

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 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 JUNE 16, 2015 FISCAL COURT FILE

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

Judge Mattingly proclaimed June 22-28, 2015 as Amateur Radio Operators Week.

Bobby Spears thanked the court for their support of local Amateur Radio Operators.

Minutes of the June 4, 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 Wathen, 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 Budget Transfers for Fiscal Year Ended June 30, 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 Castlen, the court considered for approval a Fund Transfer.

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 the Order of Allowance to the Board of Assessment Appeals.

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 the CDBG Grant Agreement for the Masonville Sewer Extension project and authorize the Judge/Executive and County Treasurer to sign any and all documents related to said grant.

Judge Mattingly stated, "This is the final leg of a grant of \$602,000 for the Masonville sewer extension. Completion is scheduled for next year. This grant will offset the cost of this project by about half."

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 the Agreement with the Department of the Army and Daviess County Fiscal Court for Planning Assistance for the Daviess County Storm Water Master Plan, Phase II.

County Engineer Mark Brasher stated, "This is to have a hydraulic study preformed for at least three creeks in Daviess County. This will be a refined study of Panther Creek, North Fork at Panther Creek, South Fork at Panther Creek, and if monies remain, they will continue with Rhodes Creek North. The information they will provide include a more specific cost estimate of what can be done to improve drainage. This grant is for \$220,000 and is a 50/50 grant with the court contributing \$110,000. If it looks like costs will exceed \$220,000, they will notify the court and obtain court approval before sending additional funds."

Judge Mattingly stated, "This study is important as we are continuing to search for grants to help with this initiative. Without this study, it is unlikely that we be able to obtain federal grants for this project. To make improvements in the area of drainage, preliminary estimates range between it has been estimated to cost between 10 and 200 million dollars."

Commissioner Castlen asked if the Corps of Engineers would be doing the actual work.

Mr. Brasher said they would do the work.

Commissioner Wathen noted, "This is a very specific study, which is what we need. If we ever want money from the state and/or federal government, we have to have this in place. I think this is an important step for us to take. I am ready to see this happen."

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 the West Daviess County Landfill Gas Extraction Well Dewatering System – Proposal for Design and Bid Documents.

David Smith stated, "This is another step in evaluating our current gas flow. We have to do this because of EPA regulations. We are not allowed to just let gas perk out of our landfill. It has to be burned off so we do not add more greenhouse gases. We discovered that our gas wells were being watered in. Typically, at other landfills, these water pumps were installed at the same time the gas wells were installed. Years ago, for whatever reason, the county did not do that. We are now having to go back and do it. We spent the last year evaluating how many of our gas wells

needed a pump and have come up with between 15 and 18. Now we will be able to pump them 100% of the time.”

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 Award **Bid No. 27-2015:** Tire Repair & Maintenance Services to Best One Tire.

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 Award **Bid No. 28-2015:** Culvert Pipe to Hagan & Stone Wholesale, Inc.

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 Reject KACo Reverse Auction - Rock Salt Bids.

Purchasing Agent Jordan Johnson stated, “This is just a formal rejection to all bidders.”

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 David M. Reeves as a seasonal Grounds Maintenance employee at Panther Creek Park 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.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval to Appoint Ruth Ann Dearness (34-2015) to the **Owensboro Daviess County Convention and Visitor’s Bureau** (Served 1 term) - TERM: 6/30/2015 – 6/30/2018.

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 Appoint Larry Kirk (33-2015) to the **Owensboro Daviess County Convention and Visitor’s Bureau** (Served 1 term) - TERM: 6/30/2015 – 6/30/2018.

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

The court heard the **First Reading of KOC 630.1 (2015)** - An Ordinance Establishing Water Quality and Quantity Policies Relating to Stormwater Runoff.

Comments:

Mr. Brasher stated, "This ordinance was adopted about 18-months ago, but is now being amended to cleanup language and typos as well as making some areas a bit more understandable."

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

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval of the Owensboro Ticketing project.

Judge Mattingly stated, "This is a ticketing system that can be used by our local citizens, arts groups, non-profits, convention center, RiverPark Center, all schools, and many more. Fiscal court has made available a total of \$50,000 to encourage folks to come together and work on mutually beneficial issues ("busting silos"). We had a motion to approval this project, but we really need to make that motion more specific. Commissioner Castlen, would you be willing to withdraw your motion?"

Commissioner Castlen withdrew his motion and Commissioner Koger withdrew his second.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to grant \$40,000 to the www.Owensborotickets.com project from the excess hotel/motel tax that will be freed up July 1, 2015, as a result of House Bill 202.

Judge Mattingly stated, "This original request was for fiscal court to contribute the full \$50,000. However, I have spoken with the CVB and RiverPark Center and they have agreed to provide \$5,000 to this project. The CVB will also market this system. I remember my question before of if you do not get it all what happens. You, Dean, said there would be fewer dollars available. Hopefully, the marketing that the CVB will do will help to make up some of those dollars that you are short."

Commissioner Koger encouraged Mr. Dennis to return to fiscal court in 6-months with a project update.

Judge Mattingly said that a project update will be a requirement within a MOU, which will be prepared soon."

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 noted a Special Session has been set for June 29 at 10:00 a.m. to approve end of the year budget transfers. He also mentioned that there would be a Wet/Dry election in the Graham Precinct on July 14.

Judge Mattingly said that the court is continuing to follow the Wendell Foster Center's situation.

In today's paper, Judge Mattingly noted that there was an article that said RWRA was about to spend \$25,000 to look at the package treatment plants. That was incorrect. The \$25,000 is coming from the county, not RWRA. I was a little distressed by comments by some of RWRA Board members. RWRA is a public agency and created to help stop the use of package treatment plants. I do not know whom better to do this inspection than RWRA. They are not paying for it, the taxpayers are. A board member said he did not think it was right that the taxpayers would bear this expense and he thought the package treatment plant owner should. The simple fact is if you look at the treatment plant owner's financial statement, you would see

that there is no money. This court has the responsibility to Daviess County citizens to help out when we can. His choice was whether or not to vote for RWRA to do it, not whether he thought public tax dollars should be spent to do it. The other no vote I was disappointed in, he said if they do this part of it then RWRA might be expected to take these plants over. I don't know that I expect RWRA to take these plants over and I do want to make clear that RWRA has been very cooperative with this court."

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to Enter in to 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.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed. No action was taken.

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

Al Mattingly
Daviess County Judge/Executive