

**REGULAR SESSION**  
**of the Daviess County Fiscal Court**  
**held at the Courthouse in the City of Owensboro,**  
**County of Daviess, Commonwealth of Kentucky**  
**on this 16<sup>th</sup> day of February 2015**  
**Present were Judge/Executive Al Mattingly and**  
**County Commissioners Mike Koger,**  
**George Wathen and Charlie Castlen**

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**DOCUMENTS RELATED TO TODAY'S DISCUSSION**  
**ARE FILED IN FEBRUARY 16, 2015 FISCAL COURT FILE**

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

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The Juvenile Drug Court update has been postponed due to inclement weather, and lack of presenters, per County Attorney Claud Porter. Judge Mattingly proposed to fund the program again for another 3 years, and to take that proposal under consideration during the next budget session. Judge Mattingly suggested to County Attorney to approach the city and see if they are on board.

County Attorney stated, "A presentation was made to them about 6 months ago. I will ask and remind them about it."

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Suzanne Craig presented a Daviess County Community Access Project (DC-CAP) update.

She explained that DC-CAP links low-income, Daviess County residents with donated healthcare through a network of participating physicians and facilities. They assist with medications, refer patients to other community resources, and provide transportation vouchers. They also work closely with the local medical community to help each patient to become healthier. They contact patients for appointment reminders & follow-ups, and enroll qualifying patients in Medicaid, KCHIP, or insurance subsidies through the affordable care act plans. According to the state data of 2013, Daviess County reported 15.1% of their population was uninsured. Daviess County has chosen three priority health goals in its Community Health Assessment Plan: Access to Care, Obesity, and Substance Abuse. DC-CAP actively participates in the access to care work groups. Three DC-CAP personnel are trained in the Affordable Care Act; allowing them to seek donated medical care and prescriptions for those that have no other option. In 2014, DC-CAP completed 1,005 Affordable Care Act applications. From 2005 to today, DC-CAP has received \$20,213,256 in medical care donations, and \$6,711,889 in prescription donations. In 2014, DC-CAP donated \$1,652,209 in medical care and \$1,125,629 in prescriptions. DC-CAP is a leader in Kentucky for prescription assistance. We were awarded a Gold Award for coordinating more than one million dollars of donated prescriptions. We work through the changes with pharmaceutical company plans and the Affordable Care Act, and share information with other prescription sites across the state. On average, in 2014, each patient received \$4,354 worth of donated services, and for every dollar spent, DC-CAP received \$27.78 in donated care and prescriptions.

Ms. Craig thanked the court for their participation in the DC-CAP Program.

Judge Mattingly asked, "Why do we need this program when there is the Affordable Care Act?"

Ms. Craig stated, "Finding some people get caught in a pending status, prescriptions may not be covered under the insurance you chose, or high deductibles. For many people, they have limited resources and are signing up for really high deductible plans."

Judge Mattingly asked, "Are they able to use this \$4,354.00 in donated medical care and drugs as part of their deductible, since their deductibles are so high?"

Ms. Craig answered, "Not necessarily. It helps with immediate need and prescriptions once they have access for up to a year. The deductible then becomes less concerning. We work or coach them so there is not a repeat problem. Some people have never had insurance, and we help them find a doctor, and follow-up with them."

Judge Mattingly asked Ms. Craig, "Do you know how many MCO's there are in Daviess County?"

Ms. Craig answered, "Passport, Coventry, Humana, Wellcare and Anthem".

Judge Mattingly asked, "Do you offer those to all the patients to make a choice, and are you aware, as of January 1, Anthem does not have a contract with our local hospital. The closest care they could get is in Henderson or Ohio Counties?"

Ms. Craig stated, "We do inform people of the current situation. Once someone is eligible for Medicaid, we ask if they have a primary care physician, and what hospital would you like to go. We cannot recommend or tell them which provider to see. We give them the best information we have in that moment."

Judge Mattingly stated, "My concern is that we would give them information on a managed care organization that does not have a contract with anyone." He noted, "Daviess County Fiscal Court puts \$50,000 into this program, and Daviess County Health Park puts in \$50,000. That is where you get the \$100,000 in public dollars invested in access medical care and drugs; return of 27-1."

Commissioner Castlen inquired about healthcare providers and counseling someone to sign up - in regards to Anthem not having a contract with the hospital.

Ms. Craig replied, "We can give them the information, but we cannot tell them which provider to go with."

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The Report of the Audit of the Daviess County Clerk for the Year Ended December 31, 2013 was presented to court.

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County Treasurer Jim Hendrix presented the Treasurer's Report for January 2015.

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Minutes of the February 3, 2015 meeting were submitted to fiscal court members for review prior to today's meeting and on **a motion of Commissioner Castlen, seconded by Commissioner Koger with all the Court concurring said Minutes were approved and signed.**

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**By a motion of Commissioner Koger, seconded by Commissioner Castlen,** the court considered approval of 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.**

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval the Surety Bond Release at the Downs (Fairway Dr.), Unit 2.

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval the Memorandum of Agreement Between the City of Owensboro and Daviess County Fiscal Court (Fire Dept.) relating to the Area Maritime Security Committee.

Judge Mattingly explained that there are three pieces of equipment being transferred to us from the City of Owensboro. This equipment is used to avoid mid-river/mid-water collisions.

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Koger,** the court considered for approval a Lease with the Diocese of Owensboro for use of the Knottsville Playground for the summer recreation program.

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

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**By a motion of Commissioner Koger, seconded by Commissioner Castlen,** the court considered for approval a Contract with Eden Fence Incorporated to replace damaged guardrail on Carter Rd., per statewide contract.

County Engineer Mark Brasher stated, "I am asking to utilize the State Highway Department's contract for replacement and repair work for a guardrail that was hit recently on Carter Road. The estimated contract cost is \$5,500."

Judge Mattingly asked, "This is one we will try to recover from the person's insurance, correct?"

Mr. Brasher replied, "The purchasing manager looked for a Sheriff's Department accident record, but no record was found."

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval a Contract with American Engineers, Inc. to design structures to replace bridges on Berry and Cummings Roads.

Mr. Brasher stated, "This is for two existing bridge structures, one on Berry Rd. and the other on Cummings Road. The bridges are in need of repair work. We believe we can replace the bridges with pipes, whether metal, concrete, or box culvert."

Judge Mattingly asked, "Are the contracts \$4,500.00 each?"

Mr. Brasher "This is a standard hydraulic analysis."

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Koger,** the court considered for approval the Drainage Commission's request to move forward with soliciting funds for the development of a Drainage Master Plan.

Commissioner Wathen stated, "I requested to put this on the agenda. The Drainage Advisory Board voted and asked us to move forward with the development of a Drainage Master Plan. However, I think at this point, we need to find funds from different organizations to help us with the cost of developing a Drainage Master Plan. This request is not for moving forward with the plan, but moving forward with finding money."

Judge Mattingly asked Mr. Brasher to share his conversation he had with the Corps last week.

Mr. Brasher stated, "About 18 months ago, it was brought to my attention that the Corps of Engineers has a Public Planning Assistance grant. When we found out, we sent a letter stating our interest in the grant. A meeting is set for Wednesday to see what we have planned as far as Phase II, which fits into what they would like us to fit into their grant program."

Commissioner Wathen stated, "One of the reasons I am for it is because it answers the question of is there anything the community can do to help the drainage in Daviess County. It is not one huge project. It is many little projects that would be available to us to help improve the drainage in different areas of the county. It puts us in a position where if there is money available from FEMA or other organizations down the road, to help with drainage, we would be able to accept that money."

Judge Mattingly stated, "Good points Commissioner, I know the City of Owensboro had a Master Plan for their drainage, and had it broken down into smaller projects. It made it easier to get money. It is a wise move to look for grant money first."

Judge Mattingly asked Mr. Brasher to ask the Corps if they have grants available and if so, are those grants for reimbursements? For example, could we do preliminary studies, pay for it, and be reimbursed so we could move along a little quicker?"

Commissioner Koger stated, "We need to continue moving forward by any means of funding to get some projects started in the near future. Is that the right direction to go?"

Jerry Fischer, Chair of the Drainage Commission, addressed Commissioner Wathen and stated, "We don't want to keep studying things, when we start a project, this is the next step in getting these projects listed."

Judge Mattingly agreed with Mr. Fischer, and added, "If we get money from the feds or the state, they are going to want to see certain things done and in place."

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval to Award **Bid No. 06-2015:** New 5<sup>th</sup> Wheel Road Tractor to Truck Centers Incorporated for \$96,533.

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Koger,** the court considered for approval to Award **Bid No. 07-2015:** Two (2) New Open Top Walking Floor Trailers to Banner Truck and Trailer Sales for \$122,500.

Judge Mattingly noted that there was a lower bid.

Purchasing Agent Jordan Johnson replied, "The lowest bid had exceptions that were not properly denoted, and there were exceptions we could not accommodate."

Judge Mattingly asked who we purchased the last trailer from.

Mr. Johnson replied, "Banner Truck and Trailer Sales".

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Koger,** the court considered for approval to Award **Bid No. 08-2015:** Boardwalk Materials for Horse Fork Creek Park to Custom Manufacturing Incorporated for \$52,500.

Parks Director Ross Leigh stated, "The grant was for \$186,000. In our original 2012 grant request, we estimated this material costs at \$85,000. We are well under that amount. We are now proposing to the Department for Local Government that we be allowed to apply any excess funds towards other projects."

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

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**By a motion of Commissioner Castlen, seconded by Commissioner Koger,** the court considered for approval the Retirement Resignation of Ronnie Thompson as Sign Technician in the Dept. of Public Works, effective 02/28/2015 (37 years).

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

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**By a motion of Commissioner Koger, seconded by Commissioner Castlen,** the court considered for approval to Hire Jerry A. Ambs as a Service Technician in the Department of Public Works, effective upon successful completion of pre-employment screenings.

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval to Advertise for a Truck Driver in the Department of Solid Waste.

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

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**By a motion of Commissioner Koger, seconded by Commissioner Castlen,** the court considered for approval to Hire the following Seasonal Parks Employees:

- **Panther Creek Park - Ground Maintenance:**  
David Pike, Gary McCarty, James Robertson, Roger Gray, Philip Keller, Claud Sparks, William Jerome Black
- **Panther Creek Park - Park Attendant:**  
Tim Beebe, Zachary O'Brien
- **Yellow Creek Park - Ground Maintenance:**  
Cody Evans, Larry Piper, Luke Riney, Tyler Wilson
- **Yellow Creek Park - Park Attendant:**  
Austin Wedding, Trenta Powers, Katherine Lemmons, Dwane Hite
- **Horse Fork Park - Ground Maintenance:**  
Robin Edgell, Mark Christie, Jr., Steve Graybill

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Castlen,** the court considered for approval to appoint Manuel Ball (04-2015) to the **OMPC** (Filling the Unexpired Term of David Appleby who served 3+ terms) - TERM: Immediately – 12/31/2017.

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

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**By a motion of Commissioner Wathen, seconded by Commissioner Koger,** the court considered for approval the **Second Reading of KOC 860.7(2015)** – An Ordinance approving a revised Emergency Medical Service and Ambulance Agreement by and between the City of Owensboro, Daviess County, and Procarent D/B/A Yellow Ambulance Service, the exclusive county-wide provider of Emergency Ambulance Services for the 9-1-1 Dispatch System.

**Comments:**

Daviess County Attorney Claud Porter stated, "This revised contract term will begin July 1<sup>st</sup>, concurrent with the city and county fiscal year. It also provides the ability for the county to ask for permission of use, or contract with someone else, for emergency ambulance services if the conditions were to be required in addition - under this license, if permitted by the circumstance and Kentucky Board of Emergency Management."

Judge Mattingly stated, "One of the questions the commissioners and I had was the certificate of need and the license in this community. This is a jointly held license between the city and county. Another question, if we took that license back and required Procarent to operate under their own license, and we did not have a ambulance to operate that license, what happens to that license?"

Attorney Porter stated, "The license would remain. That was one of the questions I could not get answered from them, but if we don't renew the license we could lose it."

Judge Mattingly asked, "There is no anticipation of us requiring Procarent to give up that license, but we could ask for the license back, correct?"

Attorney Porter replied, "We could. We have a contract with them and they are providing that emergency service. The idea was to allow the city or county to add some other services if needed, under certain circumstances - again with the permission of the Kentucky Board of Emergency Management."

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

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**By a motion of Commissioner Castlen, seconded by Commissioner Wathen,** the court considered for approval the **Second Reading of KOC 560.3 (2015)** An Ordinance relating to the Equipment of Emergency Vehicles in Daviess County.

**Comments:**

Judge Mattingly stated, "The County Coroner has asked for the ability to equip their vehicles with emergency response lights that would only be used in case of emergency in responding to a fatality."

Attorney Porter stated, "The Coroner, by statute and this ordinance, is not allowed to exceed the speed limit. It allows them to let other motorists know they are in an emergency vehicle."

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

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**Other business to be brought before the Daviess County Fiscal Court:**

**By a motion of Commissioner Castlen, seconded by Commissioner Wathen,** the court considered for approval the 2015 Kentucky Waste Tire Management Program Agreement.

David Smith stated, "The state will conduct a three day tire amnesty event in June. This agreement specifies what the county and state will do."

**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 Transfer the 2003 Chevrolet S-10 VIN 188168, which has been declared surplus, to Mclean County Fiscal Court.

David Smith stated, "This vehicle was declared surplus late last year and was used as an animal control transport truck."

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

**Comments by the public:**

Larry Condor announced that the Chamber of Commerce is hosting a Legislative Forum this Saturday. He encouraged all citizens to attend.

Judge Mattingly agreed.

Due to the weather, Mr. Leigh noted that the park's gates are closed.

Judge Mattingly also noted that tomorrow at noon the courthouse will also be closed.

Fire Chief Dwane Smeathers noted that this weekend the Green River Firefighters Association will be hosting the Bryant Stiles Officer's School at the convention center. He invited the court and the public to vendor's night on Saturday from 4:00 – 8:00 pm.

**Comments:**

Assistant EMA Director John Clouse stated, "The Homeless Council of the Ohio Valley is coordinating public warming centers. Centers will open at 9:00 pm and close at 8:00 am."

Tonight through Thursday night, the center will be at First Baptist Church. They are soliciting volunteers, particularly males.

Judge Mattingly warned the public of upcoming freezing temperatures. He encouraged people to leave a little water running in their pipes, and warned about carbon monoxide poisoning from using fire wood/fossil fuels, and gasoline-powered generators.

The entire court encouraged the public to attend this weekend's Legislative Public Forum.

Judge Mattingly recognized the Daviess County Fiscal Court February 2015 Employee Anniversary of James Drury, Solid Waste Floor Supervisor - 15 years.

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

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Al Mattingly  
Daviess County Judge/Executive