

**Minutes of the September 5, 2019
 Daviess County Fiscal Court Meeting
 Held at the Daviess County, Kentucky Courthouse**

**Present elected court officials included
 Judge/Executive Al Mattingly and County Commissioners
 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 noted the absence of Commissioner Mike Koger as he is home recovering from knee surgery.

Judge Mattingly proclaimed September 2019 as Recovery Month.

Daviess County Public Library Director Erin Waller presented the Library's Tax Rates.

The following OMPC Activity for fiscal year 2018-2019 was presented by OMPC Exec. Dir. Brian Howard:

PLANNING APPLICATIONS	CITY	County Whitesville		TOTAL
ZONING CHANGE APPLICATIONS	20	21	0	41
COAL MINING ZONING APPLICATIONS	0	0	0	0
ZONING TEXT AMENDMENTS	6	6	6	6
MINOR SUBDIVISIONS	42	117	0	159
FINAL SUBDIVISIONS	11	5	0	16
PRELIMINARY SUBDIVISIONS	2	2	0	4
PRELIMINARY DEVELOPMENT PLANS	1	1	0	2
FINAL DEVELOPMENT PLANS	24	17	0	41
SITE PLANS	21	11	0	38
AGRICULTURAL DIVISIONS SURVEYS	3	50	0	53
CELL TOWER APPLICATIONS	0	1	0	1
CONDITIONAL USE PERMIT APPS	12	7	0	19
VARIANCE APPLICATIONS	6	7	0	13
ADMINISTRATIVE APPEALS I	1	0	0	1
UTILITY ENCROACHMENT PERMIT	2	4	0	6
ZONING VERIFICATION LETTER	16	5	0	21
DOWNTOWN CERT. APPROPRIATENESS	0	0	0	0
NEW ADDRESSES ISSUED				
(excluding newly created lots)	0	86	0	86

NEW RESIDENTIAL SINGLE FAMILY	52	153	1	206
NEW RESIDENTIAL multifamily	3	0	0	3
MANUFACTURED HOME 1 (DW or 2 floors)	2	19	0	21
MANUFACTURED HOME 2 (SINGLE)	3	17	1	21
NEW RES., HOTELS, MOTELS, CABINS	0	0	0	0
RESIDENTIAL OTHER	120	196	4	320
NEW NON-RES AMUSEMT, SOCIAL, REC.	11	4	0	15
NEW NON-RES CHURCHES, RELIGIOUS	1	1	0	2
NEW NON-RES INDUSTRIAL	8	2	0	10
NEW NON-RES, OFFICE, BANK, PRO.	14	2	0	16
NEW NON-RES, PUBLIC WORKS, UTILITIES	11	19	0	30
NEW NON-RES, STORE, CUSTOMER SERVICE	21	4	0	25
NEW NON-RES, OTHER	15	6	0	21
NON-RES ADDITIONS, ALTERATIONS	48	5	0	53
SIGNS	82	17	0	99
SPA/POOL	6	35	0	41
FOUNDATION	5	4	0	10
TOTAL BUILDING PERMITS	3981	481	6	893
TOTAL ELECTRICAL PERMITS				1270
TOTAL HVAC PERMITS .				313
TOTAL PLAN REVIEW-APPLICATIONS				201
<u>BUILDING INSPECTIONS TOTALS</u>				
FOUNDATION INSPECTIONS				640
MH SETBACK INSPECTIONS				30
ROUGH-IN INSPECTIONS				821
BLDG, ELEC & HVAC SUSPENDED CEILING INSPECTIONS				239
MISCELLANEOUS BLDG INSPECTIONS				21
FINAL BLDG INSPECTIONS				709
CODE ENFORCEMENT INSPECTIONS				0
TEMP SERVICE POLE INSPECTIONS				247
UNDERGROUND CONDUIT INSPECTIONS				124
UNDER SLAB PRE-POUR INSPECTIONS				12
POOL BONDING PRE-POUR INSPECTIONS				53
ELEC RECONNECT				113
ELEC ROUGH-IN INSPECTIONS				782
ELEC MISCELLANEOUS INSPECTIONS				19
ELEC TEMP PERMANENT INSPECTIONS				463
ELEC FINAL INSPECTIONS				971
MECH ROUGH-IN INSPECTIONS				364
MECH FINAL INSPECTIONS				389
MECH UNDER SLAP/UNDERGROUND				5
MECH OTHER INSPECTIONS				6
TOTAL BUILDING, ELECTRICAL & MECH INSPECTIONS				6002

Proudly, Mr. Howard informed the court that all OMPC inspectors are now Kentucky State Certified inspectors. He noted that OMPC operates under the 2018 Kentucky State Building Code and the 2017 Kentucky Electric Code. Those codes, along with the HVAC and Mechanical Codes, he said, are handed down from the state for all Kentucky Counties to abide by.

Referring to the above listed inspections, Commissioner Wathen asked, “Where does it show the number of people who are wanting to buy an existing building and find out all they need to do? Is that under building permits?”

Mr. Howard answered, “That number is sizable.” However, he could not quickly locate the specific line item. Mr. Howard said he will locate it and get that information back to the court as soon as possible.

Judge Mattingly said the rub comes in with property owners needing to renovate older buildings but financially know that it would be less costly to demolish the structure and rebuild verses having to bring

the structure in full compliance with the codes. He referred to the notable number of downtown buildings that it would cost more to renovate than it would to demolish them and re-build under the current codes.

Treasurer Jim Hendrix presented the Treasurer's Report for July 2019.

Documents presented in court for recording included:

- Daviess County Public Library Annual Report
- Daviess County Extension District Tax Rates.

Minutes of the August 15, 2019 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 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 Wathen, seconded by Commissioner Castlen, the court considered for approval; Administrative Code Amendment relating to Vehicle Inspection Reports.

Said amendment state:

Personnel operating CDL regulated vehicles must complete a daily driver's vehicle inspection report prior to operation and certify that the condition of the vehicle is satisfactory. Any noted defects must be reported to the driver's supervisor, who is required to contact Fleet Maintenance in the event of a major defect. The Fleet Maintenance mechanic must complete their section of the driver's vehicle inspection report before the vehicle can be operated. The Fleet Maintenance supervisor has the ultimate authority to determine what constitutes a major defect and whether to remove vehicles from or reinstate to operation. Report booklets, upon completion, will be reviewed and signed by the respective driver's supervisor and filed in the Purchasing Department. Violation of the above rules by any party responsible for inspecting and correcting unsafe conditions will result in discipline up to and including discharge.

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; Contract with Inspection Testing and Maintenance Inc. (ITM) for Annual Fire Hydrant Testing at the rate of \$6 per hydrant.

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 the following:

- Bid No. 30-2019: One (1) New Articulated Dump Truck to Diamond Equipment for \$425,000.
- RFQ 007-2019: One (1) New RTV X1100 to Hagan's Outdoor Equipment for \$17,700.
- RFQ 008-2019: Shooting Trap Targets to Howell Traps for \$14,680.27.

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; Promote Jeremy Smith to Daviess County Fire Chief effective September 1, 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 Wathen, the court considered for approval; Second Reading of KOC A.97 (2019); 14-2019 – An Ordinance Establishing the 2019 Daviess County Tax Rates.

Without comment or 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 appointment; Michelle Drake #23-2019 to the Daviess County Library Bd. TERM: 9/13/2019–9/13/2022.

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 appointment; Fire Chief Jeremy Smith #40-2019 to the Medical Control Authority Bd. Chief Smiths term is effective Sept. 1, 2019 and does not expire until he leave his position as Fire Chief.

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 921.675(2019); 15-2019 – An Ordinance Amending Text in Article 11 of the OMPC Zoning Ordinance.

Judge Mattingly explained, the court was asked to consider revising this ordinance to allow the use of motorhomes/recreational vehicles (RV) in a mobile home park as temporary permanent housing. Currently, this is not allowed nor is it allowed on a residential construction lot. For those wanting to use a RV for temporary housing, for example, while constructing a new home, this ordinance change will allow them a properly zoned site to place their RV for up to a year. This ordinance provides the park owner the ability to apply for two consecutive 6-month zoning variances for a specific area within the park as clearly defined on an approved “conditional use permit plat”. If the park owner finds that additional time is needed beyond the one year allotment, a request may be made to OMPC for an updated conditional use permit.

Commissioner Castlen asked if someone uses their one year allotment then moves out, how long do they have to leave before they are allowed to return and start a one year term over again?”

Judge Mattingly noted that the ordinance does not grant an extension beyond the 12 month. It only allows the request to be made. The decision will then be up to the board to either approve it or to deny the request.

Mr. Howard explained, “This is brand new and there will be some growing pains along the way. We initially looked for other counties that previously addressed this issue but found no others. The intent of this is to accommodate those in need of an approved location for a temporary RV housing site. If abuse of this is found, it might require revision, but as it is currently, it has met everyone’s approval.”

The 2020 Community Priorities listing was presented by the Greater Owensboro Chamber of Commerce Executive Director Candance Brake and follows:

Transportation Priorities:

1. Start Construction to widen Hwy 54 to Jack Hinton Rd
2. Complete I-69 and Upgrade Audubon Parkway to I-69 Spur
3. I-69 Bridge
4. Extend I-165 to US 60 at Natcher Bridge

Capital Priority:

1. New Judicial Center

Legislative Priority:

1. Home Rule / Flexibility in Local Government Tax Structure

Judge Mattingly asked court members to sign a prepared letter to be sent to the Intergovernmental Branch of the U.S. Marshall Service requesting them to provide the Daviess County Detention Center more prisoners and more money.

Judge Mattingly noted, Daviess County Fiscal Court was awarded the annual Kentucky Spirit Award for 2019 for the sewer extension projects in Friendly Village and Cedar Hills. With the willingness and cooperation of RWRA and GRADD, these projects have been successful.

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 17th day of September 2019.

Jennifer Warren, Daviess County Fiscal Court Clerk