

**Minutes of the February 7, 2017
Daviness County Fiscal Court Meeting
Held at the Daviness County, Kentucky Courthouse**

**Present elected court officials included
Judge/Executive Al Mattingly and County Commissioners Mike Koger,
George Wathen and Charlie Castlen**

**DOCUMENTS RELATED TO TODAY'S DISCUSSIONS
ARE FILED IN THE CORRESPONDING FISCAL COURT FILE**

Commissioner Wathen opened the meeting in prayer and led the court in the Pledge of Allegiance to the flag.

Treasurer Jim Hendrix presented the Treasurer's Report for December 2016.

Minutes of the January 19, 2017 meeting were submitted to fiscal court members for review prior to today's meeting and on a motion of Commissioner Koger, seconded by Commissioner Castlen with all the Court concurring said Minutes were approved and signed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval all Claims for all Departments.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval Resolution No. 03-2017 – Applications for and Administration of Office of Homeland Security Projects – Moseleyville Repeater Station and Weather Siren Replacements in Philpot, KY.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval to Apply for the Office of Homeland Security Grant to install the Moseleyville and Whitesville Repeater Stations and Weather Siren Replacements in Philpot, KY.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval to Apply for the 2018 Ambulance Grant for Procarent.

Daviess County Fiscal Court serves as the flow-thru agency for this KCTCS ambulance grant, which benefits Procarent Ambulance.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval Award **RFP No. 01-2017:** Daviess County Gun Club Operation to Mike Hafley.

Purchasing Agent Jordan Johnson stated, "Mike Hafley's submission is the best-evaluated proposal, meeting all expectations and satisfying all relevant criteria. Mr. Hafley is cognizant of the proximity of residents to the gun club acreage and the limitations and responsibilities that accompany operating a shooting range under such conditions. Mr. Hafley has 18-years of experience in managing sporting clay facilities as well as coordinating sporting clay events. His proposal portrayed a deep understanding of the needs associated with hosting shooting events, and his current operations house the additional equipment necessary to host large corporate events. It is my recommendation to award this RFP to Mike Hafley."

As Mr. Hafley intends on providing his own equipment, and will not purchase the onsite equipment, owned by Mr. Pollock, Mr. Pollock believes the financial investment he placed in the club will be lost. Mr. Pollock recommended the court award the RFP to the other submitter as this person has stated his intent to purchase and use Mr. Pollock's equipment. Mr. Pollock stated, "If you award this to Mr. Hafley, I am going to lose everything, and for a dollar a year, it is an insult to me."

Judge Mattingly stated, "We made the same offer to you, and that is what you pay. No one is being offered or given any favors over anyone else. The fact that you purchased the equipment and assumed the next operator would purchase your equipment is unfortunate. Upon your January 23, 2017 letter stating your intent to no longer run the club effective April 1, 2017, the court had no choice but to seek another operator. As I am a member and shooter at the club, I did not want to make that decision, so I turned it over to county purchasing agent, Mr. Johnson. Mr. Johnson just stated his reasons for recommending Mr. Hafley's proposal. I don't know that we have any other alternative but to move forward with the recommendation."

Commissioner Koger asked Mr. Pollock if Mr. Schneider (the other person who submitted an RFP) had agreed to purchase your equipment.

Mr. Pollock said, "Yes, he had agreed, and he (Mr. Hafley) has never contacted me. I am sure that really is something this court would not like to hear. I guess he went to Al."

Judge Mattingly stated, "No, he responded to the RFP and there was really no reason for him to contact you, Jessie. You don't own the property, you simply operate the facility."

Mr. Pollock stated, "I assumed the way it would work would be the same as what took place when I took over. I met with the prior operators and we worked out a deal. A presentation was then made to the court and the court offered me the opportunity to operate the club. That has not happened here."

Judge Mattingly stated, "I don't know where you would have gotten that idea. That was not the way the lease was written. The lease with you was for a dollar a year for the building and the grounds and we (the court) would do nothing else. You were going to provide the equipment and had made your provisions. Isn't that the way the RFP was written, Mr. Johnson?"

Mr. Johnson stated, "That is correct."

Commissioner Wathen asked, "Does Mr. Hafley have his own equipment?"

Mr. Johnson said he does.

Commissioner Koger, "Back to my question, from your perspective, if Mr. Schneider is awarded this RFP, he will purchase your equipment, but if awarded to Mr. Hafley, you feel you risk the ability to sell your equipment at a fair value and have it removed from the property within the next 45 days or so, correct?"

Mr. Pollock agreed.

Judge Mattingly stated, "Your letter indicated that you would no longer be the club's operator effective April 1, 2017 and we took you at your word."

Mr. Pollock stated, "Well, I didn't know I had to do anything else. Was I supposed to put in the letter that I would not leave until I sold my equipment?"

Judge Mattingly stated, "If you wanted to request that a small area be designated for you to store your equipment until it can be sold, I don't have a problem with that, but I encourage you to contact Mr. Hafley to see if he would agree to such an arrangement. Of course, I can't lease the property to Mr. Hafley while your equipment is still throughout the property."

Judge Mattingly further stated, "I had simply wanted to enter into negotiations to find another operator, but the fact is, and as advised by the county attorney, we did a request for proposal and received two responses. To eliminate a bias or the appearance of a bias, at my request, purchasing agent Johnson evaluated the submissions and has today presented his best-evaluated proposal recommendation, which is Mr. Hafley's proposal."

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor, except for Judge Mattingly as he abstained; motion passed.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval to Award **Bid No. 04-2017:** Mosquito Control Program to Action Pest Control for \$3,600 per month for a 6-month treatment year (April – September) and \$75.00 per treatment outside of the year.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval Advertise **Bid No. 06-2017:** One New Class A Fire Engine; FR (West Station).

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval Surety Bond Release for Waterford Village, Unit No. 1 – Sidewalk.
Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

County Attorney Claud Porter presented the **First Reading of KOC 220.30 (2017); 1-2017-** An Ordinance Authorizing and Directing the Rebate of 0.35% of all Occupational License Fees Due and Payable to Daviess County, Kentucky, by Ordinance, from the Salaries, Wages and other Compensation to be paid by the new Employees of TerrePURE Kentucky Distillers, Inc. Provided Said Corporation Meets the Criteria set forth in its Application for Incentives under the Kentucky Economic Development Finance Authority, Kentucky Business Investment Program.

Comments:

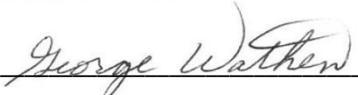
Joe Berry of EDC explained that this ordinance denotes the specific obligations agreed to by TerrePURE in order to obtain Kentucky Economic Development Finance Authority, Kentucky Business Investment Program incentives. TerrePURE will invest \$23 million and create 70 new jobs in Daviess County.

Comments:

Judge Mattingly announced that the next fiscal court meeting is set for February 21.

**Without objection, Judge/Executive Mattingly adjourned the meeting.
SO ORDERED THAT COURT STAND ADJOURNED.**

Judge/Executive:  Commissioner: 

Commissioner:  Commissioner: 

I, duly appointed Clerk of the Daviess County Fiscal Court, do hereby certify that the above Minutes for the corresponding Order Book were approved by the members of the Daviess County Fiscal Court at the regular session of said Court on this 21st day of February 2017.

Jennifer C. Warren, Daviess County Fiscal Court Clerk