

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 19<sup>th</sup> day of September 2013  
Present were Judge/Executive Al Mattingly and  
County Commissioners Jim Lambert,  
George Wathen and Charlie Castlen

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DOCUMENTS RELATED TO TODAY'S DISCUSSION  
ARE FILED IN SEPTEMBER 19, 2013 FISCAL COURT FILE

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Commissioner Lambert opened the meeting in prayer and led the court in the Pledge of Allegiance to the flag.

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The Daviess County Extension District's 2013 Tax Rates and Financial Statements June 2013 were presented to the court.

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County Treasurer Jim Hendrix presented the Treasurer's Report for the Month Ended August 2013.

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The Report of the Audit of the Daviess County Sheriff for the Year Ended December 31, 2011 was presented to the court.

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Minutes of the September 4, 2013 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.

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**By a motion of Commissioner Lambert, seconded by Commissioner Castlen, 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.**

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**By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval an Agreement with the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Daviess County, Kentucky, and Gateway Land, LLC relating to a new access and arterial road beginning at the right-of-way for Kentucky Highway 54.**

County Engineer Mark Brasher stated, "This is an agreement saying that we accept this right-of-way as a part of road right-of-way as long as it meets all of our requirements by our ordinance.

Commissioner Wathen stated, "I just want to, if I understand this thing correctly, the only part that we are committing to is the part where once they have completed the road – brought it up to the right standard – then we will take it over. And then with the land with it. Is that right?"

Mr. Brasher stated, "This agreement addresses the .4 acres."

Judge Mattingly stated, "According to the agreement, we will accept the entire .4 acres – the road as well as any sidewalks, walking trails, any public improvements that occur on that .4 acres. Also in this agreement if this parcel of property is annexed by the city, the city would take over this .4 acres, and they too would take over the maintenance of this property."

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

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**By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered for approval an Agreement and Resolution No. 11-2013 utilizing Rural Secondary Program Funds.**

Mr. Brasher stated, "This is the annual allotment, which we refer to as flex funds from the highway department. It is in the amount of \$270,036."

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

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**By a motion of Commissioner Lambert, seconded by Commissioner Wathen, the court considered for approval a MOA and Resolution No. 12-2013 regarding a Recreation Trail Program grant at Horse Fork Creek Park.**

Parks Director Ross Leigh stated, "As you recall, we have applied for and received a \$186,000 grant to be able to construct a 1,000-foot elevated nature trail at Horse Fork Creek Park. It also provides us with some maintenance funds for the existing 1.7-miles of the Greenbelt as well as an asphalt parking lot across the street from Horse Fork Creek that we just recently purchased for additional parking. It is all-inclusive with regard to the Greenbelt and the trailhead across the street. Essentially, we, in the FY 2014/2015 will budget \$186,000. Once that money has been spent prior to the first of July 2015, we should expect a check back from the Department of Local Government totaling \$93,000."

Commissioner Lambert stated, "Ross, we get a check in the amount of \$93,000, so we are out \$93,000. However, half of that \$93,000 will be in-kind contributions made by our employees and the labor/materials/equipment. Total cash outlay from the county is only half of that \$93,000."

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

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**By a motion of Commissioner Lambert, seconded by Commissioner Wathen, the court considered for approval a Rental Agreement with West Louisville Preservation Hall, LLC.**

David Smith stated, "We will be having a West Daviess County Community Health Fair on September 28, and this is the rental agreement between us and the facility we will be using for the event. In addition, we will be hosting a similar event in the east on October 26."

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to Advertise for **Bid No. 28-2013**: Panther Creek Park Pavement Maintenance.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Lambert, the court considered for approval to Advertise for **Bid No. 30-2013**: Sale of Surplus Solid Waste Equipment: 5<sup>th</sup> Wheel Road Tractor.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to Advertise for **Bid No. 29-2013**: Production of Custom County Code of Ordinances.

Commissioner Castlen asked, "It looks like whoever gets this contract would go through our ordinances and essentially clean them up. Is that correct?"

Fiscal Court Clerk Jennifer Warren stated, "They would not clean them up. They would take our ordinances as they exist and put them into a professional codification system. There is no match to this grant. It is 100% paid. However, we would be financially responsible for future updates."

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

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By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval to Award **Bid No. 20-2013**: to Vogelpohl Fire Equipment/E-One for a New 2013 Custom Cab Pumper for \$382,6000.

Staff Accountant Jordan Johnson stated, "The bid of Vogelpohl Fire Equipment/E-One for a custom cab pumper is the best evaluated bid with no exceptions. It is our recommendation that we award the bid to Vogelpohl Fire Equipment/E-One for a new custom cab pumper at \$382,600."

Chief Smeathers noted the reason he did not recommend the lower bids was that they did not meet a number of bid specifications. He also noted that the truck they are currently using will go to the Masonville Fire Department.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to Award **Bid No. 21-2013**: to Curry Supply for a 5,000 gallon capacity Truck-Mounted Water Distributing System for \$72,9000.

Staff Accountant Jordan Johnson stated, "The bid of Curry Supply for the CA5000 C in the amount of \$72,900 is the lowest and best evaluated bid submitted, meeting all specifications without few exceptions. It is our recommendations that we award the bid to Curry Supply."

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval to Award **Bid No. 23-2013**: to Erb Equipment Company for a John Deere 670D Motor Grader for \$131,500.

Staff Accountant Jordan Johnson stated, "The bid of Erb Equipment Company for the John Deere 670D in the amount of \$131,500. Is the best evaluated bid submitted, meeting all specifications without exception. It is our recommendation that we award the bid to Erb Equipment Company."

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

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By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered for approval to Purchase Panther Creek Park GameTime Playground Equipment for Two Playgrounds from the State Bid List.

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

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By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval to Appoint Judy Dixon (28-2013) to the **OMPC Board of Adjustments** (Filling the Unexpired term of Jason Strode) TERM: 08/08/2013 – 12/31/2016.

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

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By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval to Appoint Jonathon Carroll (30-2013) to the **Owensboro-Daviess County Library Board** TERM: 09/13/2013 – 09/13/2017.

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

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By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval to Appoint Polly Reynolds (31-2013) to the **Owensboro-Daviess County Library Board** TERM: 09/13/2013 – 09/13/2017.

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

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By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval to Appoint Jim Hendrix (29-2013) to the **Industrial Development Authority Board** (Filling the Unexpired term of Nate Pagan) TERM: 09/19/2013 – 01/01/2015.

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

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

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval the Resignation of Gary R. Clark as a Service Technician in the Department of Public Works effective September 18, 2013.

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 Wathen, the court considered for approval to Promote Daniel C. Thurman from Service Technician to Heavy Equipment Operator in the Department of Public Works effective September 20, 2013.

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

**Comments:**

Sean Dysinger of the Convention and Visitors Bureau reported on this year's Patriot Days. He stated, "This is the fifth year and it was the best one ever. We had well over double the exhibitors we have ever had before. They came as far as Terre Haute, Indiana and Montgomery, Alabama. Field trips were down this year, but the response from the teachers was just as exceptional as it was last year. We are working towards opening this up to the surrounding county schools. The Buffalo Dinner was a big success. Saturday was a big success and on Sunday the exhibitors came to me in a group and requested that we expand next year to include Sunday. Therefore, I am happy to announce that next year Patriot Days will be a full three day event." Mr. Dysinger thanked the court of their support as well as all the sponsors.

The court welcomed the new Owensboro-Daviess County Convention and Visitors Bureau Director Shannon Wetzel.

Judge Mattingly stated, "Our last meeting in November will be held at 12:15 p.m. at OCHS.

Judge Mattingly stated, "Free Silver Road will be closed on Wednesday, September 25<sup>th</sup> at 5:00 p.m. and reopened around 8:00 a.m. on Friday, September 27, 2013.

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

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Al Mattingly  
Daviess County Judge/Executive