

**REGULAR SESSION**  
**of the Daviess County Fiscal Court**  
**held at the Knights of Columbus Town Hall,**  
**County of Daviess, Commonwealth of Kentucky**  
**on this 18<sup>th</sup> day of August 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 AUGUST 18, 2011 FISCAL COURT FILE**

\*\*\*\*\*

Consolidated Dispatch Director Paul Nave presented information regarding the Emergency Notification System (ENS) and Smart911.

Smart911 is a free public service, which allows users to enter safety and health information online. During an emergency, user-supplied data automatically appears on a computer screen for use by telecommunicators (dispatchers). Central Dispatch has joined with Rave Mobile Safety, a leading provider of software safety solutions, for Smart911. The user-supplied data is more extensive than what is typically available to dispatchers, improving incident outcomes.

"Smart911 strengthens and expands our current 911 service by providing us with critical information about callers, while enhancing our ability to locate and communicate with them. This will help us provide more information to 9-1-1 call takers, as well as first responders before they arrive on the scene," said Dispatch Director Paul Nave. "From knowing why a victim is unable to speak, to providing EMS with information about medical conditions, to even having a photo of a lost child available immediately, the information provided by Smart911 will help us better serve our citizens and can help save lives."

Smart911 provides citizens the ability to enter pertinent emergency information via a secure website: [www.Smart911.com](http://www.Smart911.com) ( <http://www.smart911.com/> ). Information may include photos, medical conditions, mobile phone numbers, home address, disabilities, or other health/rescue-related information. Smart911 delivers information automatically with any 911 call to the call taker's work station at participating Public Service Answering Points (PSAPs). This free public service enhances response and support by providing responders with critical information. It also easily provides and manages special needs data.

Mr. Nave strongly encourages the public to register for this free service. All provided information is confidential and is available only to emergency responders in the event of a 911 emergency. Mr. Nave, "This information can save lives." Residents unable to register via an internet connection may contact GRADD or the Daviess County Public Library for assistance.

Mr. Nave commented on an on-going program titled ENS, Emergency Notification System. This system requires on-line registration and is primarily for cell phone users. Registration in this program gives emergency personnel access to your cell phone number(s) in case of a family, neighborhood, or other emergency, including burglary, kidnappings, house fires, etc. If not already registered, Mr. Nave encouraged cell phone users to register their number(s) online at [www.owensboro.org](http://www.owensboro.org) and follow the links to ENS. This link will soon be available on the county's web site at [www.daviessky.org](http://www.daviessky.org). Regarding landlines, installation of your landline prior to April 2011 does not require user registrations, as that information is currently in the E911 system. For those with landlines newer than April, Mr. Nave encouraged citizens to register their landline phone number. Mr. Nave, "Over 70% of dispatch calls are from cell phones, so I stress the importance of citizens using the ENS and Smart911 systems."

Mr. Nave also commented on dispatch's daily use and importance of GIS. He also mentioned that state and federal legislative proposals/changes are coming regarding E911 and asked the court and public to stay informed regarding these changes.

The court expressed gratitude towards Mr. Nave and Central Dispatch for the great job they are doing for the community.

Commissioner Castlen inquired about the number of citizens who register for these services. Mr. Nave noted that he would be glad to e-mail periodic reports to the court, beginning January 2012.

\*\*\*\*\*

The court received into record the Regional Water Resource Agency 2011/12 FY Budget.

\*\*\*\*\*

Minutes of the August 4, 2011 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, 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 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 Castlen, seconded by Commissioner Wathen, the court considered approval of Fund Transfer from the General Fund to Bond Fund and Jail Fund.**

**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 an MOA with the Department for Local Government initiating the process for accounting procedures through the state accounting system for the Owensboro-Daviess County Regional Airport Terminal Expansion project (LGEDF/Multi-County Coal Severance Grant Project).**

**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 an Agreement and Resolution (15-2011) utilizing Rural Secondary Program Funds to perform Bituminous Resurfacing (\$278,396).**

These funds will be used for the following:

- Crooked Creek Rd. - 1.1 miles
- Vertrees Rd. - 0.8 mile
- Pleasant Valley Rd. - 1.1 miles
- Hayden Rd. - 1.0 mile

- London Pike – 0.63 mile

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 Adopt the Americans with Disabilities Act Notice and Grievance Procedure as required by the Department of Justice, per the ADA Consent Decree.

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 Advertise for Bids for a new 2011 open-top walking floor trailer.

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 release the bond for (Unit #2) Hialeah Park of Lakeside at the Downs, Unit No. 2, Streets and Sidewalks.

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 to Hire Terri Thompson as an Accounts Payable Clerk, Effective August 22, 2011 and Katie Jurkiewicz as an Accounts Payable Clerk, Effective August 29, 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 Wathen, the court considered approval of the **Second Reading of KOC 111.4 (2011)** - Establishment of Justice of the Peace and County Commissioner's Districts in Daviess County, KY.

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 the **Second Reading of KOC A.81 (2011)** - Establishing Tax Rates.

Treasurer Hendrix noted that rates are staying the same as the prior FY.

Regarding special districts, Joseph Smith asked, "Are they established by state or county laws?"

Judge/Executive Mattingly explained that special districts are set by state law and each board establishes their own tax rate. The Daviess County Fiscal Court does not establish or benefit financially from special district 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 Castlen, seconded by Commissioner Lambert, the court considered for Discussion the First Reading of KOC A.80.01 (2011) - Budget Amendment No. 1 FY Ending June 30, 2012.

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

\*\*\*\*\*

**Other Business:**

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered approval of a MOA relative to the RiverPark Center and to Authorize the Judge/Executive to sign and submit said MOA.

County Attorney Claud Porter stated, "The court agreed to pay to the River Park Center (RPC) \$1 million for the RPC to reduce the debt which was incurred by the city by the bonds that were re-issued in 2002 for acquisition/financing to construct the RPC. This agreement will provide that the money would be paid by fiscal court to the RPC. Those funds would then be required to be paid on the bonds that the city incurred or issued to pay for the refinancing, reconstruction, and construction of the RPC. This agreement also established a payment schedule."

Judge Mattingly reminded citizens of the challenge this court recently presented the RPC. The court agreed to give the RPC one million dollars to pay off their mortgage if, in a given time period, they were able to come up with a dollar-for-dollar match, for a total mortgage payment of \$2 million. Judge Mattingly said that it appears that the RPC will come through with their million, and this agreement solidifies the court's challenge to the RPC.

Judge Mattingly stated that these funds (our one million dollar contribution) are restricted and cannot be used for any other purpose as listed in the agreement.

Commissioner Wathen, "Judge, did you say that these bonds can be paid in 2012?"

Judge Mattingly, "This is a debt of the city. The city finance director said the bonds cannot be called until 2012."

Judge Mattingly, "Although, I do not believe this will happen, at the end of the 99-year lease, it is my understanding that the RPC has the ability to purchase said lease."

Commissioner Wathen, "The way I read this agreement is that when payments are due, we are going to make the principle payment with these funds until we run out of funds. Is that correct?"

Judge Mattingly, "Yes."

Commissioner Wathen, "Can we go ahead and pay as much as we can upfront instead of waiting until payments come due?"

Treasurer Hendrix, "It may be possible."

County Attorney Porter, "The money we are providing will be used for principle only."

Commissioner Lambert, "If maintenance problems occur, is the court guaranteed RPC's one million dollar match?"

Judge Mattingly, "A maintenance fund exists and the RPC will pay a \$1.00, annual 99-year lease for the property and building."

Larry Boswell asked if penalties exist on early bond payments.

Judge Mattingly, "Yes, there is a penalty for early payment."

Judge Mattingly commented that during a recent city meeting, I he believes, the city contractually agreed to hold the RPC mortgage and grant a RPC mortgage payment of \$1 million. They agree to this payment only if the county and RPC each provide a \$1 million dollar match. The balance of the mortgage, the city will pay.

DCFC will hold off on signing this document until a copy of the city's agreement has been reviewed.

**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:**

Karen Miller, Executive Director O-DC-CBV updated court on community events.

\*\*\*\*\*

**Comments by DCFC:**

Judge Mattingly and Commissioner Wathen encouraged public participation in upcoming event forums.

Judge Mattingly thanked the Ohio County Fiscal Court for participating in the airport multi-county coal severance grant.

\*\*\*\*\*

**Other Business II:**

**By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered entering into Closed Session to discuss 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, per KRS 61.810(1)(b).**

**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  
Daviness County Judge/Executive

