

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 16th day of June 2011.
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 JUNE 16, 2011 FISCAL COURT FILE

Commissioner Lambert said the opening prayer and led the court in the pledge of allegiance to the flag.

Judge Mattingly proclaimed the week of June 20, 2011 as Amateur Radio Week. Bob Pearson received and thanked the court for the proclamation.

Q-Wireless (formally Nortlite) presented a ConnectGRADD community update. Joey Randolph of Q-Wireless noted, "Currently, we have 2,650 customers; 450-460, representing the largest customer base per county, are in Daviess County. New towers are being planned, with particular attention being given to residents of far eastern Daviess County. A tower lease agreement with WBKR is days away from signage, and we expect to cover a large percentage of Utica, which is an area of great need. Once the WBKR lease agreement is signed, Utica will be up and running in 4-6 weeks. The levels of service go from a standard 512k package up to a 3mb package."

County Treasurer Jim Hendrix presented the May 2011 Treasurer's Report. A copy of said report is located in file folder dated June 16, 2011.

Minutes of the June 2, 2011 meeting were submitted to fiscal court members for review prior to today's meeting and on a motion of Commissioner Castlen, seconded by Commissioner Lambert with all the Court concurring said Minutes were approved and signed, and the Court was directed to spread upon the Fiscal Court Order Book the Minutes along with any exhibits, orders, ordinances or resolutions that pertain to same.

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 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 Castlen, seconded by Commissioner Wathen, the court considered approval of Budget Transfers for Fiscal Year Ending June 30, 2011.

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 approval of a MOA with the Department for Local Government (DLG) initiating the process for accounting procedures through the state accounting system relating to the Kentucky Local Government Economic Development Fund (LGEDF) Multi County Coal Severance Grant.

This is a standard agreement relating to KCTCS automotive department.

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 approval to Submit and Accept the 2011-2012 VOCA (Victim of Crime Act) grant proposal. 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 approval to Amend and Approve the Daviess County Administrative Code. 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 approval of the FY 2011/2012 Daviess County Salary Schedule. 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 approval to Hire Jerry E. Reddish, Jr. as a Transfer Station Truck Driver, effective 6/13/11. 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 approval to Create the Economic Development Advisory Board. 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 approval to Appoint the following to the Economic Development Advisory Board:

- Matt Hayden (32-2011) TERM 7/7/11 – 7/7/14
- Mike Edge (31-2011) TERM 7/7/11 – 7/7/12
- Pat Cason (30-2011) TERM 7/7/11 – 7/7/13
- Christina O'Bryan (29-2011) TERM 7/7/11 – 7/7/14
- Wayne Foster (28-2011) (serve as Chair) TERM 7/7/11 – 7/7/15

Economic Development Director Nick Brake thanked the court for this investment and their leadership.

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 approval of the Second Reading KOC 530.13 (2011) - An Ordinance Establishing Official Speed Limits for Roads in Daviess County, Kentucky, outside the Corporate Limits of the Cities of Owensboro and Whitesville.

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

Comments:

County Engineer Mark Brasher explained that this standardizes county speed limits and allows flexibility for specific situations.

Commissioners Lambert and Castlen asked about the county's plan for ordinance implementation.

Mr. Brasher, "We can do as much or as little as the court directs. I would like to see a large amount of progress complete within the next 6 to 12 months. It really depends on the budget."

Commissioner Castlen asked about the ordinance's effective date.

County Attorney Porter, "It is effective immediately upon passage and publication. What we are doing is saying that all of our roads have a certain speed limit, unless there is a posted limit. The simple answer is that all county roads are 55 mph unless a posting indicates a different limit, or unless that county road is in a subdivision/alley where we have previously established set speed limits."

Commissioner Lambert asked about a county sign inventory.

Mr. Brasher said that no such inventory currently exists.

Tom Morton, "What is the allowable distance between two signs indicating two different speed limits, for motorists to adjust their speed?"

Mr. Brasher, "Speed limits change and are effective at the sign."

(Record does not reflect comments made by various court members regarding the Judge's normal, regular, or customary rate of speed.)

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of the Second Reading KOC 621.14 (2011) - An Ordinance Amending the Daviess County Road, Bridge and Street System by Accepting Park Drive into the County Road System and Adding Park Drive to the "Daviess County Road and Street Index".

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

Comments:

Mr. Brasher, this ordinance includes a portion of Park Drive, which previously, for a reason unknown, was left out of the Road and Street Index. He noted that Park Drive is in serious need of repair and without including this portion of the road, the county is unable to make necessary improvements.

Other business to be brought before the Daviess County Fiscal Court

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of a Kentucky Office of Homeland Security (KOHS) Grant for Daviess County's Fire, Sheriff, and Emergency Management departments. No matching funds are required on the part of the applicant.

The Kentucky Homeland Security Grant involves upgrading communication abilities through the purchase of mobile/portable radios, as well as pagers for Daviess County's fire, sheriff, and emergency management departments. During phase I of this grant, fiscal court requested 31 mobile radios, 19 portable radios, and 90 pagers; they received a grant award of \$43,900 and purchased 18 mobile radios, 11 portable radios and 46 pagers. Today's phase II grant request totaling \$80,989.50 is asking for 31 mobile radios, 19 portable radios and 90 pagers. Next year will be the third and final phase of this grant.

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

Public Comments

Tom Morton complained about OMPC. He explained that OMPC representative, Jim Mischell, is going out in the county and harassing county people regarding their residential storage facilities (tractor-trailers) relative to planning compliance. He wants the court to take action and stop OMPC's harassment of county residents. He stated, "If you lived in the city in a \$300,000 home, I could see it, but in the county, people want to live a bit and enjoy themselves and still like to have a few things. If you live in an apartment in town and you do not have much room or ambition to have anything, well, that is one thing. Some people kinda like to keep things. That is what keeps our country going and free. I am not going to let this die. We are going to reach some sort of a conclusion. The county needs its own planning official, as does the city. Jim Mischell does not need to be in the middle of none of it."

Judge Mattingly suggested Tom meet with him to talk in greater detail about this issue and asked that he contact his office on Monday to schedule this meeting."

Mr. Morton said he will be in contact.

Comments by Daviess County Fiscal Court:

The court:

- Congratulated Becca Greenwell on her accomplishments during the 16 and under Olympic Team basketball tournament. Ms. Greenwell, a student and basketball star at Owensboro Catholic, has led the Olympic Team in 2 of the 3 games in scoring and rebounding.
- NASCAR's Darrell Waltrip is in town filming a movie based on his life and accomplishments.
- Many compliments have been received on our local facilities and amenities during a recent soccer tournament.

Judge Mattingly's comments included:

- Avoid 2nd Street for a while as construction is causing delays.
- The Reapportionment Committee is making significant progress in re-drawing Daviess County's boundary lines.
- He congratulated all service men and women in Daviess County's fire service, as June 15 is the 50th anniversary of the DC Fire services.
- Calls should be directed to the Corp. of Engineer with regard to Little Hurricane Boat ramp. He stated, "We await response of the Corp of Engineer and until we have a lease for that property, there is nothing which the court can do to afford people access to that ramp."

- Complaints have been received regarding the security process many have to go through to access the drivers-license division of the Circuit Court Clerk's office at Judicial Center. He stated, as that office does not fall under the purview of fiscal court, complaints should be directed at Clerk, Susan Tierney.
- The court will hold a Special Session on 6/30/11 at 10:00 a.m. to approve claims & transfers for fiscal year ending 6/30/11

Karen Miller announced that approximately 5,000 ROMP tickets have been sold to-date and every day the Tourist Commission phone lines are busy with inquiries regard the festival. She noted that Bluegrass is bigger than ever this year, including events relating to Bill Monroe's 100-year anniversary.

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

Al Mattingly
Davies County Judge/Executive