

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 9th day of March 2015
Present were Judge/Executive Al Mattingly and
County Commissioners Mike Koger,
George Wathen and Charlie Castlen

DOCUMENTS RELATED TO TODAY'S DISCUSSION
ARE FILED IN MARCH 9, 2015 FISCAL COURT FILE

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

County Attorney Claud Porter presented a Juvenile Drug Court update.

Attorney Porter said that JDC was created in 2006. The Daviess County Fiscal Court and City of Owensboro took over funding the JDC in 2012, following the state's decision to no longer fund the program. In 2014, the court assessed 69 juveniles and accepted 43. Currently, there are 12 juveniles in the program, and 12 have graduated the program. JDC collaborates with ten or more community partners who volunteer 4-6 hours per week. These volunteers attend staffing and drug court sessions, work with participants and their families, and therapy volunteers meet weekly. Eligibility to enter into the program consists of drug offenses, other public offenses, non-violent, non-sexual offences, and other public offences – all with a drug abuse component. Additionally, participants must be between 12 and 16 years old, be substance abuse dependent, have the cooperation of guardians or family members, and referred by a court, CDW, school, or a community resource. All phases of the program include random drug testing, supervision by coordinator/court, curfew, mandatory school attendance, and treatment groups. Progress of participants is monitored on a weekly basis through a point system, including specific expectations and guidelines to maintain abstinence, behavior, and incentives and rewards are provided for desired behaviors. Families play a large role in the child being accepted into the program. Families must agree to drug court requirements including a transportation agreement, monitoring and enforcement of agreed upon "home rules", and undergo possible drug testing. The current JDC budget follows:

Salary & benefits (Director)	\$ 65,147
Contract Services: (Drug Testing, Counseling, Housing)	\$ 76,869
Total	\$142,016
In Kind	
Equipment (County Attorney)	\$ 5,928
Office Space (County Attorney)	\$ 7,268
Professional time donated (Est.)	<u>\$102,816</u>
Total In Kind	\$116,012

The participants, families, staff, and volunteers of the JDC thank the court for their continued support of this program. In return, the court thanked all for their involvement in this important program.

Minutes of the February 19, 2015 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 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 Koger, seconded by Commissioner Castlen, the court considered for approval to Accept into record the Public Officials Bond for the County Judge/Executive.

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 to Award Bid No. 09-2015: Two Steel Single Wall Tanks (Surplus Sale) to Mr. Robbie Hocker for \$20.00.

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 to Award Bid No. 10-2015: 2005 Ford Crown Victoria (Surplus Sale) to Gerhard K. Zimmermann for \$1,000.

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 Castlen, the court considered for approval to Advertise for Bid No. 11-2015: Four Used 5th Wheel Tractors and Bid No. 12-2015: Four Used Open Top Walking Floor Trailers.

*David Smith stated, "This and the following item relate. Currently, we are in negotiations with the City of Henderson regarding taking over the operation of their transfer station and then bringing that trash to the Daviess County Landfill. We are pursuing two courses of action at the same time because of the time involved. Henderson's current contact will expire May 31st so we are looking to first, find a private company to run that transfer station and haul the trash and secondly, if we do not get a good response we need to move forward in purchasing these trucks and trailers so we will be able to do it in-house."

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 to Advertise (RFP): Operation of the City of Henderson Transfer Station including Transfer of Solid Waste.

*See above comments.

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 Koger, seconded by Commissioner Castlen, the court considered for approval to Transfer James Hamilton from a Solid Waste Truck Driver to a Service Technician in Administration, effective February 12, 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 Wathen, seconded by Commissioner Koger, the court considered for approval to Hire Jeremy Glass and Dallas Roberts as seasonal Park Attendants at Panther Creek Park, effective after March 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 Koger, seconded by Commissioner Castlen, the court considered for approval to Appoint Becky Whitehead (05-2015) to the **RWRA Board** (Served 2 terms) - TERM: 3/1/2015 – 3/1/2019.

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 Castlen, the court considered for approval to Appoint David Johnson (06-2015) to the **Ethics Board** (Served 1 term) - TERM: 3/1/2015 – 3/1/2018.

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

First Reading of KOC 611.12 (2015) - An Ordinance Authorizing the Establishment of Assessment Warrants for the Locust Hills Area Subdivision.

Comments:

Dean Behnke of RWRA stated, "There are 71 assessable properties to which each owner would pay \$3,865. The total project cost is \$447,000+. An EPA grant was received for this project, which brought the cost down for property owners from \$6,300 to \$3,865. Property owners will have greater than one-year to pay for this sewer connection via cash or through a RWRA pay plan."

Commissioner Castlen inquired about grant qualification criteria.

Mr. Behnke noted that all the various grants have varying criteria which must be met.

Commissioner Koger asked if RWRA representatives are explaining to all property owners why some are getting a grant and others are not.

Mr. Behnke stated, "Usually people understand it. We always try to obtain grants for these projects. You will see that the following first reading has a different angle."

Commissioner Koger stated, "Well, when they come to the courtroom and start talking to us about it especially, I would just like to be able to help try to explain that."

First Reading of KOC 611.13 (2015) - An Ordinance Authorizing the Establishment of Assessment Warrants for the Sunrise Drive Subdivision.

Comments:

Dean Behnke of RWRA stated, "We are very happy to be able to serve the residents of Sunrise Drive. This subdivision has been in need for many years. The total assessment comes out to \$4,111."

Commissioner Wathen asked, "What is RWRA's criteria to approve sewer projects?"

Mr. Behnke said that usually a petition comes into our office from a neighborhood or a request will come in regarding health issues or known septic system leakage. Another qualifier is if we need to get to another neighborhood and we are passing through a neighborhood. That project might go to the top of the list.

Commissioner Koger asked, "Is this gravity or a lift station?"

Mr. Behnke replied, "Gravity."

Commissioner Koger stated, "And that does make a difference. The lift station costs more to operate."

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

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval to Hire Misty Payne as a Veterinary Technician in the Department of Animal Control, 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.

Comments:

Judge Mattingly announced the Daviess County Fiscal Court March 2015 Employee Anniversary of Bruce Williams, Parks Maintenance Assistant – 15 years.

Due to the Feb. 16-20 snow and low temperatures, Deputy EMA Director John Clouse stated, "There were 5 nights a warming shelter was operated. 39 people were housed during this time. Another weather event took place between March 3-6 and a warming shelter was also again opened and served 7." Mr. Clouse also noted that area flooding might cause problems as rain is forecasted and many inches of snow will be melting.

Judge Mattingly noted that the Emergency Management Agency is establishing criteria relative to the operation of winter warming shelters for the homeless.

Judge Mattingly noted receiving complaints that his office failed to declare a state of emergency in the recent snow events. A county state of emergency declaration is taken very seriously and will not be made without sufficient cause. These 2-weather events did not justify a declaration. He stated, "All a local declaration does is it allows normal purchasing rules for fiscal court to be suspended. It also allows the court to recover extraordinary costs."

All court members acknowledged and thanked road department employees for their hard work and dedication in clearing county roads during the recent snowstorm.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval to recess the court meeting to conduct a Daviess County Public Improvement Corporation meeting.

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 reopen the court meeting following the Daviess County Public Improvement Corporation meeting.

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 enter into **Closed Session per KRS 61.810 (1)(b)** - Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.

The court members returned to the courtroom to announce that no action was taken during the closed session.

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

Al Mattingly
Daviess County Judge/Executive