

**Minutes of the March 5, 2019
Daviness County Fiscal Court Meeting
Held at the Daviness County, Kentucky Courthouse**

**Present elected court officials included
Judge/Executive Al Mattingly and County Commissioners Mike Koger,
George Wathen and Charlie Castlen**

**DOCUMENTS RELATED TO TODAY'S DISCUSSIONS
ARE FILED IN THE CORRESPONDING FISCAL COURT FILE**

The meeting opened with a prayer and the Pledge of Allegiance to the Flag.

Proclaim March 8 - 14, 2019 as "National Catholic Sisters Week" and March 20, 2019 as "Small Business Development Day".

Deputy Secretary Paul Looney addressed the court to encourage and welcome a continued open dialogue with the Transportation Cabinet. He stated, "We are here to support local government".

KY Transportation Cabinet (KYTC), Dist. II Highways presented the following update and Rural Secondary Program Recommendations:

FY 2019 RS Completed Projects:

- KY 258 -
 - Asphalt resurfaced entire length of roadway – Total of 5.46 miles
 - Addressed guardrail and base failure issues
 - Completed Latex overlay on bridge over Delaware Creek (MP 0.75)
- KY 405 -
 - Asphalt resurfaced from KY 662 to KY 2830 - Total of 1.66 miles
- KY 279 –
 - Latex overlay on bridge over Panther Creek at MP 4.10

FY 2020 RS Program Funding – Daviness County:

- Total RS Funds for projects: \$1,043,000
- Funds for KYTC Projects: \$744,000
- Flex Funds for Daviness County (20%) \$299,000

KYTC Recommendation No. 1: *Estimated Cost = \$395,000*

KY 554 Asphalt Resurfacing (KY 81 (MP 4.82) to US 431 (MP 9.12)) – TOTAL LENGTH = 4.30 Miles
Project details: Overlay entire roadway with 1 IN asphalt and address base failures

KYTC Recommendation No. 2: *Estimated Cost = \$330,000*

KY 405 Asphalt Resurfacing (Graves Lane (MP 2.83) to KY 662 (MP 5.07)) – TOTAL LENGTH = 2.21 Miles
Project details: Overlay entire roadway with 1 IN asphalt, address base failures, and repair guardrail along Carpenters /Kingfisher Lake

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; the above KYTC Recommendations for FY 2020 Rural Secondary Program.

Commissioner Koger spoke of a recent accident where a car went off the road along the long stretch from Owensboro to Petit on Hwy 431. He stated, “The car ended up in a water-filled ditch. Fortunately, no one was critically injured.” He asked about plans to install guardrails along that portion of highway.

KYTC Engineer Matt West said his department would review that area for possible safety needs.

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

Minutes of the meeting were submitted to fiscal court members for review prior to today’s meeting and on a motion of Commissioner Koger, seconded by Commissioner Castlen with all the Court concurring said Minutes were approved and signed.

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; 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 Koger, seconded by Commissioner Wathen, the court considered for approval; **Resolution 2-2019:** 2019/2020 KY PRIDE Grant: Composting.

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; **Resolution 3-2019:** 2019/2020 KY PRIDE Grant: Tox Away Day.

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; Hire Nathan Lanham and Warren Goetz as Public Works Temporary Summer Employees. 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; Second Reading of KOC 620.52 (2019); 04-2019 - An Ordinance Relating to the Discontinuance of a Portion of Barton Avenue.

Comments:

No comments received.

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; Second Reading of KOC 620.53 (2019); 05-2019 - An Ordinance Relating to the Discontinuance of a Portion of Riverside Avenue.

Comments:

No comments received.

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 Koger, seconded by Commissioner Wathen, the court considered for approval to Appoint; Becky Whitehead (13-2019) to the RWRA Board – TERM: 03/01/2019 – 07/01/2023.

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

First Reading of KOC 611.16 (2019); 06-2019 - An Ordinance Authorizing the Establishment of Assessment Warrants for the Pleasant View Estates Area.

Comments:

No comments received.

First Reading of KOC 611.17 (2019); 07-2019 - An Ordinance Authorizing the Establishment of Assessment Warrants for the Hayden Road Neighborhood Area.

Comments:

No comments received.

Comments:

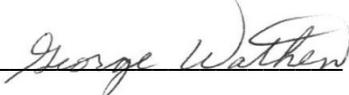
Judge Mattingly commented that O.Z. Tyler Distillery wants to build a facility to house approximately 90,000 barrels of bourbon, but are facing issues both with zoning regulations and potential neighbors. The distillery recently asked but was denied a rezoning request for property in the western part of the county because no other like-zoned properties are nearby. There is property suited for their needs in the Mid-America Airpark where Judge Mattingly would like to see them located, but will require approvals from the city, county, Owensboro-Daviess County Industrial Foundation, and other current operations within the park. Judge Mattingly stated, "This really creates a problem for this community. As Nelson County has done, I am considering to propose a text amendment to the zoning rules that would allow alcohol warehouses in an AR zone with a conditional use permit and including a minimum acreage size per warehouse and specific setback requirement."

Judge Mattingly informed the court that condemnation proceedings may be forthcoming in order to proceed with the Cedar Hills Subdivision sewer line extension project. As he explained, a few property owners are holding up the vitally important expansion for which the vast majority of subdivision residents support and are grateful. He also explained that the properties necessary to proceed are simply easement rights, not land ownership rights. The current septic system situation in Cedar Hills is dreadful and Judge Mattingly expressed frustration with those holding up the project. Within days, a formal letter will be mailed to those few residents who have not agreed to the proposal and if they fail to accept the offer already on the table, the next step will be condemnation.

Without objection, Judge/Executive Mattingly adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

Judge/Executive:  Commissioner: 

Commissioner:  Commissioner: 

I, duly appointed Clerk of the Daviess County Fiscal Court, do hereby certify that the above Minutes for the corresponding Order Book were approved by the members of the Daviess County Fiscal Court at the regular session of said Court on this 21st day of March 2019.

Jennifer Warren, Daviess County Fiscal Court Clerk

