

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 20th day of October 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 OCTOBER 20, 2011 FISCAL COURT FILE

Judge/Executive Al Mattingly opened the meeting with a prayer and led in the Pledge of Allegiance to the flag.

Dr. Lee Dew of the Tradewater/Lower Green River Watershed Watch presented the following information:

Dr. Dew reported on e-coli and triazine pollutants in local waterways. He noted that 19 out of the 55 local waterways tested had high concentrations of e-coli pollutants or Colony Forming Units (CFU). Some sites had as much as 5-6 times the EPA allowable amount of CFU. EPA allowable amount is 240 CFU per 100 ml of water, which is approximately 1/3 cup. Katie Meadow Slough and Knoblick Creek at Berry Road had the highest tested concentration levels, each at 1,300 CFU. Another site, which tested high, was at Yellow Creek Park where the creek runs under the park's metal bridge. He recommended that signage be installed suggesting that no one enter or play in the creek water. This site tested at 436 CFU. Dr. Dew said he has no explanation for the high numbers along the South Fork of Yellow Creek, except he suspects that a number of old septic tanks are still in use and may be leaching into the creek. Dr. Dew also discussed the harmful effects of triazine in our waterways. This chemical, used by farmers, is particularly devastating to amphibians. During his prior fiscal court report, Dr. Dew stated, at one part per billion, frogs begin to change their sex. At three parts per billion, frog's offspring show signs of severe birth defects - multiple appendages, no appendages, bizarre physical growths, hermaphroditism, etc. He noted that water treatment plants do not have the ability to remove triazine from water. No long-term studies have been done on human consumption of water containing this chemical. He said that triazine is short-lived and breaks down in sunlight. He wrapped up his comments by stating, "Daviess County's water is in pretty good shape with a few exceptions. The problems with our water supply are ongoing. We appreciate the continued financial support of this court."

Judge Mattingly and the court expressed their appreciation for the Watershed's work.

Treasurer Jim Hendrix presented the Treasurer's Report for September 2011.

Minutes of the October 6, 2011 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, 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 Lambert, 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 Lambert, seconded by Commissioner Castlen, the court considered approval of Resolution 18-2011 Establishing a Street Lighting District for Deer Valley Subdivision.

County Attorney Porter, "The court has set up a provision to allow for a subdivision, usually the developer, to create a street lighting district to allow for street lights in a subdivision. When they set those up, at least 70% of the lot owners in a subdivision may petition the court; asking the court set up a way to pay for the street lighting by allocating the money necessary to put in the lighting and then to keep those lights illuminated each year and pay for those and that would be placed on the tax bills. The reason this is in front of us is that Jagoe Homes, current owner of over 70% of the subdivision's lots, has asked that the court to set up a street lighting district for Deer Valley Subdivision. The initial cost of the lamps and lighting will be allocated among each lot owner per month, via tax bills. Annually, the lighting utility cost will also be placed on their tax bill. We are basically the collection agency for the street lighting."

Commissioner Castlen asked about maintenance of the lights.

Mr. Porter, "That is the responsibility of the subdivision's homeowner's association."

Commissioner Castlen asked who chooses the light fixtures.

Mr. Porter, "Usually it is always the developer, but in already constructed subdivisions, it could be the home owner's association and/or 70% of the lot owners by petition."

Joseph Martin asked, "When someone sells a house, is the cost conveyed to the new owner?"

Mr. Porter said the cost becomes the new owner's responsibility.

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 Accept the Retirement Resignation of Accounts Payable Clerk Willa Ratliff, effective October 28, 2011.

The court agreed that Ms. Ratliff and her commitment to a job well done will be sorely missed.

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 611.10 (2011) - Daviess County Fiscal Court Authorizing the Establishment of Assessment Warrants for the Riverside/Coast Guard Lane/Highland Subdivisions.

David Hawes, "This is just a prorated share of the total cost of the sewers that were installed in these neighborhoods. There was a grant of \$370,500 to offset the costs. This was a good project, which went well. The total cost to the homeowner will be \$3,074."

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

Comments:

Karen Miller, Executive Director of the Owensboro Daviess County Convention and Visitors Bureau announced that her agency recently won the Best-In-Show award for marketing campaigns in Kentucky. There were over 3,000 entries, and Ms. Miller is proud to announce that her agency brought home top honors. The ODCVB won five awards total.

Judge Mattingly recognized the honor of winning such a prestigious award. He congratulated her and thanked her for her work.

The court encouraged everyone to be educated on the candidates in the upcoming election, and get out and vote.

Judge Mattingly announced that the next court meeting will be at the Utica Fire Station.

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

Al Mattingly
Daviess County Judge/Executive