

**POWELL COUNTY FISCAL COURT
SPECIAL CALLED MEETING
MAY 28TH, 2021
Time: 3:30 p.m.
Location: Powell County Courthouse
Powell County Judge Executive's Office
Room 102**

**Join Zoom Meeting
<http://us02web.zoom.us/j/81367374304>
Meeting ID: 813 6737 4304**

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

Those present were Powell County Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, CSEPP/EMA Director Kevin Babcock, County Attorney Robert King, and ABC Administrator Kacey Davidson, Magistrate Dennis Combs, Magistrate Chad Patton and Magistrate Timmy Tipton. Powell County Tourism Board members Debbie Tipton and Lynn joined Zoom.

Judge Executive James Anderson called the meeting to order at 3:30 p.m.

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

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

2nd reading to Amendments made to the ABC Ordinance # 18-2906

ABC Administrator Kacey Davidson was present for the meeting to present the amendments to the ABC Ordinance # 18-2906 for the 2nd reading. The Fiscal Court had the 1st reading on these amendments during the May 11th, 2021 regular called meeting.

Judge Executive James Anderson entertained a motion to approve the 2nd reading of the amendments made to the Alcohol Ordinance # 18-2906. (A copy of Ordinance will follow minutes.)

A motion was made by Magistrate Chad Patton seconded by Magistrate Dennis Combs ***to approve the 2nd reading of the amendments made to the Alcohol Ordinance # 18-2906***

Magistrate Dennis Combs – Aye

Magistrate Chad Patton –Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Motion passes unanimously

3

2nd reading of the Powell County Tourism Ordinance # 20-0811

An Ordinance of Powell County, Kentucky, Creating the Powell County Tourism Commission: Defining the Duties and responsibilities of Said Commission; providing for the appointment, Tenure, and qualifications of the Members Thereof; and imposing a 3 % Transient Room Tax for Funding the Operation of Said Commission.

Powell County Tourism Director Miranda Fallen and board member Ovie Hollon was present for the meeting to present the Powell County Tourism Ordinance # 20-0811 for the 2nd reading. The Powell County Fiscal Court had the 1st reading on the changes made to the Powell County Tourism Ordinance # 20-0811 during August 11, 2020 regular called meeting.

Magistrate Timmy Tipton ask about the changes made to the Ordinance.

Powell County Tourism Director Miranda Fallen told members of the court that she had been to several meeting concerning this with different attorneys with the state tourism. The fact that the current ordinance still has us as a joint city/city county ordinance is incorrect. This is a straight county ordinance which is for the Powell County Tourism. It does not encumber the City of Stanton or the City of Clay City. The biggest change to the Ordinance is going to be where the seven (7) person board is made up pursuant to the KRS statue is that where the biggest city in the county has a representative of the mayor. Now that the City of Stanton has their own commission at this time it becomes the second pick of the County Judge Executive. This is detailed within this Ordinance. It also adds the appropriate measures that is we have delinquencies with people paying the transient tax and also reporting to them when they have a new rental. (A copy of this Ordinance will follow minutes.)

Ms. Fallen also gave members of the court small packets showing the Powell County Tourism Commission Transient Tax Trending Report and the growth in the past 3 years. She also made them aware that in 2021 Slade, Kentucky was second on the list of best places to invest. Miranda wanted to bring these handouts to court members to show the importance that the tourism has for industry in our county and also how much this Ordinance is straightening things out and moving forward is important to them. Judge Anderson said there is many ways that the transient money can flow in and we need to make sure that this money is being properly channeled. She said that the check and balances will fall under the Fiscal Court and then will be made payable to the Commission each month. She also said that she will continue to bring these types of things to the Fiscal Court so they can see what tourism is involved in.

Judge Executive James Anderson entertained a motion **to approve the 2nd reading of the Powell County Tourism Ordinance # 20-0811.**

Creating the Powell County Tourism Commission: Defining the Duties and responsibilities of Said Commission: providing for the appointment, Tenure, and qualifications of the Members Thereof; and imposing a 3 % Transient Room Tax for funding the Operation of Said Commission.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to approve the 2nd reading of the Powell County Tourism Ordinance # 20-0811.**

Magistrate Dennis Combs – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Motion passes unanimously

4-0

CSEPP Medical Purchase: Six (6) Wireless Vital Signs Monitors (patient monitoring system) & Six (6) Mainstream Minicamp Capnography Kits.

CSEPP Director Kevin Babcock was present for the meeting to present a sealed bid submitted from Athena GTX, Inc. Kevin made members of the court that he had advertised for bid in the Clay City Times and there was only one company that responded to the advertisement. This is a sole source of information and since it would be over \$30,000.00 it would have to go in the paper.

Kevin opened the sealed bid submitted from Athena GTX, Inc. The bid submitted was for six (6) Wireless Vital Signs Kits (WVSM) (Xbee Wi-Fi/BLE) \$19,074.00 and Six (6) Mainstream minicamp capnography Kits (Sensor, AUX & 10 airway adapter included) \$10,674.00. Total bid was in the amount of \$30,018.71. After a cuff is put on a patient these kits will be able to read a patients vital statistics to an iPad. This way during a mass causality one EMT will be able to monitor six (6) patients at one time. If these kits work out we can get funding for six (6) more next year.

Mr. Babcock ask for court approval to purchase these twelve (12) items in the amount of \$30,018.71 Judge Executive James Anderson entertained a motion to allow CSEPP Kevin Babcock to move forward with purchasing these twelve (12) items in the amount of \$30,018.71 from Athena GTX, Inc.

A motion was made by Judge Executive James Anderson seconded by Magistrate Dennis Combs **to approve CSEPP Director Kevin Babcock to move forward in purchasing six (6) Wireless Vital Signs Kits, and six (6) Mainstream minicamp Capnography Kits in the amount of \$30,018.71. These items will be purchased through the CSEPP account.**

Magistrate Dennis Combs – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Motion passes unanimously

4-0

Asphalt Bids: (Faulkner Branch, Woody Ware Road, Katie Drive and Manning Road)

Magistrate Timmy Tipton left the meeting while the asphalt bids were being discussed.

Judge Executive James Anderson made members of the court aware that a Notice of Bid was advertised in the Clay City Times that the Powell County Fiscal Court would be accepting paving bids on these four (4) roads, which would mean a bid for each of the four roads and then a per ton price for any additional roads they may pave in the 21-22 budget.

Woody Ware Road (CR- 1212)

Manning Road (CR- 1009)

Katie Drive (CR – 1256)

Faulkner Branch (CR – 1312)

5
Judge Anderson made members of the court aware that a sealed bid was received from Walker Construction on May 21, 2021 at 10:19 a.m. and a sealed bid was received from Hinkle Contracting Company LLC on May 21, 2021 at 12:36 p.m.

Judge Anderson opened the sealed bid received from **Hinkle Company LLC**

As requested with the advertisement they would also offer the following unit bid price per ton for any additional roads in the county thru June 30, 2022

Asphalt Surface - \$76.85 per ton

Woody Ware Road CR – 1212

15 x 1.740 x 1.5"

ASPH SURF 0.38D 1,280.00 TNS @ \$76.85 per ton - **\$98,368.00**

Manning Road CR – 1009

17 x 1.648 x 1.5"

ASPH SURF 0.38D 1,360.00 TNS @ \$76.85 per ton - **\$104,516.00**

Katie Drive CR – 1258

12 x 0.24577 x 1.5"

ASPH SURF 0.38D 160.00 TNS @ \$76.85 per ton - **\$12,296.00**

Faulkner Road CR -1312

12 x 0.2048 x 2"

ASPH SURF 0.38D 174.00 TNS @ \$76.85 per ton - **\$13,371.90**

Total - \$228,551.90

Judge Anderson opened the sealed bid received from **Walker Construction**

Asphalt Base - \$82.00 per ton

Asphalt Binder - \$83.00 per ton

Asphalt Surface - \$84.00 per ton

Woody Ware Road – CR-1212

Length- 9,028

Average Width – 15.00

Pavement Depth – 1.25

Mix – Surface

Quantity – 1040

Unit – Ton

Unit Price - \$81.00

Total - \$84,240.00

Manning Road CR – 1009

Length – 8,700

Average Width – 14.65

Pavement Depth – 1.25

Mix – Surface
Quantity – 1,000
Unit – Ton
Unit Price - **\$84.00**
Total - **\$84,000.00**

Katie Drive CR- 1256
Length – 1,225
Average Width – 15.50
Pavement Depth – 1.25
Mix – Surface
Quantity – 150
Unit – Ton
Unit Price - \$81.00
Total - **\$12,150.00**

Faulkner Branch CR -1312
Length – 1,081
Average width – 12.00
Pavement Depth – 1.50
Mix – Surface
Quantity – 125
Unit – Ton
Unit Price - \$81.00
Total - **\$10,125.00**

Total - \$190,515.00

After discussion a motion was made by Judge Executive James Anderson to accept both companies' bids so that the court will have the ability to pick in the future during this fiscal year if something changes then recommend after that if the court's chooses to then go back and initially award these roads.

Mr. King said he would not say accepting them in a motion. Judge Anderson said he thinks the court can accept both companies' proposals and award based on the price of the work. County Attorney suggested that he rephrase the motion. Judge Anderson said that he would like to accept both companies' ton prices. This way if one of the companies could not get the work completed then the other could. County Attorney said he would not accept either one and negotiate with them.

Magistrate Chad Patton said if we did not accept these proposals the pricing may change.

After the court discussed the proposal and did some figuring Judge Executive James Anderson made the motion **to accept the per ton bids submitted by both companies so the Fiscal Court will have the ability to award future work based on when they can get to the work. This motion was then seconded by Magistrate Dennis Combs.**

Magistrate Dennis Combs – Aye

Magistrate Chad Patton – Aye

Judge Executive James Anderson – Aye

1
Motion passes

3-0

Judge Executive James Anderson made the motion **to go with Hinkle Company LLC being the lowest bidder per ton and also having the thickness the court prefers for Woody Ware Road, Manning Road, Katie Drive and Faulkner Branch. This motion was then seconded by Magistrate Dennis Combs.**

Magistrate Dennis Combs – Aye

Magistrate Chad Patton – Aye

Judge Executive James Anderson – Aye

Motion passes

3-0

Magistrate Timmy Tipton re-enters the meeting.

Adjourn:

With no further discussion Judge Executive James Anderson entertained a motion to adjourn.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Dennis Combs **to adjourn.**

The meeting adjourned at 4:00 p.m.

Magistrate Dennis Combs – Aye

Magistrate Chad Patton – Aye

Magistrate Timmy Tipton – Aye

Judge Executive James Anderson – Aye

Motion passes unanimously

4-0

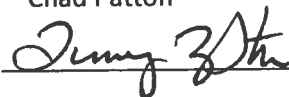
James Anderson



Dennis Combs



Chad Patton



Timmy Tipton