

**POWELL COUNTY FISCAL COURT
REGULAR CALLED MEETING**

Date: APRIL 11th, 2023

Time: 6:00 p.m.

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

- I. Call Meeting to Order
- II. Roll Call
- III. Public Comments
- IV. Clerk's Report (Meeting Minutes) of Last Meeting
- V. Bills Submitted for Payment
- VI. Approval Treasurer's Financial Statement
- VII. Approval Treasurer's Transfers/Amendments (*Reading 2nd Budget Amendment # 4*)
Opioid Settlement
- VIII. Old Business:
- IX. Department Head Updates:
- X. District Updates:
- XI. New Business:

Items to be discussed:

- Eva Barnes
- Erik Hubbard
- Brinton Epperson
- Jail Policy & Procedure's
- 2023-2024 Rural Secondary Recommendations
- County Road Aid Agreement
- Powell County Clerk Jackie Everman – Request to increase Precinct Workers Pay
- Magistrate's Incentive Approval
- Road Payment
- Road Department
- 2ND Reading Animal Control Ordinance
- 2nd Reading Ordinance Providing for Imposition of a License Fee Engaging in Business in Powell County
- 2nd Reading of Amending Ordinance Imposing a 3% Transient Tax on Campgrounds in Powell County
- 2nd Reading of an Ordinance relating to Street Names and Property Numbers
- 1ST Reading Nuisance Ordinance

**Powell County Fiscal Court
 Regular Called Meeting
 Date: April 11th, 2023
 Time: 6:00 p.m.
 Location: Powell County Emergency Operations Center
 33 Commerce Drive
 Stanton, Kentucky 40380**

Present: Judge Executive Eddie Barnes, Fiscal Court Clerk Connie Crabtree, Magistrate J.L. Bowen, Magistrate Dennis Combs, Magistrate Brian McKinney, Magistrate Chad Patton, Magistrate Mike Lockard, County Attorney Robert King, Chief Deputy Jailer Neal Hamilton, Road Foreman Patrick McCoy, Dispatch Director Larry Hall, Asst. Dispatch Director Justin Rice, Eva Barnes, Michael Kelso, Shanna Charles, State Representative Bill Wesley, Road Equipment Operator Steven Haddix, Jailer Teddy Ray Lacy, Brinton Epperson, CSEPP/EMA Director Kevin Babcock, County Clerk Jackie Everman and Director Erik Hubbard with Back Roads Appalachia.

Judge Executive Eddie Barnes called the meeting to order at 6:00 p.m.
 Judge Executive ask the Clerk to call roll:

- Magistrate J.L. Bowen – Present**
- Magistrate Dennis Combs – Present**
- Magistrate Mike Lockard – Present**
- Magistrate Brian McKinney – Present**
- Magistrate Chad Patton – Present**

Public Comments:

Eva Barnes came to March’s fiscal court meeting and spoke with members of the court about loud music coming from her neighbor’s barn. Ms. Barnes was present once again to ask members of the court if a noise ordinance to be put in place. She said the music was so loud she called dispatch and spoke with Sheriff Danny Rogers. There was a citation issued to the individual she called on. Ms. Barnes said she thinks this worked but does not know how long it will last. The County Attorney told her that we would be having a first reading on this Ordinance this evening. It talks about different things such as blowing horns and playing loud music. He asked the court to look over it and give their opinion on the penalties for violation of this ordinance. As of now it is written a fine not less than \$50.00 and no more than \$500.00. He recommended making it a Class B misdemeanor and up to 90 days in jail so that it is an arrestable offense instead of an officer just giving a citation. If it is an arrestable offense, they could take them on to jail. Changes may be made to this Ordinance before the second reading is held. Ms. Barnes thanked the court for letting her speak.

State Representative Bill Wesley approached the court to discuss potential things coming to Powell County. He asked members of the court to prepare a letter addressed to him saying why Powell County needs a new courthouse and what our plans would be for the old one. He said they will be having a meeting this month to discuss getting the new courthouse. Magistrate Combs and Magistrate Patton had asked Bill about blacktopping the Clay City rest area. He told them that this would be done. Bill

asked members of the court if they had any roads or issues that he needed to address while he is in meetings this month. Magistrate Bowen said we need to get the state to redo Turkey Knob so that it would be safer. He said that's it's been a problem for years and is eventually going to kill someone. Bill suggested if they have an area that needs to be addressed such as Turkey Knob to put it in a letter and state that there have been several accidents. He then can take it to the Transportation Department at the Capital. They will send out engineers to look at it to see if there is justification in cutting it back to make it a safer place. Magistrate Bowen also said that if a major slide occurred there, it would take a while to remove it which then would tie up local commerce here between Stanton and Clay City. Bill also said got an email from General Lambert saying they are trying to help us with our ROTC Program. We have hundreds of kids that are interested in this program. The drome program will be free of cost for our school systems. He also let them know that there will be a bridge dedication in memory of John Cox. Bill asks the court again for letters so that he can address these things during his meetings. Members of the court thanked him for everything he is doing for Powell County.

Meeting Minutes for the March 14th, 2023, regular called meeting:

Judge Executive Eddie Barnes entertained a motion to approve the meeting minutes for the March 14th, 2023, regular called meeting.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate J.L. Bowen ***to approve the meeting minutes for the March 14th, 2023, regular meeting.***

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passed unanimously.

6-0

Bills Submitted for Payment:

The bills were submitted to members of the court for payment approval. There were no objections to paying any of the bills submitted. Members of the court asked Jailer Teddy Lacy and Deputy Jailer Neal Hamilton about some purchases that SAP Coordinator David Howard had made such as bingo cards. Neal told them that this purchase was through the SAP Program expense account which is paid for through that program.

Judge Executive Eddie Barnes entertained a motion ***to approve all the bills submitted for payment.***

A motion was made by Magistrate Dennis Combs and seconded by Magistrate Chad Patton to approve all bills submitted for payment.

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passed unanimously.

6-0

Financial Statements:

The treasurer presented all the financials for court approval. Financials to include the 3/1/23 – 3/31/23 financial statement and cash balance statements.

Judge Barnes entertained a motion to approve the financials.

A motion was made by Magistrate Chad Patton and seconded by Magistrate Dennis Combs ***to approve the 3/1/23 – 3/31/23 financial statements and cash statements.***

**Judge Barnes asks those in favor by signifying I.
All members of the court agreed by signifying I.
Motion passed unanimously.
6-0**

Treasurer's Transfers: The Treasurer presented the transfers to members of the court for their approval. Transfers include 3/1/23 – 3/31/23 interfund transfers, cash transfers, and budget transfers. Judge Executive Eddie Barnes entertained a motion to approve the transfers.

A motion was made by Magistrate Chad Patton and seconded by Magistrate Dennis Combs **to approve all transfers.**

3/1/23 interfund transfers, cash transfers and budget transfers needed for the 3rd quarterly report.

**Judge Barnes asks those in favor by signifying I.
All members of the court agreed by signifying I.
Motion passes unanimously.**

6-0

2nd Reading of Budget Amendment # 4:

The Treasurer presented Budget Amendment #4 for the second reading.

This amendment for the current Fiscal Year 2022/2023 was amended to increase the receipts for the Opioid Settlement Fund in the total amount of \$260,649.48.

State Local Finance Officer Robert Brown signed this amendment on March 27th, 2023.

Judge Executive Eddie Barnes entertained a motion to approve the 2nd reading of Budget Amendment #4.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Brian McKinney **to approve the 2nd Reading of Budget Amendment #4 for the Opioid Settlement Fund in the total amount of \$260,649.48.**

**Judge Barnes asks those in favor by signifying I.
All members of the court agreed by signifying I.
Motion passes unanimously.**

6-0

Old Business:

Magistrate Bowen asked EM Director Kevin Babcock about the sirens. Kevin told him that he would have to talk to the County Judge which has been talking to the maintenance guy. Judge Barnes said he would discuss this during his updates to the court.

Department Head Updates:

Jailer Teddy Lacy presented a letter asking members of the court to approve funding from the opioid settlement funds to pay for one of the new Durango's. The jail purchased three Durango's which are used to transport prisoners. Magistrate Patton asked if these vehicles were already paid for. Jailer Lacy told him that they were. Judge Barnes told Jailer Lacy that he knows the letter he presented had a KRS listed but the opioid funds are restricted. We would need to contact Mr. Hubbard at the Attorney General's office to see if this would be allowed. Judge Barnes and Magistrate Patton said they do not

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have a problem with it, but we must make sure is allowable. Jailer Lacy told members of the court that these vehicles were leased and asked if a monthly lease payment could be made towards one of the Durango's until the end of the lease instead of giving them a lump sum. Chief Deputy Jailer Neil Hamilton told members that this vehicle would be used to transport inmates to hospital and transport to and from substance abuse facilities. Judge Barnes said they would need a written statement from Mr. Hubbard, which is the Director of the Opioid Funds, giving permission to use the opioid money for this request.

Members of the court agreed to table this request until the next fiscal court meeting.

No Action was taken.

Jailer Lacy said he needed to contact someone that deals with the sales and installation of Constantine wire. He would like to have some installed in front of the RCC building to help prevent inmates from escaping. He also said it would be good if additional Constantine wire could be installed around the bottom of the fence along the back of the jail to prevent someone from slipping underneath and getting on school property.

Jailer Lacy told members of the court the gate at the jail needed fixing. It was fixed his first week in office and someone hit it the next day and tore it up. The sensors were put in the wrong place so when it's fixed this time, he would like the sensors to be put further back to stop the gate so this will not happen again. Judge Barnes asked him if he had estimates for the repairs. He said the gate issue should be an insurance claim through KACO. Jailer Lacy told him he would get them before the next meeting.

No Action was taken.

County Clerk Jackie Everman – Request pay increase for Election Workers.

County Clerk Jackie Everman was present for the meeting asking members of the court to approve a pay increase for election workers. Currently they receive \$160.00 for the day and \$150.00 for the day if they do not attend the training. She is requesting that each election worker be increased to \$200.00 per day and \$190.00 per day if they do not attend the training. The number of precinct workers has been cut in half since we went to voting centers. We hope to get this grant so that more machines can be purchased. She also discussed needing another voting location in Clay City and asked if they thought the Amvets building could be used.

Judge Barnes asked about using the city hall. She said her concern with using that building is people would park at the pharmacy across the road. He also asks about the Clay City Fire department building. He said they could pull the fire trucks out of the building early that morning in case of an emergency. Jackie let members of the court know that their county was approved for a \$115,000.00 grant. The e polls books were approved separate from this. We ordered six additional machines which will come out of the \$115,000.00 grant.

Judge Executive Eddie Barnes entertained a motion approving the request for each election worker to receive \$200.00 per day and \$190.00 per day if they did not attend the training.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate J.L. Bowen ***to approve the pay increase to \$200.00 for each election worker and \$190.00 for each election worker if they do not attend the training.***

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

Road Foreman Patrick McCoy: (Wage increase and job description change for Steven Haddix)

Patrick told members of the court that they are shorthanded at the road department, so he did not get to do a work report. Magistrate Bowen said he would like to brag to the road department about the number of trees they have cut.

Currently the road department only has one full-time hourly employee, which is Steven Haddix. Steven has been with the road department for five years and has been available and on call 24/7.

His current employee status is listed as laborer. Patrick is requesting that his job description be changed to Equipment Operator with a pay increase of \$15.00 per hour.

Judge Executive Eddie Barnes entertained a motion to approve for Steven Haddix's job description to be changed to Equipment Operator and increase his pay to \$15.00 an hour.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Mike Lockard **to approve Steven Haddix's job description be changed to Equipment Operator and increase his pay to \$15.00 per hour.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

Road Foreman Patrick McCoy: (Approval to hire two full time employees at the Road Department)

Patrick mentioned again that the road department is extremely shorthanded. He is requesting the court approve for him to hire two full time employees. One of them he would like to hire has not confirmed if he has his CDLS'. Patrick asks if he could make it mandatory that this person get his CDL's reinstated prior to employment. Magistrate Lockard asked if it would be at his expense. Judge Barnes said this individual had his CDL's at one time. He would just need to get them reinstated. The two individuals he wants to hire are Shane Tolson and Kevin Tipton. Shane is the one that had his CDLS's at one time and Kevin worked at the road department before as a part-time employee and helped a lot with call outs and other things.

Judge Executive Eddie Barnes entertained a motion to approve this request to hire two full time employees at the Powell County Road Department.

A motion was made by Dennis Combs and seconded by Magistrate Chad Patton **to approve the request to hire two full time employees at the Powell County Road Department contingent that the one individual get his CDL's reinstated within three months and if not, he will be terminated. The pay will be \$13.00 per hour with CDL's and \$12.00 an hour without CDL's.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

Road Foreman Patrick McCoy (Quote Approval from Line-X of Kentucky for salt truck beds)

Patrick told members of the court that back in 2020 or 2021 the county purchased two new salt trucks. These trucks have flat beds and have around 15,000 or less miles on them.

The road guys have taken extremely good care of these trucks but after doing inspections on them they found that there is some rust on the beds. The full replacement cost as is would be \$7,500.00 per truck. Patrick told members of the court that he had a quote from Line-X to have the beds sandblasted, undercoat the underside and Line-X the top side. The road guys could remove the beds and have them shipped to them. The quote amount for both trucks would be \$5,898.00. Magistrate Bowen suggested a product called Wool Wax to be sprayed on the beds. Patrick told him that he would look into this product.

Judge Executive Eddie Barnes entertained a motion to approve this quote from Line-X in the total amount of \$5,898.00.

A motion was made by Magistrate Chad Patton and seconded by Magistrate Brian McKinney **to approve the quote from Line-X of Kentucky in the total amount of \$5,898.00.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

Road Foreman Patrick McCoy: (Quote Approval for Coil Springs)

Patrick told members of the court that Dodge does not offer on a three-quarter ton the option for leaf springs for the rear of the truck. They are now all coil spring based.

It is not very safe as a salt truck. Both road employee operators of these trucks with these coil springs have complained about them swaying once the trucks are fully loaded with salt, which is not very safe.

Patrick said they were referred to a company that handles heavier springs. Road Mechanic Derek Townsend got a quote from Greg Perry – Coil Spring Specialties.

Fronts: \$498.00 per pair

Rears: \$548.00 per pair

Estimated shipping cost would be around \$200.00.

Judge Executive Eddie Barnes entertained a motion to approve the Coil Spring Quote.

A motion was made by Magistrate J.L. Bowen seconded by Magistrate Brian McKinney **to approve the Coil Springs quote for fronts in the total amount of \$498.60 per pair and rears in the total amount of \$548.40 per pair and an estimated cost of \$200.00 to ship.**

Judge Barnes asks those in favor by signifying I.

All members agreed by signifying I.

Motion passes unanimously.

6-0

Road Foreman Patrick McCoy: (Discussion of Driving salt trucks home)

Patrick told members of the court that due to the windy weather we have had lately there have been a lot more call outs from the road department as far as trees being down and having to be removed from roadways. Patrick asks members of the court their opinion on allowing the full-time employees to drive their salt trucks home so there will be a faster response time and better coverage throughout the county.

Judge Barnes said in his opinion Patrick, Steven and Daniel should drive trucks home because they are the ones that go out. Magistrate Bowen said this could cut into some of the fringe benefits being taxed.

County Attorney Robert King said he would have to check into this.

Members of the court agreed to table it until the next meeting.

No Action was taken.

Solid Waste Coordinator Tim Snowden – Tim gave members of the court a copy of March’s monthly report for the Powell County Transfer Station.

Jail Policy and Procedures:

Chief Deputy Neil Hamilton told members of the court that they needed court approval on the Jail Policy and Procedures.

They will be making around 6 updates to it in the next few months. The last one they had approved was around 2018.

Judge Barnes said he would like them to make all the changes before the court approved it. Neil told him that the original one needed approving because of the inspection coming up. He did not bring a copy of the original policy for court members to look at.

Members of the court agreed to table it until the next meeting.

No Action was taken.

CSEPP/EMA Director Kevin Babcock:

Kevin let members of the court know that everything was on schedule as far as CSEPP. He had a meeting this morning concerning the upcoming exercise. They are going to do it a little differently this year. They are going to do mutual aid to Estill County. It will be a unified command with them. CSEPP is getting close to going away so it would be nice to be able to work closely with our neighboring counties.

The mobile repeaters have been on back order. There has been a problem with frequency from SCC. Hopefully it will be resolved by the end of the week. Once we see that the two, we purchased are going to work we can move forward with purchasing more. We should have a total of five. Kevin said he would talk with the Judge to see what units they should go in. They could put five into police cars, or ambulances. Hopefully they are designed better. Sometime when you are in the woods, they do not hit the towers. There are not many places here in the county where mobile units don’t work. You can talk on a mobile but not handheld.

They are moving forward on replacing all of it. We are in the process of getting everything that the state needs so they will agree to the advanced payment. We are currently waiting for the finalization of the paperwork.

As far as Emergency Management goes, we have been working on sirens to get them up and running. There are a lot of things wrong with them. The new electrician is researching how to resolve the issues.

Judge Barnes said per the electrician the siren on black creek is completely unhooked, the siren at Slade has a radio in it but it also has a phone line that no one’s know anything about. He said he had talked to John Koontz, and he said where the repeaters were taken out to get the signal of the radio to activate the siren. We cannot find anything about this phone line.

Judge Barnes said that he knows that in the past there has been \$15,000.00 in the budget to fix these sirens and they are not being fixed. Kevin said he had attempted on an annual basis to get money to fix these sirens. He has never been told he had that money to fix them.

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Judge Barnes said that they need to be fixed. Not everyone has CodeRED, and people rely on these sirens.

Dispatch Director Larry Hall:

Larry told members of the court if the 2nd Reading of the 911 Mapping ordinance passed this evening, they were going to go the City of Stanton and the City of Clay City meetings to see if they will adopt the same ordinance.

Larry made members of the court aware that this week was National Public Safety Telecommunicators Week. He asks that Judge Executive Eddie Barnes to sign the Proclamation. Larry bragged on our dispatchers for doing an excellent job.

He also made them aware that HB 373 passed. Larry talked to them at the academy today and they are not really wanting to go by what the Governor's signed. This HB says that all part-time people will have to be trained dispatchers. Most of the part-time people have other jobs. Larry said in fairness he would say a part-time person could come do the phasing which is the psychological exam and drug test. If a part-time person went to academy, it would put them over the 100 hours mark for part-time employment.

Larry gave members of the court a copy of the new Personnel Guidelines of 911 Telecommunications. Powell, Estill and Madison's policies were taken to look over. Larry and Justin went through it and marked what they wanted to put into it. These guidelines haven't been updated in a long time. The old guidelines said they could play video games, but this will be taken out of the updated one. Larry said these updated guidelines that are in place is how they feel that the dispatch needs to be run.

Larry spoke on telephone CPR. Power Phone has overcharged the county for this service. They have given the county some credit but have been overcharging for some time. Larry cannot get the woman to email him back concerning this. KRS 15.550 says that all the 911 centers must provide telephone CPR. Jenny Gwen from Winchester put us in contact with Grant County 911. They have their own telephone CPR. Greenup County allowed us to have their policy. Everything Greenup has been taken out and was retyped as Powell County. There is a full section of telephone CPR, and everyone has been trained free of charge. Eddie is going to come in and do a hands-on CPR class so that everyone can be trained. This would make everyone's expire at the same time.

Members of the court all agreed to table this until the next meeting to give them a chance to read over the guidelines.

Magistrate Bowen ask Larry if they had shared these guidelines with the sheriff, local police officers and fire chiefs. Larry told him that they had talked with Stanton and Rob Williams in Clay City. Clay City and Stanton have worked out an agreement where Stanton is going to help in the city limits of Clay City in the time when nobody is out. Larry has asked each department to give him a sequence of how they want their people to be called out. He is still waiting for some of them to reply.

Larry made members of the court aware that Justin had submitted a grant for CAD and CIS. Powell County Dispatch's is one of the oldest systems in the state of Kentucky. Kevin is working on getting the communications end of it done before CSEPP goes away.

Larry said they are also working on their new telephone system. We must get funding for an upgrade. To get three new stations the cost is around \$66,000.00. Kim from AT&T came and gave Larry a proposal. AT&T has a government contract in the State of Kentucky. Powell County is the last county to get this.

If Powell County does not get this upgrade there will not be a 911 call answered if this system goes down. Larry said he had talked to Stanton City Mayor and Clay City Chief Rob Williams. They are going to ask the cities to help fund a dispatcher.

Larry asks Tisha to come in so that she can be recognized. Judge Barnes told the story about the incident that happened this past Sunday morning. He said he got called out to an unknown person. They did not know if this person was stabbed, alive or dead. Eddie said Tisha did a great job at taking this call. She kept up with all the information.

District Updates:

Magistrate Dennis Combs – Nothing currently

Magistrate Mike Lockard – New courthouse doors will be here around May 19th.

Magistrate Chad Patton – Nothing currently

Magistrate Brian McKinney – Talked to Patrick about a couple of things.

Magistrate J.L. Bowen – He talked to Patrick about some things.

Judge Barnes made members of the court aware that he had submitted around three million dollars in grants. They are solid waste, fire departments, election equipment and some deal with economic development.

Judge Barnes discussed the log jams on HWY 82. This jam could potentially disrupt water flow to half of the county and have gas line damage. Eddie made several calls concerning this. He call our state senator which did not answer, the federal government, Emergency Management and Rocky Adkins. He got the number to the USDA which then sent him to Owingsville and within an hour and half we had two inspectors in here.

We have been approved on the Emergency Watershed Act so that we can get all these jams cleaned up which ranges from North Fork to Clay City.

Eddie talked to Joe Williams yesterday about our water and sewer. He also had a meeting with Andy Barr. He asks him about water and sewers for our community. Stephanie Nelson with Mitch McConnell's office will be meeting with him this week. He is also going to talk about the water and sewer with her and about putting in a grant for a new health department. He was told there is money to be brought into Powell County.

Judge Barnes said that Tim and his crew are doing a great job, Connie and Stephanie are also doing a great job.

Good things are coming to Powell County. Back a few weeks ago there was a press conference with the Governor's office. He was told that millions of dollars are coming into the State of Kentucky and Powell County is on the radar. Eddie and one more County Judge were the only ones that attended this press conference. The Governor came over and thanked them for being there.

Eddie told members of the court that they work for the people. He wants them to know what are doing and be transparent. He wants them to tell him if he is doing something wrong.

Erik Hubbard: Backroads of Appalachia: (A Non-Profit Organization)

Mr. Hubbard was present for the meeting on behalf of Backroads of Appalachia.

Backroads of Appalachia is a 501 (c) 3 with a passion and empathy for the Appalachian region driving economic development, job training and opportunity to poverty-stricken areas of Appalachia through

tourism and motorsports. They support local businesses and hire people in transition to give them a second chance in life. Last year they had over 77,000 visitors confirm that came to Eastern Kentucky from around the country. They spent around 38.6 million dollars while they were visiting.

Mr. Hubbard asked the court to approve an annual contribution to them in the amount of \$6,000.00.

Judge Executive Eddie Barnes entertained a motion to approve an annual contribution in the amount of \$6,000.00 for the Backroads of Appalachia. He played a video for members of the court to watch.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton **to approve an annual contribution in the amount of \$6,000.00 for the Backroads of Appalachia, which is a non-profit organization. Magistrate Mike Lockard was opposed to this motion. He said he would rather give this money to our employees.**

Judge Barnes asks those in favor by signifying I.

Judge Executive Eddie Barnes - I

Magistrate J.L. Bowen - I

Magistrate Dennis Combs - I

Magistrate Mike Lockard - Opposed

Magistrate Brian McKinney - I

Magistrate Chad Patton - I

Motion passed.

5-0

Brinton Epperson: (Tax Collector)

Brinton told members of the court the Judge Barnes asked him to attend the meeting to explain how the Occupational License Tax Fee works. The County has an ordinance that was passed in 2008 which was an amendment to the original one that passed in 1986. The ordinance says that any businesses doing business in Powell with a few exceptions are required to pay 1 percent of their net profits and 1.25 percent for payroll. Some exceptions are banks, anything to do with alcohol manufacturing, insurance, profits of investment funds, nonprofits and federal government agencies including post offices.

Businesses are required to file a questionnaire when they open. This allows us to set up a tax account for them. Brinton said his part of this is for him to give out a questionnaire and to contact new businesses. The Tax Administrator contacts the businesses and explains how to do the calculations and scheduling payments. Brinton also contacts delinquent businesses that did not pay. He told members of the court that he did not have access to the database so that he could see who is delinquent when out working. Judge Barnes said the list that Brinton gave him to look at was over two years old. He said that Brinton needs to bring him a list of everyone that he has contacted. Brinton can get Stephanie to give him a list to go by.

If Brinton goes to a place of business a few times and gives them a couple of months and they do not respond they should have to go to court. The County Attorney said he would look over the Ordinance to see how it reads.

Eddie told Brinton that he needs to report on the 2nd of each month to show what he has done.

2023/2024 Rural Secondary Recommendations:

Tentative Budget Allotments Updated 3/28/2023.

Allotment: \$805,560.00

County Judge Executive Fund \$0

Maintenance/Traffic \$387,600.00

County Road Allotment: \$76,090.00

Balance: \$341,871.00

Route# KY 1184 (Rossllyn Lane), MP 0-0.477 22', Length 0.477 miles

Beginning: KY 11 Intersection

End: KY 615 Intersection

\$63,826.00

Route# KY 3354 (Cat Creek Road), MP 0-3.395 Width 18', Length 3.395 Miles

Beginning: KY 1057 Intersection

End: Sycamore Road

\$276,358.00

Total: \$340,184.00

Judge Executive Eddie Barnes entertained a motion to approve the 2023-2024 Rural Secondary Recommendations.

A motion was made by Magistrate Brian McKinney and seconded by Magistrate J.L. Bowen **to approve the 2023/2024 Rural Secondary Recommendations.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

FY 2024 CRA Agreement and Resolution:

The 2024 CRA Agreement and Resolution was presented to members of the court for approval.

Judge Executive Eddie Barnes entertained a motion to approve the FY 2024 CRA Agreement and Resolution.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Dennis Combs **to approve the FY 2024 CRA Agreement and Resolution. For the Fiscal Year beginning July 1, 2023, this amount is \$765,842.00. The department shall initially distribute to the County 60 percent of the Apportionment less three percent of the Apportionment set aside for the emergency fund. This initial amount of \$445,720.00.**

Judge Barnes ask those in favor by signifying I

All members of the court agreed by signifying I

Motion passes unanimously.

6-0

2023 Calendar Year Incentive Approval for Chad Patton: KRS 64.5275 (6)

Chad Patton has successfully completed 40 hours training for the calendar year 2023.

He completed 4 units and is due 4 incentive payments of \$1,245.81 for a total of \$4,983.24.

Judge Executive Eddie Barnes entertained a motion to approve an incentive payment to Chad Patton for calendar year 2023 in the total amount of \$4,983.24.

A motion was made by Magistrate Dennis Combs and seconded by Magistrate J.L. Bowen **to approve an incentive payment to Chad Patton for calendar year 2023 in the total amount of \$4,983.24.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

Approval for Treasurer to make payment to Citizens Guaranty Bank for Road Loan:

The Treasurer asked for court approval to allow her to make a payment to Citizens Guaranty Bank in the amount of \$250,000.00 to goes towards the balance of the loan that was taken out for Emergency Road repairs which caused the road fund to be short on funds. The balance of this loan will carry forward to the 2023/2024 fiscal year.

Judge Executive Eddie Barnes entertained a motion at allow the Treasurer to make a payment to Citizens Guaranty Bank.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton **to allow the Treasurer to make a payment to Citizens Guaranty Bank in the amount of \$250,000.00 to goes towards the balance of the loan that was taken out for emergency road repairs. The balance of this loan will carry forward to the new fiscal year 2023/2024.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

2nd Reading of the Animal Control Ordinance # 2023-01

An ordinance providing for the control of animals within Powell County, Kentucky, for the protection pf the public, and providing penalties for the violation of the provisions set forth.

Judge Executive Eddie Barnes entertained a motion to approve the 2nd reading of the Animal Control Ordinance.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton **to approve the 2nd reading of the Animal Control Ordinance #2023-01. The first reading of the ordinance was held on March 14th, 2023.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

2nd Reading of Ordinance No. 2023-02 Relating to the Imposition of a License Fee for Engaging in Business in Powell County.

An ordinance relating to the Imposition of a License Fee for Engaging in Business in Powell County; Requiring for the Payment of said Fees; and the Imposition of Penalties for Violation of the Provisions of this Ordinance.

Judge Executive Eddie Barnes entertained a motion to approve the 2nd reading of Ordinance No. 2023-02.

A motion was made by Magistrate Mike Lockard seconded by Magistrate Chad Patton **to approve the 2nd reading of Ordinance No. 2023-02. Imposition of a License Fee Engaging in Business in Powell County. The first reading of this Ordinance was held on March 14th, 2023.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

2nd Reading Amending Ordinance No. 20-08-11. Powell County Tourism Commission:

An amending 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. A transient room on the rent for every occupancy of a suite, room, rooms, cabins, lodging, campsites or other accommodations charged by any hotel, motel, Inn, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients for consideration or by any person that facilitates the rental of the accommodations by brokering, coordinating or in many other way arranging for the rental of the accommodations as follows: a local transient room tax of 3 % of the gross rent for every occupancy of a suite, room or rooms charged and collected.

Judge Executive Eddie Barnes entertained a motion to approve the 2nd Reading of Amending Ordinance No. 20-08-11.

A motion was made by Magistrate Brian McKinney and seconded by Magistrate Dennis Combs **amending Ordinance No. 20-08-11. The first reading amending this Ordinance was held on March 14th, 2023.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

2nd Reading of Ordinance No. 2023-03 Street Names and Property Numbers:

The Fiscal Court of Powell County recognizes that adequate street naming and property numbering is essential to the welfare of the citizens of Powell County in the event of an emergency response and the Fiscal Court of Powell County desires to make and number each street and property within the county to facilitate adequate and effective emergency response.

All properties within Powell County shall be numbered for the purposes of public safety, taxation and provision of services.

Judge Executive Eddie Barnes entertained a motion to approve the 2nd reading of Ordinance No. 2023-03 Street Names and Property Names.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Chad Patton **to approve the 2nd reading of Ordinance No. 2023-03 Street Names and Property Names. The first reading of this Ordinance was held on March 14th, 2023.**

Motion passes unanimously.

6-0

1st Reading of Nuisances/Noise Ordinance:

Acknowledgement of the Powell County Conservation District's 2023-2024 Budget:

The Treasurer made members of the Fiscal Court aware that Tim Snowden turned in the Powell County Conservation District's 2023/2024 Budget for their review. Members of the Fiscal Court will review the budget and decide on what they want to do as far as the amount the county contributes to them. County Attorney Robert King said a response letter will need to be sent to them letting them know the decision that was made.

Adjourn: The meeting adjourned at 9:07 p.m.

Judge Executive Eddie Barnes entertained a motion to adjourn the meeting.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Chad Patton **to adjourn the meeting. The meeting was adjourned at 9:07 p.m.**

Judge Barnes asks those in favor by signifying I.

All members of the court agreed by signifying I.

Motion passes unanimously.

6-0

E O B S

Eddie Barnes

J L Bowen

J.L. Bowen

Dennis Combs

Dennis Combs

Mike Lockard

Mike Lockard

Brian McKinney

Brian McKinney

Chad Patton

Chad Patton