

**POWELL COUNTY FISCAL COURT**

**REGULAR CALLED MEETING**

**March 15, 2022**

**Time: 6:00 P.M.**

**Location: Powell County Emergency Operations Center**

**33 COMMERCE DRIVE**

**STANTON, KY. 40380**

**ZOOM LINK: Join Zoom Meeting**

**<https://us02web.zoom.us/j/87404212587>**

**Meeting ID: 874 0421 2587**

**AGENDA**

- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. PUBLIC COMMENTS- Eddie Barnes (Budget)
- IV. CLERK'S REPORT OF LAST MEETING
- V. BILLS SUBMITTED FOR PAYMENT
- VI. APPROVAL OF TREASURER'S FINANCIAL STATEMENT
- VII. APPROVAL OF TREASURER'S TRANSFERS/AMENDMENTS
- VIII. OLD BUSINESS
- IX. NEW BUSINESS
- X. DEPARTMENT HEAD UPDATES
- XI. DISTRICT UPDATES

**ITEMS TO BE DISCUSSED:**

- Miranda Fallen-Tourism Update
- Hollerwood-Economic Impact Study
- ACO-Part-Time Position
- Soil Conservation- Budget
- ABC Ordinance Amendment/ Business

**VII. OTHER**

**POWELL COUNTY FISCAL COURT****REGULAR CALLED MEETING****MARCH 15<sup>TH</sup>, 2022****Time: 6:00 p.m.****LOCATION: POWELL COUNTY EMERGENCY OPERATIONS CENTER (EOC)****33 COMMERCE DR.****STANTON, KENTUCKY 40380****<http://us02web.zoom.us/j/87404212587>****MEETING ID: 874 0421 2587**

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, CSEPP/EMA Director Kevin Babcock, Magistrate Dennis Combs (via ZOOM), Magistrate Donna Gabbard (via ZOOM), Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, County Attorney Robert King, Commonwealth Attorney Miranda King, Solid Waste Coordinator Tim Snowden, Road Foreman Patrick McCoy, Stanton Fire Department Asst. Chief Eddie Barnes, Ambulance Director Nathan Hall, Powell County Tourism Director Miranda Fallen (via ZOOM) and State Representative 91<sup>st</sup> District Bill Wesley.

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 via ZOOM***

***Magistrate Donna Gabbard – Present via ZOOM***

***Magistrate Mike Lockard – Present***

***Magistrate Chad Patton – Present***

***Magistrate Timmy Tipton – Present***

***Public Comments:******Stanton Fire Department Assistant Chief Eddie Barnes:***

Stanton Fire Department Assistant Chief Eddie Barnes approached members of the court and thanked them for having him. He passed out a budget for the Stanton Fire Department totaling \$24,000 for expenses. Eddie said that he would appreciate anything that the court could do for them. He also said that he would like to thank Judge Anderson for allowing Derek to work on their trucks which is a big help on their part. They have had two or three breakdowns and Derek has been gracious enough to come and repair them.

Eddie ask if any members of the court had any questions on the budget he had passed out to them. Judge Anderson ask him if this is what they were requesting from the county. He told him this was a request for the Fiscal Court. Magistrate Tipton ask what we done for them last year. Eddie told him that they received \$17,000.00 for the county contribution. He told them that this budget he gave them was not unreasonable because everything was going up as far as expenses. Gasoline is going up along with their fire equipment which increased around 35 percent due to Covid. Magistrate Tipton ask him if the court approved any additional things last year besides giving them the \$17,000.00. Eddie told him no but he did want to ask why the line in our budget said fire fighters salaries. The treasurer told him

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that it's always been listed that way in the budget. Eddie told members of court that Stanton gets \$17,000.00 but Middlefork Fire Department gets \$26,000.00. He also ask about the fire department aid in the budget. Judge Anderson told him that was in the budget when former employee Steve Asbury was here. We used that line as part of his salary and since then we have used it if any further expenses that may occur. Judge Anderson said that it should be noted that Middlefork Fire Department is the only fire department that the county has direct say so over. He went on to say that the county also pays a considerable amount of insurance for Stanton and Clay City Fire Departments which is additional to the \$17,000.00 the county gives them for their contribution.

Eddie said they have also discussed a paid fire department in the past. He said it was here say but he heard it was brought up during the last fiscal court meeting that someone said it would initially cost over a million dollars to start up and he wondered how they came up with this number. Judge Anderson said that he would be happy to look into it and try to find a way to not have to put it upon our taxpayers. Judge Anderson asked him what the cost would be to staff one. Eddie told him that it depends on what the hourly pay rate would be. The question is would they be part time or full time, will they work 8 or 24 hours a day also will medical, liability and workers compensation insurance be paid. Eddie said they need to start out slow with part time people at \$9.00 to \$10.00 an hour. At \$10.00 an hour you would be looking at around \$50,000.00 a year for two people working 8 hours a day seven days a week. In relation to workers compensation insurance if they make \$8,000.00 or less the fire commission will supply workers compensation insurance. Magistrate Mike Lockard ask how this would work for the county. Eddie told him it would depend on how they wanted to work it. They may could talk with the City to see if they would be willing to go into this adventure with county. There would be different factors to look into this. No medical insurance or retirement would be needed for part time people and the workers compensation would be free so as long as they didn't make \$8,000.00 or less. Magistrate Chad Patton ask if the part time people would have to be trained. Eddie told him that they would need the training. Initially a volunteer fire fighter has to have 150 hours of training and be certified within two years of that training. If you are a full time paid fire fighter you have to have a 400 hours certification they would need to get. Part time along with volunteers has to have 20 hours a year as far as recertification hours and if you are full time it's a 400 hours a year that is needed to keep your certification. Magistrate Chad Patton ask if this training would be free or if there is a cost. Eddie told him that it would be free and that he is a state fire instructor himself and he has been told that there is several instructors that would come and do the training.

Eddie told members they are limited now on day time help and resources. Magistrate Chad Patton ask if someone was hired would they have to be a chief. Eddie told him that would be up to the court. Judge Anderson said they would have to look at proposals but them as a court would be open to explore what possibilities could be there. They could check with the cities to see if they would be willing also. Eddie told members of the court that this could benefit the whole community but he ask if they did hire someone that this person be EMT certified so if they had to do a first response they could provide medical help. He said a lot of people think all they do is sit in the fire station waiting on calls but they do building, equipment maintenance plus go out and check hydrants.

In the past three months just for the Stanton district they had over 100 runs not including Stanton and Clay City. If you look at all three departments you are looking around 1200 runs.

Eddie ask where the Alcohol Beverage Control funds go. Alcohol Beverage Control Administrator Kacey Davidson told him it could only be spent on salaries, education and law enforcement. She said that she

was saving up to help City of Clay City and the Sheriff's office which she would discuss later on in this meeting.

Eddie said that he was looking at the budget stuff and ask if they could help the coroner's office out. He said their budget is \$ 19,907.00 and with the amount of drug overdoses and deaths this is awful. This is him speaking and he didn't know if Megan had ever ask about it.

Judge Anderson ask him to quit spreading rumors and if he would ask Megan they have had this very conversation about this very thing. Eddie said it was not rumors he had it in black and white. Judge Anderson said he wasn't saying it was rumors. Eddie said he was just asking being a concern citizen. In closing the conversation Eddie ask if any of them had any questions or concerns. He thanked the court for having him.

***State Representative Bill Wesley 91<sup>st</sup> District:***

Mr. Wesley approached the court and told members that they had been in session every day. He wanted to come to the meeting to introduce himself to see if any of them had any questions for him. They went through a redistricting which takes place every 10 years and he got Powell County. He passed out his card in case anyone needed to contact him about anything.

Some of the things he wants to focus on is tourism and road infrastructure. He had attended a meeting over roads in Powell County. He would like to get with the Magistrates and County Judge to discuss what struggles they have going on with roads here in the county. The second thing he would like to discuss is road infrastructure and fire departments. There are some house bills they are pushing for to help our first responders. There are over 800 fire departments in the cities of Kentucky and a little under 800 is all volunteers. If we do not have our volunteer fire departments we will all be in trouble. Our insurance would raise in our counties and our businesses'.

He also spoke about broadband. He has had some meeting and also reached out to Ram Paul's office. They are going to see what area's in the county that are struggling with broadband. There is some infrastructure money ready available for the county and he would like to assist them in applying for these funds. Judge Anderson thanked him for attending the meeting.

***Commonwealth Attorney Miranda King: (Rocket Docket)***

Commonwealth Attorney Miranda King approached the court to discuss a Rocket Docket proposal. She passed out a calculations sheet to show what she thought the Rocket Docket could save the county which will follow minutes.

Miranda came to a fiscal court meeting around two years ago to ask for rocket docket funding and the court agreed to it. Her goal at the time was to show Frankfort that this would work. The rocket docket is approved for two out of the three counties. They are placed in Wolfe and Breathitt Counties at this time. For the record Miranda said she did not choose these counties her predecessors did and she is stuck to deal with it.

There is honestly little to no need for the rocket docket in Wolfe County. She has tried to get them to move it to Powell County but they want. She has ask for additional funding so that she can include Powell County but they tell her they are broke but would give it if they could.

The last time she put together some figures she hoped it may create a more compelling argument with the people that runs the budget in Frankfort but came up dry and did not work.

Miranda is back again asking the Fiscal Court to help fund the rocket docket.

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The benefits of rocket docket is if they are able to resolve felony cases on the district court level then we can eliminate the time inmates sit in jail waiting on an indictment. This would eliminate the \$17.00 the county is paying to house inmates. In addition to eliminating the county inmates the jail is holding this could make room for state inmates which the county gets paid to house. In addition to saving money we are actually producing the opportunity or potential to earn income.

On March 4<sup>th</sup> Miranda sent Neil a text asking him how many inmates the jail had. At this particular time the jail had 94 county inmates and is in dire need to reduce that number. Miranda said from her perspective by looking at the trends they are seeing at grand jury this number is not going to do down. The county is facing a drug problem and in the twenty years she has been doing criminal law she has never seen anything like this drug situation. There was a pre trial order during the pandemic that provided a little relief to counties. The order said that if the defendant's met certain criteria's they were automatically released. This was all fine but when they came to court they were testing dirty on the drug screens so therefore they got put back in jail. This order did not having in impact in this county as they thought it was going too. If they have 50 people to come in and are drug tested at least 45 of them is be positive for meth or phenol. Magistrate Tipton ask if she thought the drug problem was over prescriptions from doctors. Miranda told him no it was not Lortab or Percocet it was much worse. Now they are testing positive for meth and phenol. She thinks it's a result of the pandemic and when you flush the market with the stimulus money people us it for drugs. We are averaging around 4 deaths a week from overdoses. This is a problem that is not going to away.

Even though 94 inmates is the most they have seen Miranda thinks that what they are seeing in grand jury is what we will be looking at unless we do something about it. This is even with us utilizing the ankle band program where the inmate has an ankle band and is drug tested. Magistrate Tipton ask if they were using this program frequently. She told him that they use it regularly but the problem with this program is they have to go out and check plus the drug dealer will just come to them.

They are averaging around 30 indictments a month in Powell County.

Miranda said she thought if we take the 94 inmates divided by two gets a conservation number to account for the ones that don't stay the entire month or who are incarcerated on non-felony offenses.  $47 \text{ county inmates} \times 30 = 1,410$  days of paying for the inmates.  $1,410 \text{ days} \times \$17.00 \text{ per day} = \$23,970$  to house 47 inmates. If the number can be cut by 10 inmates a month the figure would come down to \$18,870.00 which could be a savings of \$5,100.00. Miranda is asking the county for \$10,000.00. Magistrate Tipton ask her how this would be tracked. She said she didn't think there was a great way to track it and she didn't have access to the records. If this is started next month she feels like we will be able to tell a difference. Miranda told Magistrate Tipton if we make this happen she will see to it so as long as she can see the financials at the jail she will generate some kind of reports either every two to three months to show the savings.

Magistrate Patton ask Neil if he was confident that if 50 beds were freed up if he could replace them with 10 state inmates. Neil said that he turns away state inmates every day because they do not have the beds for them. They now have more county inmates than they have ever had. Neil said that he could track this for them weekly, monthly daily or however they wanted it. Magistrate Tipton ask him how many state inmates they had at this time. Neil told him that they had close to 200 inmates.

Miranda told members of the court that herself and Neil could work together to make sure they had a report every month so that they know what is going on.

Miranda's assistant Amanda Hampton from Wolfe County would be the one to do the rocket docket.

Miranda said she is doing more work and really needs more money. Amanda is the one that would have the time to do the rocket docket with a little help from our county attorney. Any funding that the county could give would go towards her salary. The funds would be sent to Pak and then they would be added it to her salary. Judge Anderson told Miranda that we would be working on the jail budget in the next couple of weeks and this could be discussed then. In closing Miranda thank members of the court for allowing her to speak and told them again that she felt confident that this would work.

***Clerk's Report for the February 8<sup>th</sup>, 2022 regular called meeting.***

The meeting minutes for the regular called meeting dated February 8<sup>th</sup>, 2022 was presented to members of the court for their review. Judge Anderson ask if members of the court if they requested any changes to be made to the meeting minutes. There were no request for any changes therefore the meeting minutes dated February 8<sup>th</sup>, 2022 is accepted as presented.

***Bills Submitted for Payment:***

All bills were submitted to members of the court for payment. Judge Anderson ask if there were any objections in paying any of the bills submitted. There were no objections at this time therefore all bills are to be paid at this time.

***Financials:***

Treasurer presented the financials to members of the court for their review. Financials to include the financial statement dated 2/1/22 – 2/28/22. Other financials to include budget amendments, cash and budget transfers, cash statements as of 3/11/22 and interfund transfers for the month of February 2022.

***Treasurers Transfers:***

Treasurer presented members of the court with the Treasurers Transfers. Transfers to include interfund transfers, cash and budget transfers for the month of February 2022.

Judge Anderson entertained a motion to approve the Treasurers Transfers presented.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton ***to approve all of the Treasurers Transfers as presented.***

***Judge Anderson ask those in favor by signifying I.***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson - I***

***Motion passes unanimously***

***6-0***

***2<sup>nd</sup> Reading of Budget Amendment # 5 (increasing the Road Fund by \$1,001,000.00)***

The Treasurer presented Budget Amendment #5 for the 2<sup>nd</sup> reading. This amendment was sent to the Department for Local Government and was signed on February 18<sup>th</sup> 2022. The Amendment was to Increase the receipts for the road fund 02-4911 Borrowed Money and Appropriation 02-7500-603 Borrowed Money Payment in the amount of \$1,001,000.00.

Judge Anderson entertained a motion to approve the 2<sup>nd</sup> reading of Budget Amendment #5. A motion was made by Magistrate Chad Patton seconded by Magistrate Mike Lockard **to approve the 2<sup>nd</sup> reading of Budget Amendment #5 in the amount of \$1,001,000.00 increasing the road fund 02-4911 borrowed money and Appropriation 02-7500-603 borrowed money payment.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Old Business:**

County Attorney Robert King made members of the court aware that he had spoken with John Saylers and Robbie Horn about the road issue on Woody Ware Road. There is some issue about who actually owns the property we would need to use. In looking at the tree line Robbie said this could be an expensive project but would be willing to do it. John said that he would have to think about it but would let him know. Both of them thought that Anthony Knox owns the land on the lower section between Woody Ware. Robert told members of the court that he would hopefully know more by the next meeting.

**New Business:**

**Department Heads:**

**Solid Waste Coordinator Tim Snowden** ask for court approval for him at attend the Spring SWACK meeting at General Butler State Park on April 12 -15<sup>th</sup> . Price for single occupancy, per person is \$149.00 per night.

Judge Anderson entertained a motion **to approve reservations to be made for Tim Snowden to attend the SWACK meeting at General Butler State Park on April 12<sup>th</sup> – 15<sup>th</sup>. Price for single occupancy, per person is \$149.00.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs –I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Discussion of the Dumpster Rental Agreement:**

Solid Waste Coordinator Tim Snowden gave an agreement to the County Attorney for him to look over. Robert told members of the court that he had read over it but there were a few issues with it. Robert will meet with Tim to go over it before finalizing.

**CSEPP/EMA Director:**

**CSEPP/EMA Director Kevin Babcock** let members of the court know that he had someone working on the sirens in the county. He has done 7 of them today. He got the one of Virden Ridge operational and has changed the batteries in all of them. He found a couple of issues and will have to get with Clark Energy. He should have at least 11 of them up and running tomorrow. There are a couple of issues with old batteries and battery chargers.

We also got new lighting in for the front of the EOC parking lot. They are solar and will need holes dug and the footers for the poles. He will work with the road department in getting this done as soon as possible.

There will be an exercise in June and September. The 2023 budget will include the CSEPP closeout. They will be closing out CSEPP in early 2023 and 2024 and at time some decisions will have to be made.

**Road Foreman Patrick McCoy:**

**Road Foreman Patrick McCoy** made members of the court aware they had been staying on course and focusing on culvert replacements and drainage up grades and also have some bridge work. The bridge at fish trap is starting to get into bad shape and is in need of some maintenance. Patrick told them they could take a look at the monthly work report to show they have been grading and rocking.

Patrick also told them they have a simple maintenance list now of things they have scheduled to do. There are still several roads that needs to be added and is a work in progress. He can hand out this list to the guys on a weekly basis so they can tell what is coming up which should help them prepare to see what road they will be working on that particular week. This will also help them prepare to bring their lunch if they know they will be out working on a road that is far out in the county. This will help save time and increase provisions. Magistrate Tipton ask if he had gotten any feedback about Barker Branch. Judge Anderson said that they had the document drafted and had spoken with the Estill County Judge Executive but had not heard anything back from him.

We were hoping to get some FEMA funds on the Manning Road project but are unable to do this. Patrick has contacted Blue Rock Drilling who has been assisting with some of the slips, slides and road breaks. He is waiting to get a quote from them. Once he gets the quote he will be able to present to members of the court to see what they think is the most appropriate means of repairs.

**Road Mechanic Derek Townsend:**

**Road Mechanic Derek Townsend** ask members of the court permission to have a service truck that he could drive home. Derek told them that he would supply the service truck with his own tools. The reason being and he does know that his main job is at the road department but he also does a lot of work for the ambulance, fire departments and transfer station. There is a lot of times he gets called out on Friday and Saturday nights to do repairs. He normally will have to take his tools that he has at his house and go straight to them or have to go to the road department to get the things he needs for the repairs. Derek said this would be more efficient and could save the county money on tools because he



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could stock the truck with his personal ones. He would only drive the truck when he was called out to do repairs.

Judge Anderson said that Derek had come to him and Patrick concerning this. The Judge said that he thought it needed to be brought before court because he didn't want to misrepresent what the court had agreed to for the initial hire.

Magistrate Patton said he thought this is what the issue was when we hired the former mechanic. He said we are not accusing anyone and he can see where Derek is coming from but he has to see where they are coming from also. Derek told him he would only use the truck when needed. He is just trying to make his job more efficient.

Kacey told him that Ryland had an inventory list and ask Derek if he had updated it at all. She told him that we needed to get an updated one and that he needed to keep an inventory list of his personal tools and the county tools so that we know which ones belongs to him and which ones belongs to the county.

Magistrate Patton ask him if he keeps track of his calls. Derek told him that he keeps a spread sheet on the computer for each department and they could see it anytime.

Magistrate Tipton ask Derek how the repairs are going. Derek told him they have one plow down but no equipment as this time. Magistrate Tipton said that he hopes that things funnel through Patrick so that he knows what's going on.

Judge Anderson ask what the pleasure of the court was. Magistrate Lockard said that he agrees with what Derek is saying. It would benefit him quicker wise with having this truck. Magistrate Tipton said he honestly wishes that we had a service truck with our own tools on it and not having them mixed. Derek told them that the only thing that he was going to leave on the truck tool wise that belongs to the county would be the extra-large wrenches because there is no place in the shop to lock them up.

Magistrate Tipton said he would still like us to work towards getting a county truck with county tools on it.

After discussion Magistrate Mike Lockard made the motion *to allow this request for Mechanic Derek Townsend to use the service truck to drive home. This motion was then seconded by Magistrate Timmy Tipton.*

*Magistrate Chad Patton said that he thinks we need to be very strict and to keep tabs on everything. There needs to be two lists made and given to Kacey. The list needs to be one for Derek's personal tools and the other for the county tools. Derek said that he would take the truck home this weekend and stock it and have the lists ready on Monday morning.*

*Judge Anderson ask those in favor by signifying I.*

*Magistrate Dennis Combs – I*

*Magistrate Donna Gabbard – I*

*Magistrate Mike Lockard – I*

*Magistrate Chad Patton – I*

*Magistrate Timmy Tipton – I*

*Judge Executive James Anderson – I*

*Motion passes unanimously*

*6-0*

**Ambulance Director Nathan Hall:**

Ambulance Director Nathan Hall made members of the court aware that they are starting to get applications in so that people can be hired. They got the ambulance back that was at Patrick's Collision

getting repaired. No one will answer the phone at Interstate Diesel which has one of our ambulances. Nathan also said they have 4 working ambulances at this time. Judge Anderson said that as soon as we can move forward with purchasing other ambulance would be good. He told Nathan to move forward with getting the RFP's out.

***District Updates:***

Magistrate Donna Gabbard – Nothing at this time.  
 Magistrate Dennis Combs – Spoken with Patrick about roads.  
 Magistrate Mike Lockard – nothing at this time.  
 Magistrate Timmy Tipton – Nothing at this time.  
 Magistrate Chad Patton – Nothing at this time.

***New Business:***

**Tourism Director Miranda Fallen** joined the meeting via ZOOM to give members of the court an update on our tourism. Judge Anderson showed members of court the annual chart of the Transient Room Sales totals. (Chart will follows minutes).

Miranda told members that tourism has changed the account over to where it goes into a fiscal court account per KRS concerning tourism. She said she would like to give them some updates so that they will understand where this funding comes from and what the money is used for. Everyone knows how important tourism is and also how important it will for everybody to be on board with it so that it can be successful. She along with Judge Anderson attended the SOAR conference last week. It is so important to work together and be on the same page.

Miranda went back through all of their files to 2014-2015 and created an annual chart.

This chart goes from January 2014 to December 2021. From Fiscal Year 2019 to 2021 the increase in gross revenue was 2.5 million in transient tax. The annual transient tax is now up to 6.7 million as of last fiscal year and are on trend to beat this total. July through December we are at 3.7 million for the gross. The county tourism only operates on the transient tax and the county receives 3 percent of this.

We have taken in around \$120,000.00 in the past and last fiscal year 2021 we took in \$200,000.00.

From July to December we have already took in \$113,000.00 and are on track to have our biggest year.

Miranda also made them aware that they are moving forward with the Hatton Creek property. The tourism purchased 220 acres and will be getting some assessments from engineers to show drawings of the future project will look like.

She said she would be sending out something to everyone that holds a position in our community to support the hundred million that would go back into tourism which is a part of the grant that is coming down from federal and would go into our community and also help with infrastructure. Each tourism would get a small piece of this. There are 120 counties with 88 tourism commissions. She ask that everyone reach out to our representatives to support this bill.

Miranda told members of the court that they needed to figure something out about the rest area situation. It is getting worse because people think it is a park and ride. They are having constant calls from the rest area about this. People stop at the welcome center to get directions of the area and they are complaining about the people parking in the parking lot and trucks cannot get around. She said part of a big wish of hers is to see if the court would be willing to help them. We could move the truck parking to Stanton, Clay City or to an area that will have more impact in our community.

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Miranda made members of the court aware that the Chamber of Commerce is planning a luncheon on Tuesday March 29<sup>th</sup> from 12:00 – 1:00 p.m. at Whitaker Bank. She said she would love if they could attend. Senator Rand Paul is coming to Natural Bridge State Park on Friday March 25<sup>th</sup> around 12:00 to speak about tourism. In closing she ask if members of the court had any requests from her. They ask her for quarterly updates on projects or anything new that would be going on.

***Proposals to conduct an Economic Impact Study of Hollerwood and the Daniel Boone Backcountry Byway:***

Dr. James Maples with Eastern Kentucky University did a study. We all know that rock climbing was big back in the area but as far as knowing what effect it was having or what it brought to our community. Mr. Maples presented two different proposals to collect data.

***Option A: In person AND online surveys over five months.***

This option includes: **Total - \$13,863.00**

- A. Five months of in person and online data
- B. Two Students interns solely dedicated to the study.
- C. Survey printing cost and online hosting.
- D. Travel reimbursement for up to ten prescheduled data collection trips.
- E. Dr. Maples leading the student interns and analyzing the data.

This option includes conducting in-person surveys at both Hollerwood and DBBB and an online survey administered through social media. The in-person survey will be scheduled in advance with park managers and occur pending ECU limits on travel during the current pandemic. The online survey will administered through social media and email lists for both destinations and related interest groups such as local/regional ATV enthusiast clubs.

***Option B: Online surveys only over two months:***

This option includes: **Total - \$4,932.00**

- A. Two months of online data collection
- B. Two student interns solely dedicated to the study.
- C. Dr. Maples leading the student interns and analyzing the data

This option includes only conducting an online survey as described. It includes a shorter window for data collection. Post-data collection, Dr. Maples will analyze the expenditure variables using Forest Service economic impact methodology he has incorporated in over sixty studies to date. The end results will be analyzed using IMPLAN, an industry-leading economic impact estimator. The economic impact reports will include estimates and expenditures created by both destinations as well as estimates of jobs, local wages, and taxes created by these expenditures. Miranda ask to speak about this. She said that Mr. Maples is amazing as the Director and Professor at ECU. His heart is in the gorge and he would be great however we need to look at areas that he is going to be factoring into this study. They were looking into asking him to do a study for the potential amphitheater they wanted built on the Hatton Creek property and he compared it to Red Rocks. She recommended that we reach out to Bluegrass Area Development and they may even be a little cheaper. She said that tourism would be in favor to help pay for this. Judge Anderson said in regards to the Bluegrass Area Development they would have to contract this out to get what we need. Dr. Maples is not comparing us to anything it's solely an economic study. After discussion Judge Anderson entertained a motion to approve one of the options submitted. Mr. Maples had suggested that we do the lesser amount of the two. If agreed upon the county would be willing to pay 1/3 of this cost.

A motion was made by Magistrate Chad seconded by Magistrate Dennis Combs to **approve Option B in the amount of \$4,932.00 with the county participating in paying a 1/3 of the cost.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Hiring of Justin Wright as a part-time Animal Control Officer:**

Judge Anderson made members of the court aware that Animal Control Officer Justin Rice ask him about hiring a part-time person to fill in for him on some weekends or if he's on vacation. He had ask Justin Wright to fill out an application to apply for this position. Justin will train him on what he needs to do. Judge Anderson entertained a motion to hire Justin Wright as a part-time Animal Control Officer.

A motion was made by Magistrate Mike Lockard seconded by Judge Executive James Anderson **to hire Justin Wright as a part-time Animal Control Officer to fill in when needed.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Powell County Soil Conservation 2022-2023 Budget:**

The Powell County Soil Conservation turned in their proposed 2022-2023 budget as well as their work plan for the court to review.

Judge Anderson said in looking at their budget it looked as if they were requesting an additional \$15,000 from the county. The Judge said he thought this would be a stretch and it would have to be discussed during our upcoming budget cycle. Tim Snowden told members of the court this included the financial aid they get from the Soil Conservation. The county contribution is in the amount of \$20,000.00 and the additional from the Soil Conservation is in the amount of \$15,000.00. The Judge told him that the budget lists \$35,000.00 from the Fiscal Court.

Tim said that everyone wants more money but they are just asking for the \$20,000.00 county contribution like they get every year.

**1<sup>st</sup> Reading of Amendments made to the Alcohol Beverage Control Ordinance:**

Alcohol Beverage Control Administrator Kacey Davidson was present for the meeting to present the amendments made to the Alcohol Beverage Control Ordinance.

Alcohol Beverage Control Officer Kacey Davidson requested that a part be striked out and the part heightened in red and italicized be added to the ordinance.

**Section 5 – License period; time of payment; delinquency**

**B.** The annual license renewal fees provided in this Ordinance shall be paid on or before the tenth day of April each year and any person holding any form of such license who fails to pay the license fees by said date shall be subject to a revocation of such license ~~and in addition shall pay a penalty of ten (10%) percent of the amount of the annual license renewal fee if the license is subsequently renewed.~~ ***There is a grace period of 30 days, therefore, by May 10<sup>th</sup> of that year, if licenses fees are not renewed licenses will be revoked. Licensee will have to resubmit applications for new licenses and go thru application process again. If license renewal is paid during grace period an additional \$250 fine is due upon payment.***

Alcohol Beverage Control Administrator Kacey Davidson told members of the court that she had been made aware that gas stations and convenient stores had been selling tobacco pipes and one is actually selling baggies. This needs to be addressed. She is requesting the following heightened in red and italicized be added to the ordinance.

**Section 11 – Minors**

**B.** No person shall knowingly allow, aid, assist, induce, *allow the purchase of*, cause or otherwise encourage any minor to be in possession of, use or consume alcoholic beverages, tobacco products, Drug Paraphernalia, or drug packaging. *As used in this section, the term "Drug Paraphenlia" shall have the meaning given to it in KRS 218.A.500 section (1): Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing, tobacco, marijuana, cocaine, hashish, or hashish oil in the human body, such as: metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls; water pipes; carburetion tubes and devices; smoking and carburetion marks; roach clips which mean objects used to hold burning material, such as tobacco products, marijuana cigarettes, that have become too small or too short to be held in the hand; miniature cocaine spoons, and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs; ice pipes or chillers.*

Alcohol Beverage Control Administrator Kacey Davidson is also requesting that a **Section E** be added to the Alcohol Beverage Ordinance.

*E. Any licensee holder found in violation of the above mentioned is susceptible to but not limited to license revocation. No exceptions.*

Alcohol Beverage Control Administrator Kacey Davidson ask members of the court if they had any questions or concerns. There were no requests therefore this will be the 1<sup>st</sup> reading of these amendments and the addition made to the Alcohol Beverage Control Ordinance.

***Purchase of two new Pursuit Tahoe's for the Powell County Sheriff's Office and the City of Clay City.***

Alcohol Beverage Control Administrator Kacey Davidson ask for court approval to purchase two new Pursuit Tahoe's for two agencies. The new pursuit Tahoe's would go to the Powell County Sheriff's Office and the City of Clay City. These purchases will help law enforcement in doing DUI's and check points by having the proper equipment. She has been saving up this year and her goal was to be able to purchase these Tahoe's for our law enforcement. These two Tahoe's will be purchased through Bachman under state contracting pricing.

The City of Clay City would be responsible for the insurance on their Tahoe and the Powell County Sheriff's Tahoe will be covered under the county insurance. Magistrate Chad Patton ask if these Tahoe's would be strictly ABC's. Kacey told him that they could be used for law enforcement but she would expect them to show up for ABC checkpoints and there would be rules. She has never had any problems with the sheriff's office or Clay City.

After discussion a motion was made by Magistrate Chad Patton seconded Magistrate Dennis Combs ***to allow the purchase of two new Pursuit Tahoe's from Bachman under state contract pricing for the Powell County Sheriff's Office and the City of Clay City. These two new Pursuit Tahoe's will be purchased out of the Alcohol Beverage Control account.***

***Judge Anderson ask those in favor by signifying I.***

***Magistrate Dennis Combs – I***

***Magistrate Donna Gabbard – I***

***Magistrate Mike Lockard – I***

***Magistrate Chad Patton – I***

***Magistrate Timmy Tipton – I***

***Judge Executive James Anderson – I***

***Motion passes unanimously***

***6-0***

***Powell County Clerk – Turning over 2021 Excess Fees Check to County:***

Judge Anderson and Treasurer Connie Crabtree made members of the court aware that Powell County Clerk Jackie Everman turned a check over to the county in the amount of \$ 137,241.15 for the 2021 Excess Fees.

Judge Anderson said that our Clerks and first responders have been god sent for the past two years. The Clerks had to deal with elections, pandemic and licenses and the first responders having to deal with the pandemic. We are very fortunate to have our clerk and appreciate her.

Judge Anderson made members of the court aware that we will have to have a special meeting by April 1<sup>st</sup> to present them a proposed 2022-2023 jail budget.

Judge Anderson made members of the court aware that Raul Paul will be at Natural Bridge on March 25<sup>th</sup> to do a tourism forum.

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**Designation of Applicant's Agent Resolution: EMA Director Kevin Babcock:**

In order for the county to receive grant monies they have to have an applicant agent.

Judge Anderson entertained a motion to approve EMA/Director Kevin Babcock as the Applicant Agent for Powell County.

Be it resolved by Powell County Fiscal Court of Powell County that Kevin Babcock EMA Director is hereby authorized to execute for and in behalf of Powell County Fiscal Court, Powell County Kentucky.

A motion was made by Mike Lockard seconded by Magistrate Chad Patton **to authorize EMA/Director Kevin Babcock as the Applicant Agent for Powell County. This motion also authorizes Judge Executive James Anderson and EMA Director Kevin Babcock to sign this said resolution and any other paperwork needed concerning this Applicant Agent.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**

**Magistrate Chad Patton – I**

**Magistrate Timmy Tipton – I**

**Judge Executive James Anderson – I**

**Motion passes unanimously**

**6-0**

**Craig Lindon Consulting – Closing out agreements:**

Road Foreman Patrick McCoy made members of the court aware that Craig Lindon Consulting is working on closing out some agreements on road work as far as discretionary monies, bridge programs and flex funding. When Craig went to close out of one of the original agreements on Manning Road and Woody Ware Road he found extra excess around \$50,000.00. We do have a road in the county that is in dire need of resurfacing. Patrick went and gather the measurements on the road and Craig helped put together an estimate for paving. This estimate is for Boone Creek. Judge Anderson said this was some FD39 Discretionary monies and when we submitted the agreement on Manning Road and Woody Ware Road it's basically the difference in pricing. Craig is needing to submit an amendment so we can use the remaining \$50,000.00. In 2018 Boone Creek ranked a 6 out of 10 for paving. Patrick said they have had three calls on this road in the last month and half as far as pot hole patching and ditches. They have 50 percent of it ditched at this time. They only have one more cross drain to replace and it will be ready to resurface. This is an opportunity to get most of the funding to help out with this project. These monies will cover almost half of the cost. The total quote is in the amount of \$92,045.00.

Judge Anderson entertained a motion to allow Craig Lindon Consulting **to submit an amendment so that we can use the remaining \$50,000.00 to go towards resurfacing Boone Creek. This motion also approves the quote in the amount of \$92,045.00 for said project.**

**Judge Anderson ask those in favor by signifying I.**

**Magistrate Dennis Combs – I**

**Magistrate Donna Gabbard – I**

**Magistrate Mike Lockard – I**  
**Magistrate Chad Patton – I**  
**Magistrate Timmy Tipton – I**  
**Judge Executive James Anderson – I**  
**Motion passes unanimously**  
**6-0**



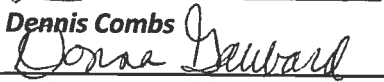



**Adjourn: Meeting adjourned at 8:03 p.m.**

Judge Anderson entertained a motion adjourn.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to adjourn. The meeting adjourned at 8:03 p.m.**

**Judge ask those in favor by signifying I.**

**Magistrate Dennis combs – I**  
**Magistrate Donna Gabbard – i**  
**Magistrate Mike Lockard – I**  
**Magistrate Chad Patton – I**  
**Magistrate Timmy Tipton – I**  
**Judge Executive James Anderson – I**  
**Motion passes unanimously**  
**6-0**

  
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**James Anderson**  
  
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**Dennis Combs**  
  
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**Donna Gabbard**  
  
  
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**Timmy Tipton**