

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 1st day of October 2015
Present were County Commissioners Mike Koger,
George Wathen and Charlie Castlen.
Judge Executive Al Mattingly was absent.

DOCUMENTS RELATED TO TODAY'S DISCUSSION
ARE FILED IN OCTOBER 1, 2015 FISCAL COURT FILE

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

Commissioner Castlen read into the record the following proclamations:

- *White Cane Safety Day* - Oct. 15, 2015
- *Goodfellows Club Day* - Oct. 8, 2015, accepted by Tracy McQueen
- *College Application Season* - Oct. & Nov. 2015, accepted by Susan Colbert

Treasurer Jim Hendrix presented the Treasurer's Report for the month ended Aug. 31, 2015.

Minutes of the September 17, 2015 meeting were submitted to fiscal court members for review prior to today's meeting and on a motion of Commissioner Wathen, seconded by Commissioner Koger with all present court members concurring said Minutes were approved and signed.

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered approval of all Claims for all Departments.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval the Updated Employee Health Related Renewal Agreements and Authorize the Judge/Executive and County Treasurer to Execute any and all documents necessary to implement the agreements to be effective for plan year Nov. 1, 2015 thru Dec. 31, 2016.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval to Contract with Inspection Testing and Maintenance (ITM), Inc. regarding Hydrant Flow Testing.

James Mattingly of Philpot asked why this was not done in-house.

Commissioner Castlen said that the county does not have a specially-trained staff member to perform this type of testing.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval to Contract with American Legal Publishing for on-line codification services.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval the Maintenance Bond Release for the altered Free Silver Rd. and a Surety Bond reduction from \$1 million to \$250,000 for the restored Free Silver Rd.

County Engineer Mark Brasher noted that both bonds have been reviewed and are recommended for approval.

James Mattingly disagreed with the decision to reduce the surety bond. He believes the cost to rebuild or resurface this road will cost in excess of \$250,000. He stated, "I am not an engineer, but it appears just to be common sense."

Mr. Brasher restated that the bonds have been reviewed and is confident that the amount of the reduced bond is sufficient.

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval to Award **Bid No. 44-2015:** Gas Well Dewatering System; LF to Landmarc Environmental System for \$293,716.60.

James Lacy Kamuf of Pennbrooke Avenue asked why this was not installed originally, when it was cheaper.

David Smith said he had asked the same question and was told the cost would have been the same whether then or now. He explained that we are simply installing pumps at the bottom of each well to remove water.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval Award **Bid No. 45-2015:** Gas Well Replacement (3 Wells); LF to Landmarc Environmental System \$30,235.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval to Create the Position of Utility Laborer and add said position to Salary Schedule, Grade I.

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

First Reading of 921.670 (2015) - An Ordinance Amending the Zoning Classification of a 2.096 acre tract located at 11351 and 11397 US Highway 431 from A-U Urban Agriculture to B-4 General Business, application filed by Mark Melloy.

Comments:

Carl Sheppard of 11450 Hwy 431 presented court members with two pictures of the subject location. He and Ms. Marie Crabtree of 11431 Hwy 413 expressed their concerns regarding the numerous vehicle accidents that have taken place along this section of Hwy 431. They noted that the accidents have been a result of speeding and roadway blind spots. They feel the commercial rezoning of this property will only increase the number of accidents. They hope the rezoning is denied. Ms. Shirley Henderson of 1125 Hwy 431 agreed with their statements and encouraged the court to deny this rezoning request.

Mark Melloy of Missouri believes this site is exactly what he wants for his new business, which is a retail hunting and fishing sporting goods store, as it is wooded and along a main artery.

County Attorney Claud Porter noted that if the county approved the rezoning, Mr. Melloy would be limited to one access point that the state would have to approve.

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval the Second Reading of Ordinance 1-2015 - An Ordinance Creating a Code of Ordinances for the County of Daviess, Revising, Amending, Restating, Codifying, and Compiling Certain Existing General Ordinances of the County Dealing with Subjects Embraced in the Code.

Comments:

No comments received.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval the Second Reading of Ordinance 2-2015 - An Ordinance Amending Chapter 110, Section 110.02 of the Code of Ordinances of the County of Daviess to Permit the Retail Sale of Alcoholic Beverages During the Hours of any Primary or Regular, Local Option, or Special Election Day.

Comments:

No comments received.

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

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval to Advertise **Bid No. 49-2015:** Community Notification Siren; EMA.

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

EMA Director Andy Ball noted that the court has received a grant for this Yelvington siren project.

Comments:

Larry Conder, on behalf of his wife and CASA Executive Director Rosemary Conder, expressed sincere appreciation to the court for their support during and recent CASA fundraiser.

Commissioner Koger requested prayer for friends and families of today's Oregon school shooting victims.

Commissioner Castlen invited all to attend the Goodfellows Club's Centennial Celebration next Thursday, Oct. 8 from 4:30-6:00 p.m. at Sports Center. He also reminded all that the next Fiscal Court meeting will be Oct. 22 at 4:00 p.m.

The Daviess County Fiscal Court October 2015 Employee Anniversaries were recognized:

- Wayne McElvain, Animal Control Officer – 5 years
- Tim Jackson, Public Works Mechanic – 10 years
- Shaun Blandford, Fire Department Assistant Chief – 15 years
- Kevin Shown, Fire Department Engineer – 15 years

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

Al Mattingly
Daviess County Judge/Executive