

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 1st day of March 2012
Present were Judge/Executive Al Mattingly and
County Commissioners Jim Lambert,
George Wathen and Charlie Castlen

DOCUMENTS RELATED TO TODAY'S DISCUSSION
ARE FILED IN MARCH 1, 2012 FISCAL COURT FILE

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

Judge Mattingly proclaimed March 2012 as Severe Storms Preparedness Month. Richard Payne, Director of the Emergency Management Agency received the proclamation and updated the court on an upcoming weather event, which could be severe.

Jason Ward of the Kentucky Highway Department presented the 2012-2013 Daviess County Rural Secondary Program District Recommendations.

Mr. Ward stated, "This program is a program where it allocates transportation funds directly to rural secondary roads in the rural areas of the county. Out of the total funds received through the fuel tax, 22.2% of that is dedicated to the rural secondary program and then that money is broken out into what we call the "fifths" formula to allocate funds to each of the 120 counties in Kentucky. This formula is based on 5 parts – 1/5 is allocated equally among all 120 counties in Kentucky, 1/5 is distributed based on the rural population of the county, 1/5 is distributed based on the number of rural miles in a county, and the last 2/5 of the formula is allocated based among the square miles of rural areas in each county outside of municipalities. Based on this formula, Daviess County, for the 2012/2013 year, has a total allocation of \$1,037,000 for maintenance projects on rural secondary roads. They will take that \$1,037,000 and break it down. Out of that money, \$697,000 is allocated for maintenance projects on Kentucky rural secondary roads in Daviess County. The remaining, approximately \$340,000, is divided into what we call the "flex-fund". That money can be used for either Kentucky rural secondary roads or Daviess County roads. Of the \$1,037,000, that money is allocated directly to Daviess County and cannot be used in any other county. Out of these two funds, we are making the following recommendation on how to allocate the money for the Kentucky rural secondary roads:"

ROUTE	TYPE OF WORK	LIMITS OF WORK	LENGTH
KY 298	ASPHALT RESURFACING	M.P. 5.261 TO M.P. 6.545 US 231 TO KY 1456	1.284
KY 1456	ASPHALT RESURFACING	M.P. 0.000 TO M.P. 2.245 KY 298 TO MILLERS MILL RD.	2.245
KY 764	ASPHALT RESURFACING	M.P. 1.012 TO M.P. 3.628 CO. LINE TO FRANKLIN ST.	2.616
KY 298	ASPHALT RESURFACING	M.P. 0.000 TO M.P. 2.685 US 431 TO SO. FORK BRIDGE	2.685

Mr. Ward continued, "On the Flex-Funds, if it is decided by the court to allocate those to maintaining a Kentucky rural secondary road, we recommend the following:"

FLEX FUNDS:

<u>ROUTE</u>	<u>TYPE OF WORK</u>	<u>LIMITS OF WORK</u>	<u>LENGTH</u>
KY 279	ASPHALT RESURFACING	M.P. 1.705 TO M.P. 5.062 HAYDEN BRIDGE RD TO STEPHENS RD.	3.357

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered approval of the above recommendations excluding the Flex Fund recommendation.

Judge Mattingly asked, "Do you know what that 22.2% is in dollars?"

Mr. Ward said he would have to check on that and get back with the court.

Commissioner Lambert asked what the estimated cost is for work on Highway 279.

Judge Mattingly responded, "It is approximately \$349,000, because that was the amount of funds that he gave you. Isn't that correct?"

Mr. Ward stated, "Actually, our current estimate for that is approximately \$254,000."

Judge Mattingly asked, "But \$340,000 was flex?"

Mr. Ward replied, "Yes, sir."

Judge Mattingly asked, "Even if we did that, we would still have roughly \$100,000 left over that we could choose to do what we wish?"

Mr. Ward replied, "Yes, sir – approximately \$85,000."

Commissioner Wathen asked, "If we choose to do something else, we don't have to do a state road, we could do a county road, correct?"

Mr. Ward replied, "That is correct."

The court will decide how to expend the Flex-Fund dollars at a near-future court meeting.

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

County Treasurer Jim Hendrix presented the Treasurer's Report for the Month Ended January 2012.

Minutes of the February 16, 2012 meeting were submitted to fiscal court members for review prior to today's meeting and on a motion of Commissioner Castlen, seconded by Commissioner Wathen with all the Court concurring said Minutes were approved and signed.

By a motion of Commissioner Castlen, seconded by Commissioner Lambert, 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.

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for Approval to Award **Bid No. 05-2012** - sale of 4 surplus Transfer Station walking floor trailers to Red River Ranch as follows:

- 1994 East Walking Floor Trailer VIN 1E1U1X283RRA15780 \$5,176.00
- 2005 Mac Walking Floor Trailer VIN 5MAMN452X5C009159 \$6,676.00
- 2005 Mac Walking Floor Trailer VIN 5MAMN45265C009160 \$6,676.00
- 2005 Mac Walking Floor Trailer VIN 5MAMN45285C009161 \$6,676.00

Purchasing Agent Dale Boyle stated, "The bids of Red River Ranch, LLC for four surplus walking floor trailers are the highest and best evaluated bids. It is our recommendation to award the bid for four walking floor trailers to Red River Ranch, LLC."

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 Lambert, seconded by Commissioner Castlen, the court considered for Approval the 2012 Waste Tire Amnesty Program Agreement.

Mike Hamilton, Daviess County Property Maintenance Coordinator stated, "This event is scheduled for July 12-14, 2012, at the State Highway garage off of Fairview Drive. Through this agreement, Daviess County residents may dispose of their waste tires for recycling. Tires can be on or off the rim and the number of tires people can bring in is unlimited. Tire retailers are exempt from participating. This program helps to keep illegal tire dumps out of the county." He further stated, "In 2003, the last time this program was held in Daviess County, we collected 95,000 tires. With the removal of waste tires, we are not only reducing illegal tire dump sites, we are also reducing many mosquito breeding grounds."

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 Lambert, the court considered for Approval the Temporary Construction Easements for Road Widening with Daniels Lane property owners.

Mark Brasher stated, "This is in regard to the road widening the county is looking to do from where the hospital stops their widening to Hayden Road. The plans are almost complete and these easements will allow us to do the job safely, efficiently, and effectively."

Judge Mattingly thanked all the Daniels Lane residents for their cooperation with this project.

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 Lambert, seconded by Commissioner Castlen, the court considered for Approval to Appoint David Johnson (02-2012) to the **Ethics Board** - TERM: 3/1/2012 – 3/1/2015.

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 Lambert, the court considered for Approval to Appoint George Wathen (07-2012) to the OMPC Comprehensive Review Committee - TERM: 3/1/2012 – completion of plan review.

Commissioner Wathen asked citizens to contact him with any suggestions or comments they may have with regard to this plan review.

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

Comments:

Kevin McLearn of the Kentucky State Highway Department presented information on current Daviess County state road projects. He stated, "The by-pass extension is in two phases – the first phase was let a couple of years ago. It is on schedule and should be completed mid-year 2013. Phase II was let last summer and the scheduled completion date is mid-year 2015. Both of those are going well. In addition, the round-a-bout on the west side, we are looking at a December 2012 letting for that. The right-of-way is clear and we will be working with utilities to move what utilities we have to over the next few months. Lastly, Southtown Blvd. is going pretty good and we should be wrapping that up mid-year 2013. Also, lights on Highway 60 East are out in the area of Daniels Lane. The reason they are out is that we are replacing the signal due to changes happening on Daniels Lane. The controller for the lights was in the way of the new signals. Late next week, these lights should be restored."

Karen Miller updated the court on upcoming events.

Commissioner Lambert encouraged the public to attend a local Friday fish fry. He also wished those playing in the Regional tournament well.

Commissioner Wathen announced that WKU-O is hosting the Chamber Legislative Breakfast beginning at 8:00 a.m.

Commissioner Castlen wished City Commissioner Roger Stacy a speedy recovery.

Judge Mattingly announced the 9:30 a.m. GRADD Legislative Breakfast this Saturday. He also discussed the Angel of Hope program, which memorializes youth who have passed away.

Judge Mattingly stated, "Claud, I had a question from a caller asking who regulates taxi-cabs. Could you answer that question?"

Claud Porter stated, "They are regulated by the City of Owensboro."

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

Al Mattingly
Daviess County Judge/Executive