwork pertaining to the Adams Ridge Road Bridge Project.**

Judge Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously Judge Anderson made members of the court aware that they was looking at best case around 1 year before the project starts.

CRA – County Road Funds: (Popular Bluff & Upper Cane Creek)

Judge Anderson made members of the court aware that we had received emergency funding on the bridge on Popular Bluff as well as Upper Cane Creek. The projects were funded from County Emergency Road Funds totaling up to eighty (80%) percent of the projects costs. The remaining twenty (20%) present of the projects is the responsibility of the County. The breakdown of allocated funds is as follows:

Popular Bluff Road – Drainage Structure - \$28,550 (80% of project estimate) allocated for project.

Upper Cane Creek Road – Drainage Structure - \$34,850 (80% of project estimate) allocated for project.

Combined project total estimates allocated and awarded to Powell County on October 22, 2015

\$63,400.00. **Whereas, the total project cost has been determined through supply of invoices,**

receipts and cancelled checks from the County as following:

1. The Total Project (s) cost equaled \$72,892.47

2. The County responsibility being twenty (20%) present, (\$14,578.49) and the states responsibility being eighty (80%) percent, (\$58,313.98).

3. Concluding that the state has overpaid the project (s) by \$5,086.00.

KYTC agrees to deduct \$5,086 from the County's 2021 initial Road Aid Fund Payment.

Judge Executive James Anderson entertained a motion to allow him to sign the said resolution for the outstanding balance owed in the amount of \$5,086.00 and the agreement for the Popular Bluff Road and Upper Cane Creek Road projects.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs *to authorize Judge Executive James Anderson to sign the said resolution concerning the outstanding balance owed in the amount of \$5,086.00 and any the agreement concerning the Poplar Bluff Road and Upper Cane Creek Road projects. KYTC agrees to deduct \$5,086 from the County's 2021 initial Road Aid Fund Payment. Judge Anderson ask the Fiscal Court Clerk to call roll:*

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously

Road Department Hires:

In relation to the strategy last month concerning Road Department hires. Judge Anderson said that they needed to have another workshop to get to the bottom of this. In the meantime members of the court acknowledge that we need to hire someone to do the roll – off truck. We are potentially hiring someone part-time and it's safe to say that Mr. Stone that was discussed during the meeting last month is looking for part-time employment. He came into the office earlier last week and said he was very interested in the job. Judge Anderson said that we could employ him around ten (10) hours a week to take the pressure off of the road department. Mr. Stone is employed somewhere else but is looking for something part-time and this would be very much in line with his schedule. He does have a license for this position. Judge Executive James Anderson entertained a motion to hire Chris Stone as a part-time employee to haul containers at a max of 10 hours per week.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Mike Lockard *to hire Mr. Stone as a part-time employee for the Powell County Fiscal Court to haul containers at a max of 10 hours per week.*

Judge Anderson ask the Fiscal Court Clerk to call roll:

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Judge Anderson told members of the court that they would try and get his salary nailed down in the next week or two.

Adjourn: Meeting adjourn at 7:36 Judge Anderson entertained a motion to ***adjourn:*** Judge

Anderson ask the Fiscal Court Clerk to call roll

Magistrate Dennis Combs – Yes

Magistrate Donna Gabbard – Yes

Magistrate Mike Lockard – Yes

Magistrate Chad Patton – Yes

Magistrate Timmy Tipton – Yes

Judge Executive James Anderson – Yes

Motion passes unanimously