

**POWELL COUNTY FISCAL COURT****REGULAR CALLED MEETING**Date: **December 12<sup>th</sup>, 2023**Time: **6:00 p.m.**Location: **Powell County Emergency Operations Center****33 Commerce Drive****Stanton, Kentucky 40380****A G E N D A**

- I. Invocation
- II. Pledge of Allegiance
- III. Roll Call
- IV. Public Comments
- V. Clerk's Report (Meeting Minutes) of Last Meeting
- VI. Bills Submitted for Payment
- VII. Approval Treasurer's Financial Statement
- VIII. Approval Treasurer's Transfers/Amendments
- IX. Old Business
- X. New Business
- XI. Department Head Updates
- XII. District updates

***Items to be discussed:***

- *Approval to cover payroll expenses for County Clerk Jackie Everman*
- *Motion to approve re-appointments to the Powell County Industrial Board*
- *Motion to approve re-appointments to the Powell County Wastewater Authority*
- *Motion to approve re-appointments to the Beech Fork Water Commission*
- *Discussion of Powell County Sheriff's employee salary increases.*
- *2024 Holiday Schedule*
- *Red Star*

- XIII. Motion to Adjourn
- XIV. Next Meeting January 9<sup>th</sup>, 2024

**Powell County Fiscal Court****Regular Called Meeting****December 12<sup>th</sup>, 2023****Time: 6:00 p.m.****Location: Powell County Emergency Operations Center****33 Commerce Drive****Stanton, Kentucky 40380**

Present: County Judge Executive Eddie Barnes, Fiscal Court Clerk/ Treasurer Connie Crabtree, Deputy Judge Executive Dale Allen, CSEPP/EMA Director Kevin Babcock, Magistrate Dennis Combs, Magistrate Chad Patton, Magistrate Mike Lockard, Magistrate Brian McKinney, Magistrate J.L. Bowen, Ambulance Director Nathan Hall, Dispatch Director Larry Hall, Solid Waste Coordinator Tim Snowden, Powell Patriot Paper Brandon Farmer, Road Supervisor Patrick McCoy, Dog Warden Justin Wright, County Clerk Jackie Everman, Search & Rescue Jeremy Urekew, County Attorney Robert King, Chief Deputy Jailer Neal Hamilton, Assistant Tax Administrator Kevin Noel, Brenda Hood, Clara Hood and Karen Smith.

County Judge Executive Eddie Barnes called the meeting to order.

Deputy Judge Dale Allen offered the prayer.

County Judge Executive Eddie Barnes led the Pledge of Allegiance.

The roll was called to for the following members:

***Judge Executive Eddie Barnes - Present***

***Magistrate J.L. Bowen - Present***

***Magistrate Dennis Combs - Present***

***Magistrate Brian McKinney - Present***

***Magistrate Mike Lockard - Present***

***Magistrate Chad Patton – Present***

***Public Comments: Discussion of changing the name of Creech Road.***

Karen Smith was present at the meeting to discuss Creech Road.

She told members of the court the land that Creech Road is on originally was owned by Beech Hood.

The right of way was given to the county up to the bridge. Her mom's cousin has put up a sign with his last name on it. She asks that the court approve changing the name of the road to Beech Hood Rd. This way there will be no conflict with either side of the family.

Judge Barnes said that Creech Road is a county road. This road is in Magistrate Chad Patton's district. He asks her if they did not want the road to be private. She told him that they had decided to let it stay as a county road.

Road Supervisor Patrick McCoy did some research on the legalities. He read the statute concerning a road name change. It can only be changed by the order of the County Judge Executive or a Mayor of a consolidated local government. A such order may be issued on a petition and proceeding in which 50 percent or more of the property owners upon the road have joined in the petition or has been summons upon a hearing for the petition by the County Judge Executive or the Mayor of a consolidated local government at a day and time designated for the hearing.

Judge Barnes said would have to post a sign upon the road, below the road and on the road itself.

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A meeting will have to be advertised so that anyone that wants to come and discuss this road they will have the opportunity to. After discussion the court decided to have it at the next regular meeting dated January 9<sup>th</sup> at 6:00 p.m. The signs must be posted no less than 14 days and no more than 21 days. Road Supervisor Patrick McCoy will start the process of getting the name of this road changed.

***Meeting Minutes for the November 14<sup>th</sup>, 2023, regular meeting.***

A motion was made by Magistrate Brian McKinney and seconded by Magistrate J.L. Bowen with all members present voting in favor to approve the meeting minutes of the November 14<sup>th</sup>, 2023, regular meeting.

Motion passes unanimously.

***Bills Submitted for Payment:***

Bills submitted to members of the court for payment approval.

Judge Barnes questioned a couple of invoices. One being from LT Excavating LLC in the amount of \$2,215.00 for a conference call and the other one being from Southern Health Partners in the amount of \$5,505.60 for population increase. EMA Director Kevin Babcock explained that this conference call was a FEMA project and the Rosslyn boat ramp, and the county will be reimbursed up to 5 percent of that disaster. Chief Deputy Neal Hamilton said that he would check on the invoice from Southern Health Partners.

A motion was made by Magistrate Brian McKinney and seconded by Magistrate Dennis Combs with all members present voting in favor of approving all bills submitted for payment. The court also agreed to pay the invoice from LT Excavating and the invoice from Southern Health Partners contingent that Neal calls about and checks out that the county does owe it.

Motion passed unanimously.

***Treasurer's Transfers:***

The Treasurer presented the transfers for court approval. Transfers to include interfund transfers, cash transfers and budget transfers.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton with all members present voting in favor of approving all transfers to include interfund and cash transfers.

Motion passed unanimously.

Judge Barnes let members of the court know about the sale of the 2024 Mack Truck sold for \$245,000.00.

***Old Business:***

***2<sup>nd</sup> Reading of Ordinance # 2023-05 - Magisterial District's 1,2,3,4 and 5 maps:***

A motion was made by Magistrate Brian McKinney and seconded by Magistrate Mike Lockard with all members present voting in favor to approve the 2<sup>nd</sup> reading of Ordinance # 2023-05 for the Magisterial District's 1,2,3,4, and 5 maps. Powell County Precinct A101 – Virden #1, Powell County Precinct A102 – Hardwicks Creek #6, Powell County Precinct B101 – Clay City #5, Powell County Precinct B102 – Clay City #9, Powell County Precinct C101 – Stanton #2, Powell County Precinct D101 – Rosslyn #3, Powell County Precinct E101 – Stanton #8.

Motion passed unanimously.

***Powell County Clerk Jackie Everman: Request to cover payroll for the first two weeks of January 2024:***

County Clerk Jackie Everman told members of the court that any monies she has at the end of the year gets turned over to the county. Her office will be shut down in the first two weeks of January. She starts out at a zero balance every year, so she is requesting that the county cover her payroll expenses for the first two weeks of January 2024. It may be March of 2024 before she can pay these expenses back.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Chad Patton with all members present voting in favor to honor this request to cover Powell County Clerk Jackie Everman's payroll expenses for the first two weeks of January 2024.

Motion passed unanimously.

***RED STAR: Jeremy Urekew***

Jeremy Urekew representing RED STAR came to the meeting this evening to give an update on what had been going on with RED STAR. Jeremy volunteers with RED STAR, Fire Departments, and is a part-time paramedic with the Powell County Ambulance Service. RED STAR stands for RED Special Treatment Act Rescue. They provide advanced life support in the Red River Gorge area. They signed a MOU with the Fiscal Court back in 2016. Since then, they have engaged in over 87 rescues, multitude of events and helped with the flooding in Jackson. They are 100 percent volunteer. Since 2016 they have logged over 1300-man hours of actual time on the ground within this county and surrounding county. With the help of Ambulance Director Nathan Hall, they have been able to fill a gap in being able to help give EMS care here in the county. Financially they run 100 percent off donations. Currently, they have been responding to events in their own personal vehicles. They are looking into purchasing a vehicle with grants only with no cost to the county for this purchase. They just signed an MOU with the Middle Fork Fire Department so they can start stationing some of their staff at the fire department on the weekends. Jeremy asks that the fiscal court if they could cover insurance on a vehicle contingent, they do get it. Magistrate Mike Lockard said he would agree to it contingent that no one that does not work for the county drives this vehicle. Jeremy told him that all the, are considered Powell County EMS employees. The MOU that was signed with the fiscal court every person on the roster is an official employee of Powell County. This MOU was signed so that we can cover workers compensation throughout the gorge. A motion was made by Magistrate Chad Patton and seconded by Magistrate J.L. Bowen with all members present voting in favor to approve this request and cover insurance on a vehicle for RED STAR contingent on them getting a one.

Jeremy will come back to members of the court with any new updates concerning this request.

Motion passed unanimously.

***Financial Statements:***

The Treasurer presented the 11/1/23 – 11/30/23 financial statement, cash statements for court approval.

A motion was made by Magistrate Chad Patton and seconded by Magistrate Dennis Combs with all members present voting in favor of approving the financial and cash statements.

Motion passed unanimously.



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### **1<sup>st</sup> reading Budget Amendments #00000003**

The Budget for the current fiscal year 2023-2024 is amended to increase the receipts for the following funds.

General - \$154,937.00 - 2024 Mack Truck  
General - \$209,347.00 - 2024 Mack Truck  
Road - \$191,924.00 - 2024 Mack truck  
General - \$30,000.00 - Donation for Recycling Kirby's  
General - \$227,790.00 - 2024 Mack Truck (Auction of truck)  
Totaling - \$813,998.00

Department Head Updates:

#### **CSEPP/EMA Director Kevin Babcock:**

CSEPP/EMA Director Kevin Babcock told members of the court that RED STAR and SOAR are very thought of at the state level. He went to a meeting today concerning the last CSEPP exercise. They are discussing an all-hazards drill coming up June 12<sup>th</sup>, 2024. It will include a tornado that will start in Madison County and will move across Estill County and then move into Clark and Powell Counties. Powell County is looking into doing mutual aid to Estill County on the fire department side. The plan is to get Search and Rescue along with RED STAR involved with some rope rescues and a debris pile in Fayette County. This would be where they would put dummies underneath the debris pile, and they would try and remove them safely.

As we talk about the closeout of CSEPP we will need to start thinking about what we will do to maintain the EOC building. There may be sometimes when the Fiscal Court may have to sign an agreement to be able to maintain some of these things. Kevin said he had said the county wants to keep 100 percent of all equipment. Starting in January 2024 Kevin will start bringing a monthly transcript of bills to show how much we are spending on CSEPP. At this time, it looks like it will cost around \$30,000.00 to \$60,000.00 a month to maintain CSEPP. Kevin mentioned again that we would like court approval to go talk with the cities about helping with the cost of the EOC center expenses once CSEPP closes out.

#### **EMA Side Update:**

Kevin went to a 305 training in Lexington. They are trying to get some IMT teams up and running. If there is a disaster, we can go to these areas as a team. If this ever occurs Kevin will clear it up through the County Judge Executive before he will self-employed.

#### **Solid Waste Coordinator Tim Snowden:**

Tim let members of the court know that he will be taking 2 loads of cardboard to Kingsport next week. April 2024 we will be hosting a SWAG meet at Natural Bridge.

Tim also gave each court member a copy of how he would like the curb side recycling program to work. Marlene Adams was hired as Transfer Station Clerk to take care of billing, collecting, and signing new customers up for curb side recycling. He would like to open a new post office box just for curbside recycling. He also would like her to have a cell phone that is only tied to the recycling program. There is no Wi-Fi service at West Bend, so the phone will need a hot spot for her to be able to use the new iPad. Judge Barnes said we need to start now to see how many wants to sign up.

He suggested making her an office in the back room of the Judges office and do a recording on our phone system to direct people to speak about the recycling instead of her working from home. Tim said he would have to talk to Marlene about this.

Magistrate Chad Patton ask Tim who would be driving the truck. Tim told him that he would until we find about how the program is going to do. Judge Barnes said this was going to be a time-consuming job. The program needs to be advertised in a paper and made aware through Facebook. Members of the court said they are good with the program and to move forward with the purchase of the recycling Kirby's.

***Road Supervisor Patrick McCoy: Approval to move forward with the purchase of a new three-quarter side axle long bed truck.***

Patrick let members of the court know they had been working on personal issues. They are down to one vacancy in their department. There is a person for every salt route in the county. There is supposed to put in an application that has their CDL's.

Judge Barnes congratulated Patrick and Steven for receiving their CDL's.

The two trucks have been used for salt trucks for the last six years. Both trucks are at the end of their useful lives. One of them has a major transmission issue. Patrick said they are in desperate need of purchasing a truck for their salting fleet. They would need a three-quarter ton side axle truck with a long bed. Judge Barnes said he would call tomorrow and find out about state pricing. If the purchase of the truck is under \$40,000.00 it will not have to go out to bid.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Dennis Combs with all members present voting in favor to allow this request to move forward with the purchase of a new three-quarter ton side axle long bed for the road department.

Motion passed unanimously.

Patrick also let members of the court know they have been working on gravel roadways. They are currently using the grader to make repairs in District 4. They just finished Gritters Ridge, Chop Chestnut Star Gap, Skidmore, Jones Service Road and currently on Spaus Creek. They will continue to make their way throughout the county. CDL drivers will then put rock on the roadways.

There are a couple of pipe replacements that are also scheduled.

There was a call that came in about a culvert that had been caught on fire. This person was told that the county paid for the first one so they would be responsible for the next one.

Judge Barnes said they had talked to Worldwide about the issue with the roll off Mack Truck. This is the truck that was being dropped off to sell at auction. Check engine lights started to come on. Worldwide said the warranty had run out on the truck. It was going to cost around \$1,000.00 to repair. Judge Barnes and Tim talked to them about this to see if they would come down on the amount. They ended up sending a \$2,700.00 invoice for the repairs. They did agree to take some off the amount of the invoice.

***Assistant Tax Administrator Kevin Noel:***

Kevin gave an update to members of the court concerning the business licenses.

To date 193 people have got their business license. The total money collected is \$39,300.00.

There have been a few people to complain but for the most part everyone has purchased their license with no complaints. Kevin is working on cleaning up some old records in the computer.

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He said he read over the Ordinance that is in place and he feels there are some needed changes to be made concerning the Clay City verses Stanton verses county. We also need to add some additional licenses to the list.

Judge Barnes said that he would like to thank all his employees for doing a good job.

**Chief Deputy Neal Hamilton:**

Chief Hamilton asks members of the court for court approval to increase Holly Drake's rate of pay to \$20.00 per hour. She has taken on some duties of a former employee that the jail no longer has.

He also asks the court to approve job description's along with the pay rate for these titles such as Corrections Lieutenant, Corrections Captain and Corrections Sergeant.

***Corrections Lieutenant - \$17.00 per hour***

***Corrections Captain - \$20.00 per hour***

***Corrections Sergeant - \$15.00 per hour***

He also let members of the court know that himself along with Magistrate Brian McKinney will be going to Nelson County to look at a body scanner. The scanner will cost around \$214,000.00. They have submitted a proposal to see if the Opioid Funds could pay \$85,000.00 for the scanner.

Neal said they also have submitted a proposal for an incinerator. The plan is to make a designated spot for the incinerator at the jail.

***(Approval to increase Holly Drake's rate of pay to \$20.00 per hour.)***

A motion was made by Magistrate Dennis Combs and seconded by Magistrate Brian McKinney with all members present voting in favor to approve the request to increase Holly Drake's rate of pay to \$20.00 per hour.

Motion passed unanimously.

***(Approval of Job Positions, Job Functions and rate of pay for these positions)***

A motion was made by Magistrate Dennis Combs and seconded by Magistrate J.L. Bowen with all members present voting in favor to adopt the job positions summary, essential job functions and their rate of pay for two Correction Captain's with a rate of pay of \$20.00 per hour, five Correction Sergeant's with a rate of pay of \$15.00 per hour and three Correction Lieutenant's with a rate of pay of \$17.00 per hour for the Powell County Jail. ( summary of these positions and rate of pay will follow minutes)

Motion passed unanimously.

Neal said that he would send a copy of everyone's rank to members of the court.

- Magistrate Mike Lockard asked Neal if an employee's pay would decrease if they got demoted. Neal told him that if an employee lost their rank, they would lose their pay.
- Judge Barnes said that all raises need to be approved by the fiscal court.
- Judge Barnes asked Neal to tell jail employees to call him first before calling David Traugott to come do repairs at the jail especially on weekends.

**Dog Warden Justin Wright: (Approval for Justin to attend two courses)**

Justin asks for court approval for him to attend a couple of classes.

Certified Animal Euthanasia Specialist Class and Chemical Capture Class.

The Certified Euthanasia Specialist must be done through a certified animal control agency which we are not at this time. All documents will have to be resubmitted to the state. He will have to wait for a decision to be made by the Kentucky Board of Examiners and then at that point he will apply for a DEA

license to maintain some restrictive medicine at the shelter. In the past he has gotten sedatives from other vet offices but recently it has become a subject of abuse.

The Certified Euthanasia Specialist class will be on January 29<sup>th</sup> and 30<sup>th</sup>, 2024. Justin is not sure if he will have the returned paperwork to take this class on time. The cost of this two-day class would be \$300.00.

The Chemical Capture class is flexible in the way you can take it. The cost of this class is \$495.00 and has 20 online courses. He will have four weeks to complete it.

The registration and license for these classes will be around \$900.00.

Judge Barnes said he is not for euthanizing animals, but it must be done sometimes.

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Chad Patton with all members present voting in favor to approve for Justin Wright to attend the Certified Euthanasia Specialist and Chemical Capture classes.

Motion passed unanimously.

***Ambulance Director Nathan Hall: (Approval for (5) EMT's to take Advanced Class:***

Nathan made members of the court aware that CSEPP purchased the ambulance service four new laptops.

The drawing for the EMS building renovation has been turned in.

Brief discussion to pick up ambulance that has been sitting for over a year to be repaired.

Nathan said he had talked to the employees about signing a 24-month contract if the court agreed for them to take Advanced Class. Nathan asks members of the court if they would rather approve of them going and take the Advanced Class or approve for the class to be held at the ambulance service.

A motion was made by Magistrate Chad Patton and seconded by Magistrate J.L. Bowen with all members present to approve for an instructor to put on the class at the ambulance service. The motion also approves paying (5) five EMT's to take the Advanced Class contingent they sign a two-year contract with the county.

Motion passed unanimously.

***Dispatcher Director Larry Hall:***

Larry made members of the court aware that all dispatchers are now certified. We have one employee off with surgery. This employee will be off until February 2023 which may cause some overtime to happen.

In the year 2022 dispatch pays out \$52,402.15 in overtime hours. (3,156.00 hours). In 2023 until present the dispatch has paid out \$20,162.00 in overtime hours (1,211 hours). The total savings are approximately \$40,000.00. The overtime hours should continue to decrease, and we should get more funding from the cell phones.

Phillip Frazier has offered to help with getting people certified at no charge. He is certified to do polygraph testing.

Larry told members of the court that he would like to get a picture of the dispatch at our next meeting. They are putting in new equipment. They are doing Black Creek today. By the end of the week, they should have Furnace and Hinke complete. On Friday we may have an interruption because this is when it will all come together.

There are 26 phone lines that are billed from the EOC building. When CSEPP closes, we will have to pick which phone lines are needed. Darrell Townsend told him that we would need 4 phone lines.

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He is putting in monitors so that they can watch the Clay City Park, red light traffic cameras, transfer station, animal shelter etc. This will all be recorded.

Larry said he would like to thank members of the court for the opportunity to do his job. The staff have made it all possible.

***District Updates:***

**Magistrate Chad Patton** – Gave paperwork to the County Attorney to look over concerning David Tipton on Gritters Ridge. An easement that the Forestry Service gave back to the county. They are trying to sell the property, but the Tipton's own it.

**Magistrate Brian McKinney** – The truck that was donated to Search and Rescue is fully equipped. They now have two trucks they can respond to.

The Opioid Abatement Committee contacted Frankfort twice this week. They gave them a list of 7 things they would like to spend the opioid funds to help purchase. They told them they had seen no red flags, but they would not give them the ok to spend the money. Brian said we would get together and talk to them to see what we need to do. We must have data on how many opioids we are collecting concerning the body scanner we want to purchase for the jail using opioid funds.

The Broadband Committee agreed to go with Mtn. Telephone. Their lawyers are drawing up a contract to work with us. They will apply for the grant. They will pay for the application process which will cost around \$80,000.00. If we do not get the grant, it will not cost the county anything.

**Magistrate J.L. Bowen** – Nothing currently.

**Magistrate Dennis Combs** – Nothing currently.

**Magistrate Mike Lockard** - Nothing currently.

Larry told members of the court that they may want to check on buying the mapping software instead of waiting on Bluegrass Area Development.

**Judge Barnes:** - The county did receive \$319,000.00 on the KDPI grant for the Clay City Industrial Park. We are still waiting for the ARC grant.

He talked to Governor Beshear about getting a new health department and working on the Industrial Park.

He is going to meet with the Army Corps of Engineers to see what their plan is to eliminate the flooding in Clay City.

TEBCO should be in full operation sometime in January. Based on what has been said we are looking for around 50 more jobs at this location.

Judge Barnes told members of the court he was going to present a year-end review in January of what the Fiscal Court has done and how we have progressed through the year. One of the things is employees' salaries. They are still not where they should be, but they have improved a lot.

He received an email saying the retirement rate should be going down next year which would help. Kentucky River Association is going to try and help with the log jam on Hwy 82.

***Powell County Industrial Board Appointments: ( Brian Billings and John Skidmore)***

A motion was made by Magistrate Dennis Combs and seconded by Magistrate Brian McKinney with all members present voting in favor to approve the reappointment of Brain Billings to the Powell County Industrial Authority Board for a three-year term.

Motion passed unanimously.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Chad Patton with all members voting in favor to approve the re-appointment of John Skidmore to the Powell County Industrial Authority Board for a three-year term.

Motion passed unanimously.

***Powell County Wastewater Authority Board Appointment: ( John Brewer)***

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Dennis Combs with all members present voting in favor to approve the reappointment of John Brewer to the Powell County Wastewater Authority Board.

Motion passed unanimously.

***Beech Fork Water Commission Board Appointment: (Gary Baker)***

A motion was made by Magistrate Brian McKinney and seconded by Magistrate Chad Patton with all members present voting in favor to approve the reappointment of Gary Baker to the Beech Fork Water Commission Board.

Motion passed unanimously.

***Powell County Sheriff's Deputies Salary Increases:***

Sheriff Danny Rogers would like court approval to increase the (3) three of his deputies to a comparable salary. He would be turning over his excess fees to help cover these increases.

This request is to increase two deputies' salaries from \$16.00 per hour to \$19.00 per hour and \$18.00 per hour to \$19.00 per hour. The request for the third deputy would be to increase from \$19.00 per hour to \$21.00 per hour.

Danny is also requesting that the court approve Larry Patterson as a part-time employee, making \$24,000 per year. Danny will be giving the county approximately \$90,000 to cover these expenses at the beginning of the year.

A motion was made by Magistrate J.L. Bowen and seconded by Magistrate Dennis Combs with all members present voting in favor to approve these requests to increase the 2 deputies' rate of pay from \$16.00 per hour to \$19.00 per hour and \$18.00 per hour to \$19.00 per hour and the 3<sup>rd</sup> deputy from \$19.00 per hour to \$21.00 per hour. This motion also approves the request to hire Larry Patterson as a part-time employee at a salary of \$24,000.00 per year.

Motion passed unanimously.

***2024 Holiday Schedule:***

A motion was made by Magistrate Mike Lockard and seconded by Magistrate Dennis Combs with all members present voting in favor to approve the 2024 holiday schedule for employees of Powell County Fiscal Court.

Motion passes unanimously.

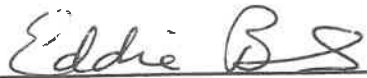
***Adjournment:***

A motion was made by Magistrate Dennis Combs and seconded by Magistrate J.L. Bowen to adjourn. The meeting was adjourned at 8:18 p.m.

***Next Meeting Date:***

The next regular meeting will be held on January 9<sup>th</sup>, 2024. The meeting will be held at the Emergency Operations Centers at 6:00 p.m.

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Eddie Barnes, County Judge Executive



J.L. Bowen, Magistrate



Dennis Combs, Magistrate



Mike Lockard, Magistrate



Brian McKinney, Magistrate



Chad Patton, Magistrate