

**Minutes of the March 19, 2020
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 in Prayer and the Pledge of Allegiance to the Flag.

As tonight's meeting has been limited to only essential personnel, Judge Mattingly announced that tonight's online participants via Facebook Live may type in their questions or comments in on Facebook and the court will address them.

Judge Mattingly proclaimed April 1, 2020 as Start By Believing Day 2020.

County Treasurer presented the Treasurer's Report for February 2020.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the March 3, 2020 Court Meeting.

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; All Claims for All Departments.

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; **Resolutions 10-2020 and 11-2020** and Applications for the Kentucky 2020/2021 Pride Fund Composting and Household Hazardous Waste Management *Tox-Away* Grants.

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Friendly Park Sewer Project Reimbursement Agreement with RWRA.

David Smith stated, "The system development fees the county collects from this project will be combined and forwarded to RWRA as the sewer owner."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Fire Training Facility Use Agreement with the City of Owensboro.

Purchasing Agent Jordan Johnson stated, "This is an agreement we currently hold with the City of Owensboro and renew every five years for use of their facility."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Supplemental MOA with the City of Owensboro Regarding 911 Operations NCIC/LINK Terminal.

The Chief of Police has directed 911 Director Paul Nave to be the system manager and this agreement states our support of said directive.

The vote was called and with all present members voting in favor, said motion passed.

As Facebook Live temporarily disconnected the meeting's live stream video during the above vote, the court paused to allow the reconnection of today's the meeting. They then took another vote.

The vote was called as stated and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; MOA with Owensboro-Daviess County Industrial Foundation.

Mr. Johnson stated, "The Industrial Foundation approached Fiscal Court regarding the general liability insurance they held on land that we own jointly through Economic Development Properties (EDP). After reviewing the policies, it was determined that their insurance is duplicate, and that they simply need to be added as an additional insured on the County's policy for these particular properties. KACo advised that we draft this MOA that will serve ultimately to direct any arising claims to the proper entities. This comes at no additional cost to the County, has no impact on the County's general liability, and will save EDP about \$600-\$700 annually."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Contract with Owensboro RNG, LLC for the Development of a Landfill Gas to Energy Project.

Mr. Johnson stated, "We have reached an agreement with Owensboro RNG (O-RNG), to develop a landfill gas to energy project at the West Daviess County Landfill. O-RNG will construct, own, and operate a gas to energy processing facility on Landfill property that will serve to accept landfill gas from our methane gas collection and control system. They will process and deliver renewable natural gas to one or more third parties. The county will be paid an annual royalty of 12% O-RNG's gross operational revenues. For years that O-RNG's revenues exceed \$7M, the county's base royalty of 12% will increase to 15%. That \$7M threshold will be inflation adjusted each year starting in the first year of the contract. The county will not be investing any funds into the processing facility or its operations. O-RNG is solely responsible for those costs and any and all associated risks with operation and market. This project will however offset some of the county's operational costs, namely leachate disposal and well-field operation that will be in addition to the royalty. In the future, we have the option to invest into the expansion of the well-field that will be maintained by O-RNG, but that investment would be funded from the royalty revenue stream that will be created or closure funds - not county operational funds."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Uniform Rental Customer Service Agreement with Unifirst.

Mr. Johnson stated, "The Solid Waste Department has utilized Unifirst for the last seven years for uniform rental services for mechanics. We have reviewed historical service quality and pricing, and recommend signing another agreement with Unifirst for a three (3) year term. This agreement services 15 employees at approximately \$9,000 per year, including service rates, replacements and repairs."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Provide St. Benedict's \$20,000 to Purchase Two (2) Mini Vans.

Mr. Johnson stated, "St. Benedicts approached Fiscal Court for reimbursement for the purchase of two mini vans for the homeless shelter. I have verified their insurance through the Diocese of Owensboro, and reimbursement will follow proper transfer and licensing of the vans by the shelter."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Award the following:

- **Bid No. 05-2020:** Courthouse Security Camera Project to B&B Technologies, LLC for \$11,812

- **Bid No. 09-2020:** Silt Basin Cleanout Project to Envision Contractors, LLC for \$191,750

Commissioner Castlen stated, "Often, when recordings are played back, I have noticed that the video quality is so bad that it is almost not worth recording. I appreciated the opportunity to view a sample video of our proposed system and glad to see the high quality and resolution of the video."

The vote was called and with all present members voting in favor, said motion passed.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Appoint current Deputy Daviess County Alcoholic Beverage Control Administrator David Smith to the position of Daviess County Alcoholic Beverage Control Administrator effective immediately through 12/31/2021.

Judge Mattingly stated, "Currently, on paper, I am the Administrator but for the past several years, David Smith, appointed Deputy-Administrator, has handled all of the administrator's responsibilities. Provisions exist allowing the role of Administrator to be appointed to someone else. Therefore, I am recommending Mr. Smith's appointment as Administrator. There will be no additional pay for this role."

The vote was called and with all present members voting in favor, said motion passed.

Comments by Daviess County Fiscal Court:

The court congratulated the **Owensboro Rampage High School Hockey Team** for winning the 2019/2020 Kentucky State Hockey Championship and the **Owensboro Catholic Boys and Girls Basketball Teams** for winning Regionals.

Commissioner Castlen and Judge Mattingly commended all who have been working on the COVID-19 at the local level.

Judge Mattingly stated, "It is not local government's job to be out in front of this (COVID-19) virus. It is our job to empower others to do their jobs that take care of the needs of the community including the health, safety, and welfare of the community. I feel we have done this. Sometimes it is necessary for the County Judge/Executive and the Mayor to stand up and say, "Let's all keep our heads."" He further informed all how to access the latest COVID-19 information.

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 April 2, 2020.

A handwritten signature in cursive script, reading "Jennifer Warren". The signature is written in black ink and is positioned above a horizontal line.

Jennifer Warren, Daviess County Fiscal Court Clerk