

**Minutes of the June 11, 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 was limited to essential personnel only, Judge Mattingly announced that online participants, via Facebook Live, may submit questions or comments via Facebook post those comments or question would be addressed as necessary.

Scott Phelps with the Kentucky Transportation Cabinet presented the 2020/2021 Rural Secondary Roads Program. He explained that this fiscal year's program funds total \$1,001,622, including \$278,262 in flex funds. This total expresses a 10% reduction due to COVID-19 shutdown. Mr. Phelps discussed both the following program options and asked the court to consider approving one.

Option No. 1:

KY 142 Asphalt Resurface
MilePoints (MP): 5.98-8.906
KY 54 to Lane Rd.
Estimate: \$320,000

KY 1554 Asphalt Resurfacing
MP: 0.00-0.777
KY 56 to Audubon Pkwy
Estimate: \$150,000

KY 405 Asphalt Resurfacing
MP: 0.00-2.825
KY 144 to Graves Ln.
Estimate: \$280,000

Option No. 2:

KY 142 Asphalt Resurface & Replace Culvert
Estimate: \$150,000

KY 142 Replace Culvert
Estimate: \$50,000

KY 554 Replace Culvert at Todd Bridge Road
Estimate: \$450,000

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Rejection of the above "Option No. 2" of the Rural Secondary Roads Program recommendation and to utilize Flex Funds for county road improvements.

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; Rural Secondary Road Program "Option No. 1" as presented above.

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

Per Judge Mattingly's request, KYTC Chief District Engineer Danitra Henderson addressed the current Highway 81 Bridge closure. Following the accident that caused the bridge closure, it has been determined that the bridge can and will be repaired at a reasonable cost. She hopes to have the bridge re-opened prior to the start of school.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the May 21, 2020 Daviess County Fiscal 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 Koger, seconded by Commissioner Wathen, the court considered for approval; Budget Transfers.

Treasurer Jim Hendrix stated, "Budget transfers are made at the end of each fiscal year as legally the county cannot have actual expense items that exceed the budget."

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; **Resolution 15-2020** – Coronavirus Relief Fund Grant Application (CARES Act).

Judge Mattingly stated, "Under the Coronavirus CARES Act, the county is eligible for between 3 & 4 million dollars in COVID-19 related reimbursables. Clarity on the act is still necessary as some understand the act to include certain covered items but others understand it differently." He noted that meetings are being scheduled in order to gain necessary clarity.

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; **Resolution 17-2020** – Springhill at Lake Forest Subdivision Street Lighting District.
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; Contract with Daviess County Board of Education for the 2020/2021 Transportation of Non-Public School Students.
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; Award the following Bids:

- 08-2020: Pavement Striping to Reynolds Sealing & Striping per rates schedule
- 12-2020: Ready-Mix Concrete to Yager Materials (with minor exceptions) per rates schedule
- 13-2020: Tar Coated Culvert Pipe to Hagan & Stone (with minor exceptions) per rates schedule
- 14-2020: County Uniforms to Unifirst per rates schedule
- 15-2020: Crushed Limestone to Yager Materials per rates schedule
- 16-2020: Tire Repair & Maintenance Services to Best One Tire per rates schedule
- 17-2020: Janitorial Services for County Administrative Facilities to Purus Clean per rates schedule
- 18-2020: Janitorial Services for Morton J. Holbrook Judicial Center to Purus Clean per rates schedule
- 19-2020: Janitorial Services for Robert M. Kirtley Judicial Annex to Purus Clean per rates schedule
- 20-2020: Fire Rescue Uniforms to Siegel’s Uniforms per rates schedule

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; Hire Barry Dennis as a Public Works Utility Laborer effective upon successful completion of pre-employment screenings.
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; Reappoint Angela Thompson [#10.1.2020](#): Owensboro Regional Hospital Board; TERM: 10/31/2020 – 10/31/2023.

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; Reappoint Taylor Deveaux #6.5.2020: O-DC Convention and Visitors Bureau; TERM: 6/30/2020 – 6/30/2023.

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; Appoint Curt Baker #6.6.2020: O-DC Convention and Visitors Bureau as Hotel/Motel appointee; TERM: 6/30/2020 – 6/30/2023.

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; **Second Reading of KOC 620.54 (2020); 04-2020** – An Ordinance Relating to the Discontinuance of a Portion of Old Ben Ford Road.

Comments:

No comments received.

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; **Second Reading of KOC 620.55 (2020); 05-2020** – An Ordinance Relating to the Discontinuance of a Portion of a 12 Foot Public Alley Paralleling Church Street.

Comments:

No comments received.

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; **Second Reading of KOC A.98 (2020); 07-2020** - An Ordinance Relating to the Daviess County Budget.

Comments:

No comments received.

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

Judge Mattingly attended the recent "Peace and Reconciliation Rally" that took place downtown. He stated, "I thought it was a great display of community unity. Ending the rally, NAACP President Reverend Rhondalyn Randolph present the county a local artist's rendering of George Floyd. That art is now hung in this courtroom as a reminder of the terrible tragedy that ended Mr. Floyd's life. His death was precipitated by a rogue officer, not representative of this nation's law enforcement officers. It was and is the worst thing an officer can do."

Judge Mattingly stated, "Commissioners, as you're aware, we recently approved a lease agreement with someone (Matthew Boarman) regarding the Little Hurricane boat dock. I bring this up today in response to a citizen who called me accusing the county of hindering their construction of the Little Hurricane boat dock. I wish to assure all that nothing could be further from the truth. The county wants nothing more than to see that boat dock re-opened but when parties agree to and sign a lease agreement, the terms of that agreement are expected to be met. As per the lease agreement, Mr. Boarman agreed to "secure the County's written permission to erect, construct, attach or install any permanent structure, including piers, foundations, buildings, docks or other associated facilities." I mean, if you lease a house and you want to do something to it, you need the owner's approval before having the work done. Mr. Boarman is leasing this property at no cost other than what it costs to keep the property maintained and, without permission, has bulldozed out a roadway into some trees and built a substantial structure out of telephone poles and steel beams, which contrary to the person who called me, is not just a shade structure. Clearly, this violates the terms of the agreement. I called Mr. Boarman to discuss this issue. As he wants to open a retail boat dock, I informed him what permits and approvals were required for that to be done. In the end, the county owns the property and if he causes a violation to occur, the Corps of Engineers and other permitting agencies will hold the county (property owner) accountable and in turn, we will would hold Mr. Boarman accountable but we don't want any of that. We want the boat dock re-opened to the public and we are only requesting that he does what is right and what would be required of anybody else." He added that Mr. Boarman should not blame the court for his failure to comply with the lease agreement or for not first getting necessary approvals and proper permits. Judge Mattingly said, "If you do something on the banks of the Ohio River, everyone will know because everyone is watching. I just want the public to know that we want the boat dock re-opened as quickly as possible and that this court is not responsible for the holdup. It makes me mad when people tell others or blame others for their own faults and failures."

Without objection, Judge/Executive Mattingly adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

Judge-Executive Al Mattingly Al Mattingly Commissioner Charlie Castlen Charlie Castlen
Commissioner Mike Koger Mike Koger Commissioner George Wathen George Wathen

I, duly appointed Daviess County Fiscal Court Clerk Jennifer Warren, hereby certify that the above minutes for the corresponding Order Book were approved by the above listed court members during the court meeting of June 30, 2020.

Jennifer Warren

Jennifer Warren
Daviess County Fiscal Court Clerk

