

REGULAR SESSION  
of the Daviess County Fiscal Court  
held at the Masonville Volunteer Fire Station in the  
County of Daviess, Commonwealth of Kentucky  
on this 20<sup>th</sup> day of December 2012.  
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 20, 2012 FISCAL COURT FILE

\*\*\*\*\*

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

\*\*\*\*\*

Commissioner Lambert introduced Adam Payne, a local 6<sup>th</sup> grader from College View Middle School, to the court. Mr. Payne has been studying local government in his classroom and wanted to see his local government at work. The court welcomed Mr. Payne.

\*\*\*\*\*

The City of Whitesville and Precinct 13 Wet/Dry Election results were presented in court. The question on the ballot was "Are you in favor of the sale of alcoholic beverages in your precinct?" The City of Whitesville's vote failed with 66 yes and 71 no. Precinct 13's vote passed with 64 yes and 15 no.

\*\*\*\*\*

Treasurer Jim Hendrix presented the Treasurer's Report for the month ended November 30, 2012.

\*\*\*\*\*

Minutes of the December 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.

\*\*\*\*\*

**By a motion of Commissioner Wathen, 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.**

\*\*\*\*\*

**By a motion of Commissioner Lambert, seconded by Commissioner Wathen, the court considered for approval to Award Bid No. 01-2013 for engine oils and lubricants to Busler Enterprises.**

Purchasing Agent Dale Boyle stated, "The bid of Busler Enterprises for oils and lubricants is the best evaluated bid and only bid submitted, meeting all specifications without exceptions. It is our recommendation that we award the bid 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 Lambert, seconded by Commissioner Castlen, the court considered for approval to Award Bid No. 02-2013 - bituminous hot mix and pavement milling to Yager Materials, Inc.

Mr. Boyle stated, "The bid of Yager Materials for bituminous hot mix and pavement milling is the best evaluated bid submitted, meeting all specifications without exception. It is our recommendation that we award the bid 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 Lambert, seconded by Commissioner Castlen, the court considered for approval to Award Bid No. 03-2013 for mowing county road right-of-ways to the following: Sections A & B to Wally Murphy, sections C & F to Steve Newcom, sections D & G to B. J. Ward Contracting, and section E to Kelly Rhodes.

Mr. Boyle stated, "The evaluated bids submitted, meeting all specifications without exception, are listed above. It is our recommendation that we award Bid 3-2013 as listed above."

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 Release a Fire Hydrant Bond for Dant Estate, LLC at \$3,600.

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 for approval a Generator Service Contract.

County Engineer Mark Brasher stated, "In the past, our generators have been serviced by two contractors and after review, we have decided to contract this service out to one company."

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 Purchase Radios from the State Government Master Agreement.

Mr. Brasher stated, "As you are aware, we are required by FCC regulations to narrow band by 2013. We have already purchased the repeater and some equipment. The fire department has reprogrammed all of the radios that they could of ours. We are at a point now where we need to purchase the ones that are out dated and unable to be reprogrammed."

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 Declare an Emergency to Purchase a Backhoe for the Transfer Station.

David Smith stated, "Friday, we had a fire at the transfer station. This fire damaged, beyond repair, our 3-year-old backhoe. We are in need of a replacement backhoe as soon as possible therefore, I am requesting that the court declare an emergency and purchase a new backhoe. Since Friday's fire, 3 quotes have been received, but not fully evaluated, for a new backhoe."

Brian Hedges with Erb Equipment Company stated, "I was at the invitation of the quotes today, and I had a concern about one of the quotes being for a 2006 model when all of the other quotes were for new 2012/2013 models. I would just ask that the court take in consideration the depreciation value of the 2006 model. Erb Equipment has sold the county three backhoes for the transfer station with good results. We would appreciate the opportunity to supply the county with this new backhoe."

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 Contract with an Architectural Firm to Design the Judicial Center First Floor Modifications (Drivers License Department).

Judge Mattingly stated, "This is the beginning of a process that we talked about in 2010. What we are talking about doing is to modify the first floor of the Judicial Center so we can move the licensing department from the east end of the Judicial Center to the west end. This will prevent people who are visiting the licensing department from having to go through security or be exposed to individuals awaiting trial or court appearance. I think this is a good project. I also think it is a shame that people coming in to do county business have to be scanned and patted down just to reach the licensing department."

Judge Mattingly is hoping that these bids will come in under \$100,000 for the entire project.

Commissioner Castlen stated, "This is something that has been on my mind for some time now. Getting a drivers license is something that almost every citizen over the age of 16 gets to do. It is almost a requirement to function in our culture. It has bothered me that citizens are subjected to this security process. This modification is something I have wanted to see accomplished."

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 the MOA, which will enable the Department for Local Government (DLG) to initiate the process for the accounting procedures through the state accounting system for the Veterinary Technology - Curriculum, Accreditation and Laboratory Project Grant.

Mr. Hendrix stated, "As you recall, fiscal court applied for a multi-county DLG grant for the Veterinary Technology - Curriculum, Accreditation and Laboratory Project. That project was approved for \$475,500. This is simply the next step in moving that project forward. It is a standard agreement."

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 for approval to Appoint Commissioner George Wathen (26-2012) to the Chamber Board - TERM: 12/31/2012 – 12/31/2013.

Without further discussion, Judge/Executive Mattingly called for a vote on the motion. All members of the court voted in favor except Commissioner Wathen and he abstained from voting; motion passed.

\*\*\*\*\*

By a motion of Commissioner Lambert, seconded by Commissioner Castlen, the court considered for approval to Appoint Nancy McCormick (30-2012) to the Extension District Board - TERM: 12/31/2012 – 12/31/2015.

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 John Wright (29-2012) to the Extension District Board - TERM: 12/31/2012 – 12/31/2015.

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 Drew Kirkland (31-2012) to the OMPC - TERM: 12/31/2012 – 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 Castlen, the court considered for approval to Appoint Ward Pedley (32-2012) to the OMPC (Filling the unexpired term of Jason Strode) TERM: 12/31/2012 – 12/31/2015.

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 Jason Strode (33-2012) to the OMPC Board of Adjustments - TERM: 12/31/2012 – 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.

\*\*\*\*\*

**Comments:**

Adam Payne of Philpot complained about teenagers trespassing on private property and partying in the woods. Judge Mattingly told Mr. Payne to speak with the County Attorney following today's court meeting about his concern.

Court members wished all a Merry Christmas.

Commissioner Castlen said the court attended the December 11<sup>th</sup> DC Sheriff's Annual Awards and said, "We really have a great group of deputies."

Commissioner Lambert reminded the public about the Panther Creek Park light show.

Judge Mattingly stated, "I thank Chief Oldham and the Masonville Volunteer Fire Station for hosting tonight's meeting. A little while ago, I had a conversation with David Smith and thanked him for the work he did in helping us in negotiating and talking to RWRA about their rate increase, and I want to publically thank him as the knowledge he brought to those discussions was invaluable. I also want to thank my staff at the courthouse. They are a joy to work with. They are excellent, professional, and well versed in the operations of county government. I want to thank the Commissioners for their work during this past year."

The next court meeting is rescheduled for January 10, 2012.

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

---

Al Mattingly  
Daviness County Judge/Executive