

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 19th day of December 2013.
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 DECEMBER 19, 2013 FISCAL COURT FILE

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

Drainage Advisory Committee Chairperson Jerry Fischer made a presentation to the court relating to the Daviess County Stormwater Master Plan Goals Assessment. In short, Mr. Fischer recommended, on behalf of the Drainage Advisory Commission, that the court approve the goal of preventing the major roads from flooding and reduce the flooded area by 30%."

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval the goal of the Drainage Advisory Commission of preventing the major roads from flooding and to reduce the flooded area by 30%.

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

County Treasurer Jim Hendrix presented the Treasurer's Report for the month ended November 2013.

Minutes of the December 5, 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.

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 Wathen, seconded by Commissioner Lambert, the court considered for approval the Transfer Station Lease Agreement with Republic Services.

David Smith said that Republic Services has agreed to lease us their facility while our station is being rebuilt, due to last year's fire.

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 of the Contract and Work Order Agreement for Professional Engineering Services regarding Rhodes Creek North.

Judge Mattingly stated, "This is a result of our on-going studies and issues that we have experienced down on Wyndcrest Drive. The county engineer and Commissioner Wathen have discovered that there is quite a bit of fall in that creek. One of the things that we want to do in the upper stretch, we want to do a survey to see if we can get in there and actually grade that creek to drain a little faster. It will probably not prevent flooding around Wyndcrest Drive, but it will help the water to get out a lot sooner."

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 of the Safety Circuit Rider Program Cooperative Agreement.

County engineer Mark Brasher stated, "This is a program that is offered by the Federal Highway Administration (FHWA) and the Kentucky Transportation Cabinet (KTC). We have been selected as a county this year for them to come in and do a safety audit of some potential roads that indicate high crash rates. They have gathered the raw data. They have presented that to us. With this agreement, they will come in with people that do this every day, and with local participation look at two routes that we choose, and look for low cost improvements that the county can implement to help safety-related issues on these roads."

Judge Mattingly stated, "We will put together a team. The county engineer will serve on that team. And we will drive those roads, and really it will be low cost or no cost – it could be as simple as removing some bushes in a curve. It might be changing a stop sign or putting a double stop or putting a sign up that says caution stop ahead."

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 for approval **Resolution 22-2013** and Agreement regarding the Codification (Grant) of County Ordinances.

Daviess County Fiscal Court Clerk Jenni Warren stated, "The Resolution indicates that the court will adopt the codified code of ordinances by ordinance once it is complete, and it also requires the court to maintain the codified code at least on an annual basis."

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 for approval of Lake Forest Subdivision Surety Release for Sanitary Sewers.

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 of the Paradise Landing Surety Reduction.
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 Lambert, the court considered for approval to Contract with Time Warner Cable for Broadband High Speed Data for the Judicial Center and Detention Center regarding Video Arraignment.
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 Lambert, the court considered for approval to Award **Bid No. 29-2013** for the Production of Custom County Code of Ordinances to American Legal Publishing Corp. for \$8,500, which will be paid in full by a grant from the Kentucky Libraries and Archives.
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 Award **Bid No. 1-2014** for Engine Oils & Lubricants to Busler Enterprises.
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 Award **Bid No. 2-2014** for Bituminous Hot Mix & Pavement Milling to Yager Materials.
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 Declare as Surplus a damaged landfill water tank.
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 **Award Quotes** for the Disposition of Surplus Equipment to Lanes Used Cars Inc.:

- **Quote 1:** Damaged landfill water tank that was replaced by Bid No. 21-2013 for \$1,000
- **Quote 2:** Inoperable yellow compactor that was replaced by Bid No. 23-2009 for \$3,000

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 Hire Haley Root as a Scale Operator at the Transfer Station commencing 12/26/13.

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 Hire Bradford L. Norris as a Truck Driver at the Transfer Station commencing 1/2/14, contingent upon successful completion of pre-employment testing.

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 for approval to Appoint Tonya Barr (32-2013) to the **Daviess County Extension District Board** - TERM: 12/31/2013 – 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.

By a motion of Commissioner Lambert, seconded by Commissioner Wathen, the court considered for approval to Appoint Brad Stephen (33-2013) to the **Daviess County Extension District Board** - TERM: 12/31/2013 – 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.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval to Appoint Commissioner George Wathen (35-2013) to the **Chamber Board** - TERM: 12/31/2013 – 12/31/2014.

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 Appoint Larry Mayfield (34-2013) to the **Green River Regional Industrial Development Authority** - TERM: 12/31/2013 – 12/31/2017.

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 Lambert, the court considered for approval to Appoint David Appleby (37-2013) to the **Owensboro Metropolitan Planning and Zoning** - TERM: 12/31/2013 – 12/31/2017.

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 discussion the Daviess County, Kentucky Historical Bicentennial History Book Proposal.

Judge Mattingly stated, "In your packet there are two proposals. One is from M.T. Publishing Company the other is from the Messenger and Inquirer. The recommendation of the Daviess County Bicentennial Committee is that we would go with M.T. Publishing Company."

Commissioner Lambert stated, "The M.T. Publishing Company came to the committee and made a rather lengthy and detailed presentation of what they would do and how they would do it. We, the members, have not heard from the M & I and other than this one page document. I know nothing about what they (Messenger and Inquirer) have to offer."

Judge Mattingly stated, "The Bicentennial Committee is under the gun to get moving with this so this book will be printed and ready by 2015."

Commissioner Castlen asked, "Will our group have a cost up-front?"

Judge Mattingly stated, "The \$51,000 in revenue is their (M.T. Publishing Co.) base cost."

David Smith stated, "That is why they prefer we not purchase discounted books for resale until they meet their recovery point of \$51,000."

Commissioner Lambert stated, "My information leads me to believe that the publishing company out of Evansville is more of a written document – more of a historical publication while the M & I is more of a pictorial style. While they are wonderful and great to look at, I think the committee is leaning more towards a historical written history rather than a pictorial directory. I have not heard a presentation of the M & I, so I want to qualify those comments."

Judge Mattingly stated, "Again, the presentation of the Messenger consists of that single page that you have here. And that was the feeling relayed to me by the co-chair Aloma Dew when I talked to her, that the Messenger was more of a pictorial history as opposed to a written and pictures."

By a motion of Commissioner Lambert, seconded by Commissioner Wathen, the court considered for approval, on behalf of the Daviess County Bicentennial Committee, to Award the contract for the Daviess County, Kentucky Historical Bicentennial History Book to M.T. Publishing.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All 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 Lambert, seconded by Commissioner Wathen, the court considered for approval to Promote Kenny Boarman from Heavy Equipment Operator to Sr. Heavy Equipment Operator in the Dept. of Public Works effective 12/23/13.

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

Comments:

Commissioner Lambert reminded the public about Christmas at Panther Creek Park.

Commissioner Wathen stated, "I believe that in 2013, we operated the county like a business and we stayed true to our conservative beliefs. I think our employees did a great job. They worked together as a team to help the citizens of Daviess County. Because of them, I think we had a good year. I want to wish everybody a Merry Christmas."

Commissioner Castlen stated, "Ditto to your comments about the employees. Merry Christmas to everybody and a happy New Year."

Judge Mattingly stated, "I too wish everyone a Merry Christmas and a happy New Year. I would ask everyone to drive safely due to the expected weather. I believe this community has moved miles this year, and I really look for a good year next year, business wise.

Judge Mattingly stated, "Today, the Public Life Foundation gave away \$450,000 to six organizations in this community. One of those organizations was the BOLD Promise Scholarship, which we have been working on for the last two years. We received \$100,000 in funds that will go towards providing scholarships to students who are within 12-hours of graduating with a 4-year degree, or an associate degree, or a trade license, or a certificate. And the four colleges in Daviess County have all agreed that any student awarded on of these scholarships, they will match a thousand dollars with a thousand dollars. So, I am pretty happy regarding that. Two scholarships have been awarded for next semester. Those names are guarded right now. We will introduce those two young people at the state-of-the-county address."

Judge Mattingly announced that January fiscal court meetings have been rescheduled to **January 9 & 23** at 5:00 p.m.

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

Al Mattingly
Daviess County Judge/Executive