

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 17th day of June 2014
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 17, 2014 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 23-29, 2014 as Amateur Radio Operators Week.

Stan Scott and Bob Spears thanked the court and accepted the proclamation. Judge Mattingly thanked the Amateur Radio Operators and stated the importance of their service during a major disaster.

Whitesville Mayor Mike Nugent presented information regarding the Whitesville pump station. Commissioner Lambert inquired about the total cost of the project. Mayor Nugent answered \$175,000.00.

Commissioner Wathen stated what a good example this project is of communities working together.

County Treasurer Jim Hendrix presented the Treasurer's Report for May 2014.

Minutes of the June 5, 2014 meeting were submitted to fiscal court members for review prior to today's meeting and on a motion of Commissioner Lambert, 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 Lambert, seconded by Commissioner Castlen, the court considered for approval the Budget Transfers for the Fiscal Year Ended June 30, 2014.

Treasurer Hendrix "This is the second set of budget transfers and none were out of budget. They were either additional revenues or where we moved money around between accounts; our rules prevent us from ending the year with an actual account that exceeds the budget, and I have to adjust the budgets to make sure there have adequate funds available to pay the expenses."

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 Purchase Little Hurricane Access Site, Newburgh Locks and Dam, Tracts No. 816 & 816E, approval of **Resolution 09-2014**, and authorization for the Judge/Executive and County Treasurer to sign any and all documents related to said purchase.

Judge/Executive Mattingly "This resolution is a culmination of 3 and one half years of work by this commission and negotiating with first, the Corps of Engineers and secondly, with the Government Services Administration in trying to resolve the issue with Little Hurricane. The court had a contract with the Corps, where Fiscal Court leased it from the Corps and operated it as a boat dock. The Corps agreed to move this boat dock into our possession, after several years, County Attorney Porter wrote a letter asking the Corps to transfer it to Fiscal Court, they did not, Fiscal Court gave up the lease and the Corps closed the boat dock."

County Attorney Claud Porter explained the title and property will be checked, stating this should not be a problem since the government has owned it for about 40 years. A survey may be needed after a review of the legal requirements. There is access to perpetual easement which is all the government has had. Once these are complete we will send in our contract and our money and then we will be able to close 30 days after we get acceptance from them.

Judge Mattingly "Purchase price is \$60,000. Why are we purchasing instead of having this donated, which was an option? If it had been donated we would have been bound to a long list of requirements and if we failed to meet the requirements, they would be able to take it back. This court felt it would be better to purchase and property could be used for recreation and has economic development potential."

Commissioner Castlen stated he was glad this was going to become open to the public.

Commissioner Lambert "Wanted to call attention to the public that this will be a satellite operation. We will not have personnel or equipment there. Flooding and mud on the ramps and parking lots, vandalism, security are concerns. The property came at a good price, but there are prices to pay later in the maintenance. I ask your help in keeping the site clean and safe."

Judge Mattingly stated this will be more rustic, but is a much needed second boat ramp.

Commissioner Wathen stated he shares Commissioner Lambert's concerns and agrees that this is an opportunity to take advantage of.

Steve Mitchell, Fire Chief for the City of Owensboro thanked Fiscal Court and stated how important Little Hurricane Boat ramp is for emergency services.

Tom Morton asked if Fiscal Court purchased all the property or just boat ramp access. He expressed his concern for future tax bills.

Judge assured Mr. Morton the purchase of the boat ramp will not cause an increase in taxes.

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 Interstate Emergency Management Mutual Aid and Assistance Agreement with the City of Owensboro and Spencer County, Indiana.

Richard Payne, Director of EMA explained that legislature allowed for river communities to set up mutual aid agreements with their neighbors without having to go through federal agreement, EMAC. FEMA requires a written agreement in place in case of a national disaster.

Steve Mitchell, Fire Chief of City of Owensboro, noted any mutual aid agreement states your jurisdiction comes first.

Richard Payne reiterated this is a formality for legalities.

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 Contract for Professional Services with GRADD relating to the Stormwater Quality.

Mark Brasher, Manager of Road Department "This is an annual contract with GRADD. The City of Owensboro will be writing the Phase 2 permit. GRADD has been refocused on other aspects of Phase 2 commitments, which are public outreach and public education. The contract you have is for GRADD to handle Daviess County plus the City of Owensboro's public outreach and public education for phase 2 qualifications."

Judge Mattingly "Phase 2 includes the City of Owensboro as well as some of the urban, suburban areas in Daviess County, outside corporate limits of the city. That is why we have joint agreement." The contract shall not exceed \$6,000.00.

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 Castlen, the court considered for approval to Contract with True Cut Lawn and Roof Cleaning Service for Lawn Maintenance at the Transfer Station and Landfill.

David Smith, Director of Legislative Services, "This was previously done by work release inmates. With court approval, we asked for quotes on lawn services. The lowest was from True Cut Lawn Service at \$100.00 to mow and trim the transfer station and \$275.00 to mow and trim the front area of the landfill. There is no way to do this service in-house this cheap, even if we had employees. We recommend approval. True Cut Lawn Service would only be as needed, no more than once a week."

Judge Mattingly "We have to do this due to reduction of inmate labor that is available for help at transfer station and landfill."

Commissioner Wathen questioned the term "as needed".

David Smith responded by saying "They will only mow once a week unless we determine it can be skipped a week."

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 Lambert, the court considered for approval the 2014-2015 Kentucky Pride Fund Recycling Grant Agreement.

David Smith, "The funding comes from the State of Kentucky from the \$1.75 tax put on all material deposited at the landfill. Most of this tax goes to the state and very little comes back here, but this is a case where we were able to get some of this back. It will be used to purchase a 40-yard container to put metal in at the Knottsville Convenience Center."

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 Lambert, the court considered for approval the Amendments to Administrative Code.

Jim Hendrix "That occasionally, no less annually, we will review and bring to the court changes and or clarifications that need to be made to the administrative code. You have in your packet such changes that primarily clarify existing policies just to avoid confusion. Under the Civil Policy it is clarifying that if you have to report to jury duty, we are not requiring you to report to work before going to jury duty. There is a clarification in the overtime pay. Overtime is defined as hours above 8 hours a day and all hours worked outside a normal workday. Different departments have different work days defined. Per federal standards, we will pay for all hours above 40 regular hours in a workweek. Clarification for Political activities, this is not a new policy. It states all employees are asked to participate in the political process; we must also be prevented from using our positions to promote a candidate. There are changes in the uniform policy at the Animal Shelter. "

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 Lambert, the court considered for approval to Award Recycling Services to Dahl and Groezinger – Bid #16-2014.

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 Award the following Annual Bids:

- Bid No. 08-2014: Bulk Fuels to Valor Oil
- Bid No. 09-2014: Ready-Mix Concrete to Yager Materials
- Bid No. 10-2014: On-Site Services to all Bidders
- Bid No. 11-2014: Equipment Rental to all Bidders
- Bid No. 12-2014: Crushed Limestone to Yager Materials
- Bid No. 13-2014: Culvert Pipe to Metal Culverts and Hagan & Stone
- Bid No. 14-2014: Pavement Striping to Reynold's Sealing and Striping

Judge Mattingly asked Jordan Johnson, Purchasing Agent, to explain the process for requesting bids.

Jordan Johnson responded by saying he sends blanket invitations as well as what is required by Kentucky revised statutes to advertise locally. The KRS requirement to advertise a notice in the paper 2 weeks prior to publically opening the bids."

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 Reject Bid No. 15-2014: Grinding & Disposal Services.

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 Advertise for Bid No. 17-2014: Janitorial Services.

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 Lambert, the court considered for approval to Create the position of Solid Waste Laborer, add the position to the salary schedule, and advertise for applicants, if not filled internally.

David Smith, "5 years ago, transfer station and the landfill each had 7 inmates at their operations helping with customer service. 3 years ago, the state changed their sentencing guidelines, which removed the non-violent, Class D felons, which is the bulk of work release and removed them from the judicial system. We are now down to one inmate at transfer station and one inmate at the landfill. The court allowed us to hire temporary employees at the facilities. Solid Waste recommends we hire 3 employees at the landfill."

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 Hire Tom G. Hall as a Service Technician in the Department of Public Works effective June 18, 2014.

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 Hire Travis Bartley as a Service Technician in the Department of Public Works effective June 30, 2014, contingent 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 Castlen, seconded by Commissioner Lambert, the court considered for approval to Hire Jeremy Strider as an Animal Control Officer effective June 18, 2014, contingent 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 Castlen, seconded by Commissioner Lambert, the court considered for approval to Hire James Rhinerson as Solid Waste Project Manager effective June 30, 2014, contingent 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 Castlen, seconded by Commissioner Lambert, the court considered for approval to Appoint Matt Hayden (21-2014) to the **Daviess County Economic Development Commission** - TERM: 6/19/2014 – 6/19/2017.

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 Christina O'Bryan (22-2014) to the **Daviess County Economic Development Commission** - TERM: 6/19/2014 – 6/19/2017.

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 Lambert, the court considered for approval to Appoint Commissioner Charlie Castlen (23-2014) to the **St. Benedicts Homeless Shelter** - TERM: 6/24/2014 – 6/24/2017. Charlie Castlen abstained from voting.

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 Lambert, the court considered for approval to Appoint Darshana Patel (18-2014) to the **Owensboro-Daviess County Convention and Visitors Bureau** - TERM: 6/30/2014 – 6/30/17.

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 Jane Noble (19-2014) to the **Owensboro-Daviess County Convention and Visitors Bureau** - TERM: 6/30/2014 – 6/30/17.

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 Barry Carden (20-2014) to the **Dental Clinic Board of Directors** - TERM: 7/1/2014 – 7/1/16.

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 Scott Kuegel (24-2014) to the **Southeast Daviess County Water District Board** - TERM: 6/5/14 – 1/17/2017.

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

Comments:

Commissioner Castlen thanked all the veterans groups involved in the D-Day remembrance held June 7.

Judge Mattingly thanked the Kiwanis Club for their Walk of Honor.

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

Al Mattingly
Daviess County Judge/Executive