

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: **MAY 10TH 2022**

Time: 6:00 p.m.

Location: **Powell County Emergency Operations Center
33 Commerce Drive
Stanton, Kentucky 40380
Join ZOOM Meeting**

Meeting ID: 865 7378 1599

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 – *2ND Reading #6 and 1st reading #7*
- VIII. Old Business: *2nd Reading Alcohol Beverage Control Ordinance Amendments*
- IX. New Business:
- X. Department Head Updates
- XI. District Updates:

Items to be discussed:

- Acknowledgement of the Budget Hearing held regarding proposed use of County Road Aid and LGEA Funds.
- Powell County Jail Policy and Procedure Review/DOC
- Bluegrass Area Development /ARPA Resolutions
- Montgomery County Regional Jail Inmate Housing Agreement
- Hollerwood Off Park – Trail Maintenance Grant
- 1st Reading of the 2022/2023 Budget
- 2022/2023 Annual Standing Order for Recurring Expenses

VII. Other

- Bids: Broadband

(No subject)

James D. Anderson Jr. <judge099@yahoo.com>

Tue 5/10/2022 6:24 PM

To: rcrabtree33@hotmail.com <rcrabtree33@hotmail.com>; Kacey Davidson <kaceye@hotmail.com>

James Anderson is inviting you to a scheduled Zoom meeting.

Topic: May Powell County Fiscal Court Meeting

Time: May 10, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86573781599>

Meeting ID: 865 7378 1599

One tap mobile

+13126266799,,86573781599# US (Chicago)

+16465588656,,86573781599# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

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+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 865 7378 1599

Find your local number: <https://us02web.zoom.us/j/86573781599>

James D. Anderson Jr.

Powell County Judge Executive

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING
MAY 10TH, 2022**

Time: 6:00 p.m.

**Location: POWELL COUNTY EMERGENCY OPERATIONS CENTER (EOC)
33 COMMERCE DR
STANTON, KENTUCKY 40380**

Meeting ID: 865 7378 1599

LGEA and CRA Proposed use Hearing –KRS 42.455; 174.100; 424.130

A Budget Hearing Regarding Proposed Use of County Road Aid and Local Government Economic Assistance (LGEA) Funds was held by Powell County at the Courthouse on May 10th, 2022 at 4:00 p.m. for the purpose of obtaining citizens comments regarding the possible uses of the County Road Aid (CRA) and Local Government Economic Assistance (LGEA) Funds.

Clerk noted that no one from the public showed up for the LGEA and CRA Proposed use Hearing held at 4:00 p.m. at the Powell County Courthouse.

Fiscal Court Meeting held at the Emergency Operations Center at 6:00 p.m.

Present: Judge Executive James Anderson, Fiscal Court Clerk Connie Crabtree, Magistrate Dennis Combs, Magistrate Donna Gabbard, Magistrate Mike Lockard, Magistrate Chad Patton, Magistrate Timmy Tipton, CSEPP/EMA Director Kevin Babcock, Solid Waste Coordinator Tim Snowden, Search & Rescue Brian McKinney and County Attorney Robert King.

Public Comments:

Clerk noted that no signed in for public comments.

Clerk's Report for the April 2022 Meetings:

April 12th, 2022 (Regular) and April 29th, 2022 (Special)

April 12th, 2022 Regular meeting

The meeting minutes for the regular called meeting dated April 12th, 2022 were presented to members of the court. Judge Anderson ask members of the court if they would like any changes to be made to the meeting minutes. There were no request for any changes to be made to the minutes therefore, the meeting minutes for the regular called meeting dated April 12th, 2022 are accepted as presented.

April 29th, 2022 Special meeting

The meeting minutes for the special called meeting dated April 29th, 2022 were presented to members of the court. Judge Anderson ask members of the court if they would like any changes to be made to the meeting minutes. There were no requests for any changes to be made therefore, the meeting minutes for the special called meeting dated April 29th, 2022 are accepted as presented.

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Bills Submitted for Payment:

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

Financials:

Treasurer presented the financials to members of the court for their review. Financials to include the 4/1/22 – 4/30/22 financial statement, 4/1/22 – 4/30/22 interfund transfers, cash transfers, budget transfers and cash statement balances.

Treasurer's Transfers:

Treasurer presented the transfers to members of the court for their approval. Transfers to include 4/1/22 – 4/30/22 interfund transfers, cash and budget transfers.

Judge Anderson entertained a motion to approve all of the Treasurers Transfers.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Donna Gabbard **to approve all of the Treasurers Transfers to include interfund transfers, budget and cash transfers.**

Judge Anderson ask members of the 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

6-0

2nd Reading Budget Amendment #6:

Increasing General, Road and Dispatch funds totaling \$58,114.22

Treasurer presented Budget Amendment # 6 totaling \$58,114.22 for the 2nd Reading.

01-4733 General Fund Insurance Reimbursement - \$18,881.84

01-9200-99 General Fund – Reserve for Transfers - \$18,881.84

02-4516 Road Fund – Truck License Refund - \$23,232.38

02-9200-999 – Reserve for Transfers - \$23,232.38

85-4510 – Kentucky 911 Services Grant - \$16,000.00

85-9200-999 – Reserve for Transfers - \$16,000.00

This budget amendment was sent to the Department for Local Government and was signed by State Local Finance Officer Robert Brown on April 14th, 2022.

Judge Anderson entertained a motion to approve the 2nd Reading of Budget Amendment # 6 totaling \$58,114.22.

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Mike Lockard **to approve the 2nd Reading of Budget Amendment # 6 increasing the General, Road and Dispatch funds totaling \$58,114.22.**

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

1st Reading of Budget Amendment #7:

Increasing the General Fund by \$25,809.38

This payment is from the Industrial Board Reserve Account to cover the payment that is due in June for Hollerwood Park. The county is not out any money for these payments. The Industrial Board is making paying this debt. They gives us the money for the payments which is then deposited into our General Fund and then payment is issued. There is no cost from the county nor was taxes increased to facilitate this purchase.

Treasurer presented Budget Amendment #7 totaling \$25,809.38 for the 1st Reading.

01-4912 – General Fund – Governmental Leasing Receipts (Hollerwood) - \$25,809.38

01-5405-715 – General Fund – Industrial Park (Hollerwood Payment) - \$25,809.38

Old Business:

2nd Reading of the Amendments made to the Alcohol Beverage Control Ordinance:

The 1st reading of these amendments were held on March 15th, 2022. Alcohol Beverage Administrator Kacey Davidson was present for that meeting to present the amendments that were made to members of the court for the 1st reading.

Judge Executive James Anderson entertained a motion to approve the 2nd reading of the amendments made to the Alcohol Beverage Control Ordinance.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton ***to approve the 2nd reading of the amendments made to the Alcohol Beverage Control Ordinance.***

Judge Executive James 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

Motion passes unanimously

6-0

Insurance quotes for the new fiscal year. (No Quotes at this time)

Judge Anderson made members of the court aware that Josie Elkins with Elkins Insurance has not gotten all the quotes at this time for our insurance to begin the new fiscal year. What she did receive from Humana showed an increase. She requested quotes from Anthem and United Health Care but is still

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waiting to hear from them. Hopefully she will know something by the end of the month to present at our next meeting.

RFP's for Broadband Internet Proposal:

Members of the court was made aware of the two proposal that were received.

The Fiscal Court Clerk opened both of them and made members of the court aware of who the two proposal was submitted from.

ZOOM Broadband Services was received on 4/29/22 at 11:51 a.m.

All Points was received on 4/29/22 at 2: p.m.

Judge Anderson recommended that these two proposals be taken to the broadband commission to set up an interview with each company to see if they have met their requirements with the RFP. He has talked to both of these companies and would be good partners. Bluegrass Area Development is also helping to administrate this so they could also help out with the interviews. Judge Anderson said that he would like to have this done by the next meeting.

No Action Taken at the time.

Department Head Updates:

Solid Waste Coordinator Tim Snowden told members of the court they had the free dump day this past weekend. He also made them aware of the new bailer that will be arriving the first of next month.

Judge Anderson told members of the court that there had been some questions about the hours that the transfer station is open.

The Transfer Station hours are as follows:

Monday, Tuesday and Fridays are open from 8:00 a.m. to 4:00 p.m. and Saturdays from 8:00 a.m. to 2:00 p.m.

Wednesday and Thursday are for running recycling trailers as well as maintenance and up keep.

Our goal is to be self-sustainable in this department. We do not want to be spending general fund dollars for trash collection. With our labor at this time we plan on keeping these hours.

We are not making profit off using the scale we are just covering our cost.

CSEPP/EMA Director Kevin Babcock told members of the court that CSEPP is developing the 2023 budget and looking into the 2024 budget. They are talking about merging these two budgets. This basically will be our last budget so again we need to be talking about the closeout of CSEPP.

They are talking about going to December 2024. This will depend if they get their equipment up and running. They had to decontaminate from the mustard so they could switch over to the nerve agent.

They cannot touch the same materials at the same time. They are going through training and also making sure all filters work.

They are going to try and get us 2024 funds early to help with close out purposes. Coming January 2025 we anticipate CSEPP being gone. Before the first of the year we need to work on getting some committees to communicate with city councils to figure out a plan because the county is going to have to start budgeting for EOC expenses which is around \$243,000 to \$293,000.00.

Kevin also made members of the court aware of the derby at the Lions Club Park this weekend and a slide by slide the following weekend. He will be stationing some equipment there for public safety.

There will be a CSEPP exercise at the EOC and decon and sheltering exercise at the high school on Thursday June 9th, 2022.

Search & Rescue Brian McKinney – Nothing at this

Dispatch Director Cory Graham made members of the court aware that as of May 1st, 2022 they are switching over to a NCIC facility. It will be done in stages. The first aspect is getting the server in place and the training done in the next month or so.

Cory also made them aware that they passed their inspection and verified that they are locked down. When they get to the stage where they are fully operational it will be great for the law enforcement community, dispatcher and the community as a whole. They are no longer allowed members of the public or any individuals who have not went through a specific type of training inside the actual dispatch. This will take some getting used to but this is one of the most important aspects of this. They received notice today that they completed their 3 year audit and passed it completely. EOCJT comes in and audits the roster, operational structure, certifications, and training hours along with other things.

District Updates:

Magistrate Chad Patton said he had a question about trees and creeks that is off the right way. He asked if there was anything the county or state could do. Judge Anderson said that very rarely and in most instances especially if it's off our right of way NCRS may have some grants but unfortunately it usually means a 25% match from the landowner and it is quite a process.

Chad also ask about the blacktopping on Hill Top and Daniels Branch Road. Judge Anderson told him that these are part of those projects and hopefully be captured in this next cycle in the late summer or early fall.

Magistrate Timmy Tipton said that he had talked to Patrick and was told that they had starting mowing this week and is expecting the new mower sometime next week. Mowing is very important at this time of year because of getting the cemetery's ready for Memorial Day.

Judge Anderson said that we had some inquiries about cemeteries. We have around 60 to 70 cemeteries on our list. Just because it's a cemetery road does not mean the county maintains it. They are not in our county road system. They are not maintained the same as a county road which confuses a lot of people. Our goal is to always have them as good as we can before Memorial Day and in an event that we have a funeral we try and touch them up. Magistrate Patton ask if we ever put anything in writing as far as explaining to people that we cannot maintain them year around. Back in 1988/1999 when the Historical Society compiled a list of cemeteries is the list we went and worked off of. Magistrate Timmy Tipton asked about the slide on Star Gap Road. Judge Anderson told him that Patrick had gotten a quote on driving the steel which the county would be responsible in paying. We would need an engineer to get an equation to ensure us with certainty that if we drive this steel it is going to hold the pressure.

Judge Anderson made members of the court aware of the county surplus auction that is scheduled for Saturday May 14th at 10:00 a.m. The auction will be held at old Burke, Parson Bowlby location.

Magistrate Dennis Combs said that Adams Ridge Road bridge work is going smooth. Judge Anderson said this is be one of the most exciting projects completed and will benefits so many people.

Dennis asked Judge Anderson if he know if the rough section on Virden has been fixed. He also asked if he knew when it was going to be blacktopped. Judge Anderson said we could contact District 10 about it.

Magistrate Mike Lockard – Ask if we had gotten any prices for the new entrance doors for the courthouse. There was a couple of guys that came out and looked around but at this time we have no quotes.

Magistrate Donna Gabbard – Nothing at this time.

Magistrate Chad Patton – said that Kendall Knox was needing something in writing or in the minutes about their building they are planning on building in the Clay City Industrial Park. Kendall told Magistrate Patton that he along with a contractor would be at our next meeting.

New Business:

Budget Hearing regarding Proposed Use of County Road Aid and Local Government Economic Assistance (LGEA) Funds. KRS 42.455; 174.100; 424.130

Clerk noted about the Public Notice Regarding Proposed Use of County Road Aid and Local Government Economic Assistance (LGEA) Funds was held at 4:00 p.m. at the Powell County Courthouse.

No one was present for the hearing.

Judge Anderson discussed the LGEA fund. The Coroner's office and county contributions is paid the LGEA Fund. This year we are predicting to only receive \$150,000.00. This year there was an increase made to the Coroner's office budget lines per request.

We need to be thinking long term especially about how we are going to fund CSEPP. The funds is historically funded and is a dwindling pool. We are getting ready to get hit with a lot of things and going to think about how we are going to keep funding them.

Powell County Jail Policy and Procedure Manual: No one present at this time.

Jailer Travis Crabtree had called to be put on the agenda for the Powell County Jail's Policy and Procedure Manual Review.

He was not present at this time to present anything to court.

Bluegrass Area Development District:

ARPA Lost Revenue Construction Project – Powell County EMS Center.

Judge Anderson made members of the court aware that we are within two weeks or so of having the surveys done. The Judge along with Ambulance Director Nathan Hall and EMS/Search & Rescue Brian McKinney met with the architect to go over the plans so we should be getting a price. Judge Anderson told members of the court that they could put a cap on the price of the project and he plan was not to spend the whole pot of monies. In 2019 when we had first starting talking about the project it was around 1.6 million for the structure. We are probably looking at a 3 to 4 percent increase now because of building material costing more. With this being said we are looking around 1.8 million now. Nesbitt Engineering has been hired to do the site survey.

Judge Anderson received a letter dated April 18th, 2022 stating that upon tentative project scope of work, and upon "Standard Allowance" lost revenue provision of the US Department of the Treasury's Final Rule for State and Local Fiscal Recovery Funds, Bluegrass Area Development District considers

Powell County's to acquire a parcel and construct EMS facilities a legitimate and compliant use of Powell County Fiscal Court's American Rescue Plan Act (ARPA) funding.

It is recommended that the Fiscal Court pass a formal resolution to utilize funding for the project, as means of documentation.

Judge Anderson entertained a motion to approve Resolution No. 225101 Powell County Fiscal Court Loss Revenue.

A motion was made by Magistrate Timmy Tipton seconded by Magistrate Mike Lockard **to approve Resolution No. 225101 American Rescue Plan Act Lost Revenue.**

Whereas, Powell County Fiscal Court believes that taking a lost revenue allowance of its full allocation of \$2,396,952 is in the best interest of the citizenry of the county.

This motion also authorizes Judge Executive James Anderson to sign any and all paperwork and said resolution concerning the ARPA Lost Revenue Construction Project – Powell County EMS Center.

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

Judge Anderson entertained a motion **to approve Resolution No. 225102 American Rescue Plan Act Project Resolution.**

A motion was made by Magistrate Donna Gabbard seconded by Magistrate Chad Patton to approve Resolution No. 225102 American Rescue Plan Act Project Resolution.

Whereas, the Powell County Fiscal Court desires to pursue land acquisition and subsequent construction efforts in order to build new County EMS facilities and believes this endeavor to be in the best interest of the citizenry of the County and a legitimate use of American Rescue Plan Act Funds Pursuant to the US department of the Treasury's Final Rule on the "Standard Allowance" for Lost revenue.

This motion also authorizes Judge Executive James Anderson to sign any and all paperwork and said resolution concerning the ARPA Project Resolution – Powell County EMS Center.

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

Montgomery County Regional Jail Adult Detention Agreement

July 1, 2022 – June 30th, 2023

Judge Anderson entertained a motion to approve the Montgomery County Regional Jail Adult Detention Agreement.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to approve the Montgomery County Regional Jail Adult Detention Agreement July 1, 2022 – June 30th, 2023.**

Whereas, the party of the First part is willing to provide care and control of inmates committed both male and female for the fee of thirty-five dollars (\$35.00) per day per inmate.

The Party of the Second Part understands and hereby agrees that any and all medical treatment which is received by its inmates outside the Montgomery County Regional Jail is the sole responsibility of the Part of the Second Part and the Party of the Second Party agrees to be billed directly by any such service provider.

This motion also authorizes Judge Executive James Anderson to sign all documents concerning this agreement.

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

Hollerwood Off-Road Park: Trail Maintenance Recreational Trails Program (RTP)

On behalf of Governor Andy Beshear and the staff of the Department for Local Government (DLG) we have been selected as a recipient of the Recreational Trails Program (RTP) funds. Preliminary approval has been given to your Recreational Trails Program (RTP) project in the amount of \$198,900.

Judge Executive James Anderson entertained a motion to approve the Resolution for the Hollerwood Off-Park Road Park: Trail Maintenance Recreational Trails Program (RTP).

Judge Anderson told members of the court that we want to be good stewards and any of our encroachments that come up to surface areas of county roads. This would approve and harden the encroachments. The county can do the work and get the match through by doing this.

Judge Anderson entertained a motion to approve the grant agreement and said Resolution for the Hollerwood Off-Park Trail Maintenance Recreational Program (RTP).

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton **to approve said Grant Agreement and said Resolution for the Hollerwood Off-Road Park Trail Maintenance Recreational Trails Program (RTP).**

This motion also authorizes Judge Executive James Anderson to sign all necessary paperwork concerning this Grant Agreement and said Resolution.

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

1ST Reading 2022/2023 Proposed County Budget:
KRS.68.240 Submit Entire Proposed County Budget to the Fiscal Court.

Members of the court was given a copy of the 2022/2023 Proposed County Budget for the 1st Reading.

Judge Anderson told members of the court to look over the budget to see if they had any questions or concerns. There can be changes made to a budget before having the 2nd reading. Magistrate Tipton said one concern is CDLS's. We need to encourage employees to get their CDL's. Judge Anderson said that anyone that is hired full time should have their CDL's. If the county is going to expend this money with getting CDL's for a person which could be around \$4,000.00 we need to get them to sign a contract to work for a certain duration or if you don't then you would be responsible in paying the county back X dollars. This amount could be prorated from the first year of receiving their CDL's. The county has got to do this to cover their selves so they are not out money in getting someone their CDLS's and then going to another place of employment. The court needs to work on getting this in writing during this budget cycle.

2022/2023 Annual Standing Order for Recurring Expenses:

Members of the court was provided the 2022/2023 Annual Standing Order for Recurring Expenses list. Judge Anderson entertained a motion to approve the 2022/2023 Annual Standing Order for Recurring Expenses.

A motion was made by Magistrate Dennis Combs seconded by Magistrate Chad Patton ***to approve the 2022/2023 Annual Standing Order for Recurring Expenses.***

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

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Other:

Judge Anderson reminded members of the court about the Surplus Auction Sale that is scheduled for this Saturday May 14th at 10:00 a.m. He told members of the court that the road department has a 48' ditching bucket that is no longer needed and the City of Clay City is in need of one. The county has the ability to latterly transfer a piece of equipment if we choose to.

Judge Anderson made a motion **to donate the 48' ditching bucket to the City of Clay City this motion was then seconded by Magistrate Mike Lockard.**

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

Judge Anderson ask members of the court if they knew of any commentaries that the county have hisortacally maintained needing work. They can get with Patrick to see if that cemetery is on the list.

Adjourn:

Judge Executive James Anderson entertained a motion to adjourn.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Dennis Combs **to adjourn.**

This meeting adjourned at 6:57 p.m.

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


James Anderson


Dennis Combs


Donna Gabbard

Donna Gabbard


Mike Lockard

Mike Lockard


Chad Patton


Timmy Tipton

Timmy Tipton