

**PUBLIC HEARING and 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 July 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 JULY 16, 2011 FISCAL COURT FILE**

Commissioner Castlen opened the meeting in prayer and led in the pledge of allegiance to the flag.

PUBLIC HEARING AGENDA

Barry Johnston of GRADD presented information regarding the following:

- Owensboro Regional Recovery (ORR) Closeout of Current CDBG funding cycle
- 2011/12 CDBG Funding Cycle Application

Public Comments:

John Patton, Director of local ORR said the program really works and encouraged anyone who has not seen the facility to come out and visit. He also thanked the court for their support in this recovery initiative.

Without additional discussion, Judge Mattingly adjourned the public hearing.

REGULAR SESSION AGENDA

The court received the Reapportionment Committee recommendations. The court looked favorable upon the recommendation. All members of the court congratulated and thanked the committee for their hard work and dedication on this sound recommendation.

At the first meeting in August, the court will hear the first reading of an ordinance, which adopts the committees' recommendation. The second and final reading of the ordinance will be the second meeting in August.

It was noted that the East District will consist of 268.80 county road miles, the Central District, 109.3 county road miles, and the West District, 191.2 county road mile.

Richard House of the County Clerk's Office noted that the district lines, as approved in August, will not change. Even though the state may approve different precinct boundary lines, this commission, through this process, establishes district boundary lines.

Minutes of the July 7, 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 Wathen 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 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 Castlen, seconded by Commissioner Wathen, the court considered approval of the ORR current CDBG funding cycle closeout documents.

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 ORR 2011/2012 CDBG Funding Cycle Application and documents including:

- **Resolution No. 13-2011 – Intent to Apply**
- **Resolution No. 14-2011 – Procurement Policy**
- **Order Establishing a Contract for Professional Service**
- **Residential Anti-displacement and Relocation Assistance Plan**

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 the Crooked Creek Road Hazardous Mitigation Program Grant.

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

County Engineer Mark Brasher explained that raising the creek's elevation by 5-6 feet will alleviate most flooding. Mr. Brasher estimates the project being fully underway by the next construction season.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of the Construction Agreement with CSX Transportation, Inc. relating to the Reconstruction and Widening of Daniels Lane.

Steve Johnson of OMHS said the hospital is performing and paying for this work. CSX insisted that this construction agreement go through a public entity and that is why it is before the court for approval.

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 the Fire and Rescue Service Cooperative Agreement with the City of Owensboro. Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor; motion passed.

This agreement allows city and county fire departments to help each other and specifies when and how they will provide help with fires and accidents. A similar agreement has not been in place for 10 years and until now, departments worked under a gentleman's agreement, helping each other when needed, said Fire Chief Smeathers. All fire services involved support this formal agreement and the volunteer stations approved this one-year agreement earlier in the year. This agreement automatically renews, unless parties involved decide otherwise.

Judge Mattingly supports the agreement and said, "We should not worry about jurisdictions and lines on a map when it comes to safety."

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of the MOA with Owensboro Medical Health System, Inc. regarding the Reconstruction and Widening of Daniels Lane.

Steve Johnson of OMHS explained that this MOA sets out that OMHS is responsible for the project's costs and work.

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 Resolution 12-2011- Regarding Committing to Accepting the Transfer of Certain Roads into the County Road System upon Completion of the US 60 Bypass Extension by the Kentucky Transportation Cabinet.

These roads include the following:

- 1- Frontage Rd., #1. This route ties in near the US 60 BP ramps at Pleasant Valley Rd.
- 2- The improved section of Pleasant Valley Rd/Hayden Rd from Frontage Rd., #1 to a point just past the elementary school.
- 3- The improved intersection of Pleasant Valley Rd Number 2 and Pleasant Valley Rd/Hayden Rd
- 4- The improved section of Daniels Lane that lies outside of the US 60 BP right-of-way.
- 5- Frontage Rd. #2 off of Reid Road.
- 6- Frontage Rd. #3 off of KY 2830.
- 7- Hawes Blvd.

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

See attached document.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of the Window Cleaning Services Contract with Brite-Way Window Cleaning. Brite-Way will clean the windows at the Judicial Center twice per year for three years for \$7,500, Judicial Annex three times per year for three years for \$720, and the Courthouse twice per year for three years for \$9,000. This contract is effective immediately and expires June 30, 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 Wathen, the court considered approval of the Fire Services Contract with SimplexGrinnell for detection and monitoring for \$450 and with Vanguard Alarm Services for fire alarm testing and inspection for \$165 for the Morton J Holbrook Judicial Center.

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

See attached document.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered approval of the Kenergy Right-of-Way Easement at 2620 Hwy 81 (Operations Center) for the construction of the Sheriff's Department Storage Building.

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

See attached document.

By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered approval to Accept Retirement Resignations effective 7/31/11 of:

- Public Works Director Barry Wood (12 years of service)
- Building Supervisor Terry Pollock (20 years of service)

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

See attached document.

All court members acknowledged and thanked both Mr. Wood and Mr. Pollock for their years of service.

By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered approval to Advertise for a Maintenance Department Building Supervisor, if not filled internally.

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

See attached document.

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered approval of the **Second Reading of KOC 560.2(2011) - An Ordinance relating to the Equipment of Emergency Vehicles in Daviess County.**

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

See attached document.

Comments:

No comments received.

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered approval of the following Appointments to the **Storm Water Quality Advisory Commission (SWQAC) - Term: 7/21/11 – 7/21/14**

- **Commissioner Wathen (53-2011) as a voting member**
- **Co. Engineer Mark Brasher, (52-2011) as a staff member**

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.

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

No business received.

Public Comments:

Thruston Volunteer Fire Chief Bob Newman announced the calendar of events for this year's Kentucky Firefighters Association (KFFA) Conference, which Daviess County is hosting. He invited the public and court to participate in the conference. The KFFA represents 840 fire departments, paid and unpaid.

Comments by Daviess County Fiscal Court:

No comments.

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

Al Mattingly
Daviess County Judge/Executive