

**Minutes of the July 11, 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.

Judge Mattingly proclaimed July 19-27, 2019 as Dust Bowl Week.

Due to a recent lightning strike that caused a fire at the East Daviness County Fire Station, Judge Mattingly announced signing a Declaration of Emergency pursuant to KRS 424.260(4) to make urgent and necessary repairs absent normal bidding processes. Judge Mattingly stated, "This declaration will help speed up the repair process, which may take up to 5 months to complete. The repair estimate is \$225,000. The Thruston Fire Department has generously allowed the firefighters to be rehoused at their facility until repairs are complete. The court thanks Fire Chief Newman for the willingness to assist and in turn, the county will pay all utilities during this time."

Minutes of the June 20, 2019 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 Wathen, seconded by Commissioner Castlen, 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 Wathen, seconded by Commissioner Koger, the court considered for approval; Entertainment Contract with *The Eric Group* for the 2019 Independence Bank Fireworks Festival.

Daviess County Park Director Ross Leigh stated, “This entertainment contract includes a sound and light show on a covered stage and a 2-hour band performance that will precede the fireworks display at the 2019 Independence Bank Fireworks Festival at Panther Creek Park on Saturday, August 31st, 2019.”

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; Agreement with the City of Owensboro and Owensboro Metropolitan Planning Commission Granting Additional Responsibility, per KRS 198B.060(5).

Judge Mattingly stated, “This goes back a long way and allows OMPC to do code enforcement excluding plumbing codes, as that’s done by the state. This is a (maximum) 3-year agreement and contains no changes or changes in responsibilities.”

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 Castlen, the court considered for approval; Agreement with the City of Owensboro and Owensboro Metropolitan Planning Commission Granting HVAC Plan Review, Permitting, and Inspection Responsibility, per KRS 198B.6673(2).

Judge Mattingly stated, “Like the prior agreement, this is just one more of those responsibilities. Back in 2011, we added the HVAC inspections.”

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 18-2019** – Street Lighting District; Brookfield Subdivision.

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 Castlen, the court considered for approval; **Resolution 19-2019** – Street Lighting District; Deer Valley Subdivision Section 4 Unit 1.

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 20-2019 – Street Lighting District; Deer Valley Subdivision Section 4 Unit 2. 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 Koger, the court considered for approval; Resolution 21-2019 and KYTC Supplemental Agreement Change No. 2.

County Engineer Mark Brasher stated, “The original 80/20 Rural Secondary Bridge fund agreement was for the design of bridge structures on three roads; Pence Road, Jackson Road North and Drury Road. The first supplemental agreement was for the construction of the Drury Road Bridge. The construction cost for Drury Road Bridge came in lower than our estimate and allows for more flexibility in the remaining funds. The Pence Road Bridge design is complete and with this added flexibility, there's enough money to purchase the bridge-type structure and to get reimbursed for it.”

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; Resolution 22-2019 – Establishing the Daviess County Board of Health (DCBH) 2019 Public Health Tax Rate of four cents.

Judge Mattingly stated, “As you see, the tax rate remains the same as the prior year at four cents per hundred dollars of assessed value on real property, personal property, and motor vehicles. I serve on the DCBH and the Health Department does an excellent job, especially at the current four cent rate. That rate will certainly need to be increased in the near future unless something is done about the pension system issues. I understand that a special session will be called next week to address special governmental entities like health departments. Again, if not addressed, tax rates will increase for these special governmental entities in the near future.”

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; Award RFQ 004-2019: Lee Rudy Road Siren Replacement to Ohio Valley 2-Way Radio for \$15,248.

Purchasing Agent Jordan Johnson stated, "This follows a recent accident where a vehicle struck a utility pole that housed a community notification warning siren resulting in severe damage to the siren. As the person responsible was uninsured, reimbursement will come from our insurance carrier."

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 Castlen, the court considered for approval; Kentucky Emergency Management Time and Attendance Reporting Timesheets for employees of the Daviess County Emergency Management Agency effective July 1, 2019.

Treasurer Hendrix stated, "This is one of several state requirements we are asked to complete in order to receive 50% reimbursement of EMA's personnel salaries."

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 Castlen, the court considered for approval; Promote Carl Wright to Road Department Supervisor effective July 15, 2019.

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 Adam Turner as Mechanic in the Department of Public Works effective July 29, 2019.

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 Koger, the court considered for approval; Advertise for a Receptionist in the Department of Administrative Services.

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 **First Reading of KOC A.96.01(2019); 13-2019-** Budget Amendment No. 1 (Mental Health Court Revenue).

Treasurer Hendrix stated, "This budget amendment is to incorporate the County Attorney's recent grant award of \$77,000 and the \$10,000 donation from River Valley Behavioral Health both for a new mental health court."

County Attorney Porter stated, "Between 25% and 40% of jail's inmates have mental health illnesses and this court will attempt to deal with that population. These dollars will provide a director and case manager. We hope to have the court in place by August 1st."

Judge Mattingly noted that the jail is not staffed with personnel specifically trained in mental health care. He stated, "This is an exciting initiative that will provide the necessary care for those with mental health challenges."

Comments:

Judge Mattingly reminded the public that operating golf carts on county and city streets, except within the city limits of Whitesville, is not allowed. He stated, "Law Enforcement does not go out looking for people driving golf carts, but if they receive a complaint call from a citizen complaining about people doing so they will respond. Some people may lead you to believe that everybody wants them but there are people out there that don't want them and they're calling in complaints."

County Attorney Porter stated, "Both city and county passed ordinances prohibiting the use of low speed vehicles including golf carts on roads."

Judge Mattingly stated, "Some people tend to believe that sending their kids out on golf carts is safe because of their low speed but they are susceptible to being run over - Literally run over. We have enough issues with pedestrians and bikers getting hurt on our roadways and for as long as I can remember, I don't think we have had a year without at least one four wheeler fatality. This is just something that we don't need to have out there."

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 23rd day of July 2019.

Jennifer Warren, Daviess County Fiscal Court Clerk