

**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 20<sup>th</sup> day of September 2012**  
**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 20, 2012 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 Juvenile Drug Court Advisory Committee presented information supporting a request for funding. Judge Lisa Jones said that due to state budget cutbacks, the Juvenile Drug Court program no longer has funding to operate. If this community could help fund this program, with a minimum amount of \$174,400, it would be up and running by the first of the year. Judge Jones said that the goal of this program is to assist 40 youth, between the ages of 11 and 14, and their families. These children must meet various criteria before being able to participate in this program such as they have committed non-violent, non-sexual, public offenses and have a drug problem. They must also voluntarily enter into the program, and they and their family members must agree to random drug and alcohol testing. This is a 48-week long program, which is divided into 12-week phases. She also noted the expense in transporting and retaining a youth in the Warren County Detention Center. She said this program has many financial benefits and will save the taxpayers of Daviess County money.

Commissioner Castlen hopes that the community provides additional funding. If so, this program will be able to grow, reaching more than the anticipated 40 children.

City Commissioner Roger Stacy addressed the court supporting this program. He will poll the city commission and see if they would be interested in collaborating with the court in this program's funding.

The court agreed to consider their request and have an answer to them by the first meeting in November.

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David Smith presented an ADA update on county-owned facilities. He reported, "This past week, Terry Fulton with the Department of Justice visited county facilities. He was very pleased to see the progress we have made in complying with the consent decree. At the Judicial Center, we have completed nearly 100% of the projects. The agreement said we only needed 35% done by this time. At the facility on KY 81, the Operations Center, and the animal shelter, we are over 87% complete with the projects, and we only needed to be 23% at this point. At the courthouse, we are over 50% complete with the renovations and a lot more of these will be done whenever we award the bid for bathroom renovations. At this point in time, we only needed to be 33% complete. In addition, our polling places, by this November, every polling place will be in compliance with the exception of one."

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The Daviess County Cooperative Extension Service 2012 Tax Rate was presented to the court. There was no change in their rate.

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Jim Hendrix presented the Treasurer's Report for the month ended August 2012.

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Minutes of the September 6, 2012 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.

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**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.**

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**By a motion of Commissioner Castlen, seconded by Commissioner Lambert, the court considered for approval a 3-year Contract with Time Warner Cable for high-speed internet at the Daviess County Courthouse.**

Information Services Director Wayne Swift stated, "We are looking at increasing our current internet service. Currently, our expense each month is \$462.95. We are going to increase the speed of our service with this contract, but lower our cost by \$117.95 per month. We will be getting faster service for less money."

**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 Advertise for Bid No. 20-2012 for a Pumper for the Daviess County Fire Department.**

Chief Smeathers stated, "This is a budgeted item to replace a 2001 pumper at the airport station."

**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 Advertise for Bid No. 21-2012 for a Monitor/Defibrillator for the Daviess County Fire Department.**

Chief Smeathers stated, "This is a budgeted item to replace an older monitor/defibrillator, which no longer works."

**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 Dr. Vernetta Harris (21-2012) to the **Medical Control Authority Board** (Filling the unexpired term of Walt Green who served 1½ terms) for a term of 9/20/12 – 3/1/13.

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 the **Second Reading of KOC 150.13(2012)** - An Ordinance Relating to the Appointments to the Owensboro-Daviess County Convention and Visitors Bureau, formerly named the Owensboro-Daviess County Tourist Commission

Claud Porter stated, "The ordinance allows the court or the Judge/Executive to delegate one of the 2 community-business appointments to the Mayor of Owensboro. That would be effective with the July 1, 2013 appointment, which will be a 3-year term. That would continue as long as there are vacancies."

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 Wathen, seconded by Commissioner Lambert, the court considered for approval the Daviess County Storm Water Master Plan Goals, as follows:

**Goals:**

- Reduce the area of the floodplain (flooded acres) by 50% for a 100-year rain event within the primary ditches from the maintenance plan.
- Reduce the flooded area by 50% for a 50-year rain event within primary ditches from the maintenance plan.
- Reduce the flooded area by 50% for a 25-year rain event within primary ditches from the maintenance plan.
- Reduce the flooded area by 50% for a 10-year rain event within primary ditches from the maintenance plan.
- Reduce the flooded area by 50% for a 2-year rain event within primary ditches from the maintenance plan.
- Reduce the flooded area by 25% for a 2-year rain event within primary ditches from the maintenance plan.
- Reduce the number of roads and highways being flooded in the county during a 50-year rain event.
- Reduce the number of roads and highways being flooded in the county during a 25-year rain event.

Commissioner Wathen stated, "Basically what we want to do is take these goals and apply them to an RFQ. Mr. Brasher would lead us with that by using these goals to write the RFQ. Once we see that, the next step would be for the court to approve for advertisement."

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 Advertise for a Solid Waste 5<sup>th</sup> Wheel Road Tractor.

David Smith stated, "We budgeted to replace a 1998 road tractor at the transfer station, which is currently not road worthy. We would like to go on and advertise for a tractor."

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

**Comments:**

The court congratulated Commissioner Lambert for being selected as the 2012 GRADD Legislator of the Year.

The October 4<sup>th</sup> fiscal court meeting has been rescheduled for October 2<sup>nd</sup>.

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

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Al Mattingly  
Daviness County Judge/Executive