

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 3rd day of September 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 SEPTEMBER 3, 2015 FISCAL COURT FILE

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

Judge Mattingly proclaimed September 2015 as National Recovery Month. ORR Director Sarah Adkins thanked the court for their support and invited all to the many events to be held this month regarding people in recovery.

The Daviess County Public Library's 2015 Tax Rate was presented by Interim Director Leslie McCarty. She stated, "At the August 19 Board Meeting, the Board of Trustees approved/accepted the Compensating Tax Rate for Tangible Personal Property and to keep the same rate as the prior year for Real Property (less than the compensating rate) for the 2015/2016 tax year."

The Daviess County Extension District's 2015 Tax Rate was presented.

The "Corvette Lovers 'Vette Club Car Show" fundraiser checks were presented by Car Club President Charles Mattingly to Daviess County Animal Control & West KY Raptor Center.

Minutes of the August 20, 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 Koger, 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 Wathen, seconded by Commissioner Koger, the court considered for approval of the Daviess County Sheriff's 2014 Annual Tax Settlement.

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

Due to a possible conflict of interest, Commissioner Koger left the courtroom and did not participate in the following discussion:

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval an MOA with Hollison, LLC regarding Economic Development funds.

Judge Mattingly noted that Commissioner Koger is a minor investor in Hollison, LLC and will not be taking part in today's discussion or vote. Additionally, he noted that Daviess County Economic Development Advisory Commission's (DCEDAC) Chair Wayne Foster is also a stockholder and has not participated in any DCEDAC meetings relating to the Hollison, LLC company.

David Smith stated, "Hollison, LLC presented pertinent information during last week's DCEDAC meeting. Following their presentation, the committee recommended to the court both a grant and a loan. The MOA presented here tonight differs slightly from the committee's recommendation. This MOA offers the applicant a \$300,000 loan and upon completion of all listed requirements, and after a period of 5 years, up to \$136,000 of the loan would be forgiven."

EDC Director Madison Silvert thanked the court for the speed and flexibility of this fund.

The owner of Hollison, LLC thanked the court, DCEDAC and citizens of this county for this opportunity.

"Many people don't think a story like that of Mr. Humphrey (Hollister, LLC owner) exists anymore and I think that is sad, said Commissioner Castlen. He said he is proud that the county could partner with this business and is looking forward to seeing their success.

Commissioner Wathen stated, "The part I like about it, and Charlie has already said it so well, is that an expert in your field like yourself who comes up with an idea and you brainstorm and then you create a great product. The second part I like about it is that you have people around you and those people that are investors are also local people so there are a lot of local dollars already in this project. I guess the third comment I want to make is that we really want you to stay in Daviess County and grown and prosper. I hope this incentive makes that happen."

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor, except for Commissioner Koger as he was not present; motion passed.

Commissioner Koger returned to the courtroom.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval an MOA with Kentucky Department for Local Government Office of Federal Grants regarding the Horse Fork Creek Park Trail and Greenbelt Trail and Trailhead.

Director of Parks Ross Leigh stated, "This agreement allows us another year to complete the project at the park. At this point, we are about 87% complete. This 50/50 grant is for \$186,000 and was awarded to Daviess County in 2012. Currently, \$47,689 is left to be submitted and

reimbursed back to Daviess County. This will allow us to continue to request reimbursements for this 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 Wathen, seconded by Commissioner Koger, the court considered for approval a Contract with American Engineers, Inc. for Engineering Services to reconstruct the pedestrian bridge over YCP Downstream from Reid Rd.

Mr. Leigh stated, "This 30 year old plus bridge is currently closed. To reopen the bridge, American Engineers has provided us with an agreement for \$18,500 to do all work including bid documents, advertising, and bid opening."

Judge Mattingly stated, "There are three total bridges we need to correct. This particular bridge is the only one of the three that is closed. The other two structures may be placed in next year's budget."

Commissioner Wathen stated, "This bridge obviously needs to be taken down. If we don't replace it, we basically close down the trail. I think it is an important structure and would like to see it replaced. Once we realize the total cost of this bridge replacement, it will provide us with a better understanding of what the other two bridges may cost. I agree that the other two bridges should be considered for the next fiscal year."

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 **Resolution 20-2015** and Agreement regarding the Rural Secondary Program.

County Engineer Mark Brasher stated, "This agreement relates to flex funds for \$289,000. These funds will be used to resurface portions of Mulligan and Bickett Roads."

Judge Mattingly asked, "This fiscal year, Mark, how many miles of road have we anticipated would get completed?"

Mr. Brasher stated, "About 35. Five have been completed. We are going to get a paving crew for two, one-week sessions. I anticipate having about 22 miles completed this calendar year."

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 Award **Bid No. 46-2015:** Undercarriage for D8T Dozer; LF to IMPCO for \$24,248.30.

Purchasing Agent Jordan Johnson stated, "IMPCO was the lowest and best evaluated bid, meeting all bid specifications without exception."

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 Award **Bid No. 43-2015:** One (1) New or Used Dozer.

Mr. Johnson stated, "This item was for one new or used dozer for the landfill. Sixteen bids were received. The best evaluated bid for a used dozer is for a 2011 CAT D6T LGP VPAT with 5,490 hours from Whayne Supply for \$170,000. The best evaluated bid for a new dozer was also from Whayne Supply for \$355,000 for a 2015 CAT D6T LGP VPAT. Neither bid has exceptions. I recommend to conduct further analysis prior to a decision between the two machines."

Judge Mattingly stated, "Further analysis will take place within the next 2-3 days. I would like to ask the commission to make a motion to give the Judge/Executive authority to purchase one of the two discussed machines from Whayne Supply, based on the results of the analysis. This is due to a tight work schedule at the landfill and a decision cannot wait until the next court meeting."

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval to grant the Judge/Executive the authority to purchase one of the two abovementioned machines regarding **Bid No. 43-2015** from Whayne Supply, based on the results of the analysis, which will be conducted within the next 2-3 days.

Commissioner Koger asked, "Does the lower bid of Brandeis Machinery for a Komatsu with 0 hours for \$240,000 not meet what we are looking for?"

Mr. Johnson stated, "We bid a range of dozers and the Komatsu fits in with the smaller weight-range models. The CAT has roughly an additional 13,000 lbs of weight, which would really help our operations."

Judge indicated that he is leaning towards the new model as it comes with a warranty and the first 5,000-8,000 machine hours are typically the best.

Commissioner Koger agrees that the new model looks better. He noted that with the used model, maintenance cost may be a costly factor and you never know how the machine has been treated and maintained.

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 Bond Releases for S&T (Latrobe), streets and storm sewers and for Lake Forest, Unit No. 1, storm sewers.

Mr. Brasher stated, "These improvements have been inspected and I verify that they have been installed per specifications. We are also releasing the S&T (Latrobe) sidewalk CD surety and replacing said with an increased price."

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 Advertise for two (2) full-time Grounds Maintenance Employees.

Judge Mattingly stated, "After meeting with Parks Director Ross Leigh and then with County Engineer Mark Brasher, we have looked at replacing some part-time employees with 2 full-time

employees. These new employees will spend the majority of their time, particularly between March and November, in the Parks. The other months, they will work in the Road Department. I recommend that these new hires be placed under the Road Department as maintenance employees and either have their CDL or obtain a CDL within 6 months. These employees will allow us additional flexibility when other departments need personnel to fill in. We will soon designate portions of our parks as nature sanctuaries resulting in less acreage to mow at the parks. In addition, we may be creating a new class of employee if we decide to hire for this position."

Commissioner Wathen stated, "Since these employees will spend the majority of their time in the parks, I would rather see them under the parks department and allow the parks director to loan or give them to the road department. Whichever department they are under would be the controlling department. I would rather see to it that we are actually covering the needs of the parks department first."

Judge Mattingly stated, "I certainly understand that. We can talk more about this issue."

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 Appoint Michelle Drake (36-2015) to the DC Library Board (Dmitry Uskov served a partial term) - TERM: 9/13/2015 – 9/13/2019.

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 recognized the following Daviess County Fiscal Court September 2015 Employee Anniversaries of Kelly Thomas, Public Works Heavy Equipment Operator – 10 years and Gary Beauchamp, Solid Waste Truck Driver – 15 years.

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

Al Mattingly
Daviess County Judge/Executive