

**Minutes of the August 18, 2020
Daviess County Fiscal Court Meeting
Held at the Daviess 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 media received a public notice, which included today's meeting details and attendance information. Due to the current pandemic, the meeting was open to essential personnel only, but made available to the public via the Daviess County Fiscal Court Facebook live page. The notice also included details about how the public could submit questions and/comments before and during this meeting.

The meeting opened in Prayer and the Pledge of Allegiance to the Flag.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Minutes of the August 6, 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 Wathen, seconded by Commissioner Castlen, 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 Castlen, the court considered for approval; Fund Transfers.

County Treasurer Jim Hendrix noted: We have completed the financing transaction and account set up for the new radio system. Last Tuesday, we received the \$5.5 for this system and one account is for debit service and another for the bond fund. This is to transfer that money into the appropriate accounts. I am asking permission to transfer \$23,600 representing the 1st interest payment from the general fund to the bond fund for the public safety radio system.

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

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Order of Allowance to the Board of Assessment Appeals.

Treasurer Hendricks: This is a bill for \$400 to pay the 4 people serving on the board of assessment appeals that occurred today. The county shares 50%. The state pays the remaining 50%.

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; MOA with City of Owensboro regarding shared use of existing ASTRO 25 Core.

Purchasing Agent Jordan Johnson: The Astro 25 core is a piece of equipment that connects the city's digital radio system with our dispatch operations. In order for the court to pursue more cost-effective options presented in the proposals received for our P-25 radio system RFP, this agreement is necessary to allow our new digital radio system to connect to dispatch through the city's core. There are several benefits regarding programming and interoperability to having a shared core and given that we operate a joint 9-1-1 dispatch with the city, our radio engineering consultants agree that this will be the most efficient orientation. The county already pays for the maintenance of the core through the shared dispatch budget, so there were no issues and cost to address outside of what would be incremental in our upcoming project. The agreement states that the county can utilize the existing core and includes an exhibit attestation from the current service provider that states that the county's utilization will have no impact on the functionality nor will it limit expansion of communications of the City of Owensboro.

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; Drainage Agreement with Ballard Construction Custom Homes; Woodland Ridge Development.

County Engineer Mark Brasher: This agreement will hopefully remedy a persistent and continuous problem they've had since that development. The developer intends to do a significant amount of ditch work to allow that subdivision to drain as the approved drainage report was submitted.

Judge Mattingly: What this basically does is it allows him to go ahead and open up the second half of that development, but as is enumerated under #13, county and the developer acknowledge that the county lacks any legal authority to maintain that ditch nor shall it maintain the ditch.

Mr. Brasher: That's correct.

Judge Mattingly: We want to make sure going forward that people don't look to the county to maintain farm ditches. And in effect, what occurred here was the developer had presented a plan when they first opened the

development and said that that ditch will handle the drainage necessary. Well it's obvious over the last 15 years that it did not. We continue to get complaints from standing water. Actually, it turns out that the water is 2' too deep on the high end, and couldn't get out on low end. I think the developer has already done some work on the far end, which has lowered the water that stands. We are going to lower a culvert under Knott Road and we think when we do that we are going to see a really good drainage out of that system. This should make that system work the way it was originally designed.

Commissioner Wathen: I don't know how many calls I've gotten right down there, and there's going to be a lot of happy people when this happens, but he won't get into, he will not complete this ditch until after this year's crop season, is that correct?

Both Judge Mattingly and Mr. Brasher concurred.

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:

- **RFP 01-2020:** P25 Trunked Radio System to **Motorola** for a not to exceed price of \$6,009,708 and to authorize the Judge/Executive and County Treasurer to execute any and all documents related to same.

Mr. Johnson: In March 2019, we contracted with the radio engineering consultant firm of Trott Communications to produce a needs assessment report of our current system and operations and begin the process of assessing and fielding options to upgrade our legacy vhf radio system. Per their report and the feedback received from first responders and other end users, the court chose to pursue a P25 trunk digital solution and issued this RFP to accomplish that end. For the provision of a new P25 trunk digital radio system in subscriber gear, we received 4 proposals from a single vendor ranging from a total proposal price of \$6,009,708 to \$7,943,251. Each proposal comes with a set of layout and operational assumptions and after consultation with our radio engineering firm, dispatch operations, and Owensboro first responders, we recommend the lowest and best evaluated 2nd alternate proposal 4-Site System with a Shared Core with the City of Owensboro for the not to exceed price of \$6,009,708 with the respective maintenance package presented. It should be noted, this project will take an estimated 2-years to implement with ongoing negotiations of site improvement subscriber gear and maintenance options, the not to exceed total price and annual maintenance presented, represent equipment improvements and options that will be evaluated over the course of the implementation and may be negotiated below the presented pricing. We have received funding for the project and there are no exceptions.

Commissioner Wathen: So, we're committing to the maintenance contract as well?

Mr. Johnson: Yes, noting that this maintenance and contract includes several options that we will negotiate, I would think, up to a 1 ½ years into the project, but that is a worst case scenario. That is all of the options. It is very likely, we will take several pieces out of that.

Commissioner Wathen: But in the time frame of 5 years of the maintenance contract, is that correct?

Mr. Johnson concurred.

Commissioner Wathen: When does the 5 years start?

Mr. Johnson: In the 2nd year after the system is implemented.

Commissioner Wathen: So, after the system is complete, then the 5 years start?

Mr. Johnson agreed.

Commissioner Wathen: So, I'm assuming we've got a... If it takes 2 years to install, we have 2 years? So, we end up with like seven years of... Is that what you're saying?

Mr. Johnson: Yes, after it is implemented, we will get 1 year of coverage from the vendor, and then after that year is done, we would enter the first year of that 5 year agreement.

Judge Mattingly: If this starts, we start working on 2020, you've got 2 years complete, that puts it in 2022. The 1 year of warranty that comes with it is 2023. So, 2024 would be the 1st year of the maintenance contract.

Commissioner Wathen: That's even better than I thought.

Commissioner Castlen: Will all of these sites go live at the same time or will they go incrementally?

Mr. Johnson: They will all go live at the same time. There will be one transition period from our VHF to digital.

Judge Mattingly: It looks like the option that you presented us, on mobile coverage, it didn't matter, we were in good shape and I know that the Sheriff, Major Barry Smith, and Fire Chief Jeremy Smith, and a lot of our volunteers had concerns regarding coverage with mobile. So, it really, this takes care of one of the major concerns that the folks have. The outdoor portable coverage suffers a little bit. The indoor portable coverage suffers a little bit. But really what we are looking at is a lot of areas suffering are places that we don't have homes anyway or we don't have businesses anyway it's farmland it's.

Mr. Johnson: Yes, sir. It's mostly farmland and woods. We generated several population density maps, looked at historical cad calls, every agency reviewed that data, and saw no issue with that slight reduction in coverage.

Judge Mattingly: I guess what I'm saying is, in effect you run that by all the major county agencies that are going to actually be utilizing the system and they all were in agreement with the option that we selected.

Mr. Johnson: Yes, sir.

Judge Mattingly: You're right, 18 months. Commissioners, it's a long time. It seems like we had meeting after meeting and about radio waves and what they do and don't do and we're all wondering just exactly what's going on. He thanked all parties involved with this endeavor.

Commissioner Wathen: So, we get everything completed, how do we hold Motorola accountable to deliver exactly what they said they were going to deliver?

Mr. Johnson: Trott Communications will serve as our project management team. They'll be supervising everything that is installed. They'll be doing their own testing. We will have feet on the ground.

Judge Mattingly: We're guaranteed these coverages by Motorola and if they don't, they're going to have to come up with some way to grant those coverages at no additional cost to the county.

Mr. Johnson agreed.

- **RFQ 10-2020:** Snow Plow Package to **IMPCO, Inc.** for \$9,964.56

Mr. Johnson: This quote is to purchase one snowplow package to include a 10-foot municipal snow plow and all kits and adapters for the Daviess County Road Department. We received 3 responsive quotes ranging from \$9,964.56 to \$11,507 and, without exception, recommend pursuing the lowest and best evaluated quote of IMPCO, Inc. for \$9,964.56.

Judge Mattingly: Mark, is this one that is going to be used inside of subdivisions or is this one that fits on our tandem?

Co. Engineer Mark Brasher: We use tandem and single axel throughout the county and we do utilize our single axle for subdivisions. I believe this is the last of our snow plow and salt beds that are not stainless steel. This will complete our fleet changing to that stainless steel.

- **Bid 30-2020:** New Backhoe Loader to **Erb Equipment** for the net amount of \$87,656

Mr. Johnson: This bid is for the provision of one new mechanical front-wheel drive backhoe loader for the Daviess County Transfer Station. This item will replace a 2006 CAT 430 EIT backhoe that was offered as trade-in consideration to offset the total purchase price. We received 3 bids ranging from a net \$87,656 to \$138,450 and recommend the lowest and best evaluated bids submitted by Erb Equipment for the 2020 410L John Deere backhoe loader in the net amount of \$87,656. There were no exceptions.

- **Bid 31-2020:** New D8T Waste Handler Dozer to **Boyd CAT** for a total purchase price of \$840,916

Mr. Johnson: This bid was for the provision of one new D8T waste handler dozer for the west Daviess County Landfill. We received a single bid having no exceptions to our specifications we recommend award to the only bid received to Boyd CAT for the 2021 CAT D8T waste handling arrangement dozer for \$840,916. You will note that Boyd CAT offered several warranty options. After reviewing historical maintenance issues for other dozers and at what point they occurred, we believe the most cost-effective option for the life of the equipment would be the 5 year, 10,000 hour powertrain coverage for \$37,080, which brings the total purchase price to \$840,916.

Commissioner Castlen: If we have used them before, how responsive are they?

Mr. Johnson: Very responsive.

Judge Mattingly: I am assuming you were in consult with our Landfill mechanics and manager Robbie Hocker?

Mr. Johnson: They are in agreement.

Commissioner Koger: Are we trading in the old dozer or keeping it?

Mr. Johnson: I believe they intend to keep it.

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; Hire Jordan Rowe as Communications Coordinator effective 8/19/2020.

David Smith: We have a high level of diversity regarding our social media presents and we have different people doing different parts of it. During this pandemic, I think it became apparent that we were severely lacking in our ability to get our message out. There were many times that we had press conferences here that we were not prepared equipment-wise. I think you had discussed adding this position during the budget process. With your approval, we advertised and received up to 30 applications. Following interviews with candidates, we recommended the court select Mr. Rowe. He has worked for local news agencies and has journalism and reporting experience. He served as Director of Strategic Communications in Frankfort for one of the cabinets.

Judge Mattingly: Having him on board would have been nice during the earlier non-discrimination ordinance and the recent second amendment discussions and throughout the pandemic. As elected officials, we sometimes would have different messages going out and Mr. Rowe will help us manage messages we want to convey to the public. People want to know what's going on and it takes somebody dedicated to keeping the stream of information going. For example, a citizen had asked a commissioner why the county doesn't have a household hazardous waste day, and not only do we have this program, it is held every year. He will help us get our messages out. He will be working not just for this commission but for all of our departments to help them get those messages out and to get more people to attend functions. If hired today, Daviess County will be the 1st Kentucky county to hire a full-time Communications Coordinator.

David Smith: Once Mr. Rowe has established a routine here and is comfortable in his new position, it is possible to enable other local non-profits or even GRADD governmental entities to utilize his communications expertise, particularly with regard to social media for a fee or by utilizing monies through HB 202, for those entities that qualify.

Judge Mattingly: I agree. They know how important communications is and they all run into the same issues - they're not experts on social media platforms and there is great interest in utilizing him, if we have any spare time. We will not hurt ourselves, but if time allows, we may make him available for a certain number of hours a week.

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; Promote Jordan Johnson to Assistant County Treasurer effective 9/7/2020.

Treasurer Hendrix: Mr. Johnson has exhibited the necessary skills and knowledge for this position. His technical aptitude is apparent in the way he approaches his job. His analytical abilities continue to impress and, as witnessed by his participation and contributions that has in turn created for the county a higher quality of service at a substantial cost savings. He is certainly committed to the organization. There will be no backfield. This promotion does not create a hole so we won't be hiring anyone else.

The court bestowed upon Mr. Johnson many accolades and a sincerity of appreciation.

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; Promote Keary Boone to Solid Waste Heavy Equipment Operator.

David Smith: Leachate is regularly transported from the Daviess County Landfill to the West Treatment Plant. Due to severe structural issues and associated strains from the landfill's 45 year old leachate tanker, the tanker must be replaced. I recently sent the court a detailed evaluation to determine whether it would be in the county's best interest to keep the service in-house or to contract it out. The conclusion and recommendation was to retain the service in-house due to the significant saving opposed to contracting it out. With the court's approval, Mr. Boone will be promoted from the Road Department to this new position and his existing position will need to be filled.

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 the following Drug-Free O/DC Steering Committee members with the TERM: 9/1/20 - 9/1/23:

- Dianne McFarling [#9.1.20](#)
- Carl Lewis [#9.2.20](#)
- Rosemary Conder [#9.3.20](#)

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 10-2020; KOC B.51 (2020)** - An Ordinance Authorizing the Issuance of Industrial Building Revenue Bonds, Series 2020 (Audubon Area Community Services, Inc. Project).

Comments:

Treasurer Hendrix: This is the second reading relating to Audubon refinancing their debt. As discussed, Audubon will refinance and Daviess County will serve as the issuer for the new debt. Clearly states that the debt is not an obligation of Daviess County Fiscal Court in any way. Any required payments that Fiscal Court is to make in the in the documents is limited to the revenues coming from Audubon area. Claud and I reviewed this and we believe it's in order. For the record, I would state that there were some word changes between the first reading and the second reading and I've reviewed those changes, which are merely word changes for peripheral reasons and they do not affect the outcome or the intent of the document.

Judge Mattingly: While we have not responsibility for this, does this debt reflect on our bond rating?

Treasurer Hendrix: It won't reflect on your debt limit, but it will more than likely be included in our annual report.

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

Comments by Daviess County Fiscal Court:

Commissioner Wathen: I may not remember this correctly, but it seems like a few years back, I don't know if we did it by actually voting on it or just by discussion, but we made a decision that if we hired someone and we were going to advertise in that position the paper that we wouldn't vote on that anymore. That was good, but tonight there were 2 jobs that we added as additional staff. I'd like to, I don't know if we need to do it by vote or just by recommendation, but I'd like to go back to... I'd like to recommend that if we hire someone and it's not an addition to staff numbers that we don't have to advertise it, but if it is an addition to our number of staff, I'd like to vote on it to advertise it.

Judge Mattingly: Why don't you let me make this recommendation. Get together with Claud and kind of convey what you're concerned about, talk about it, and then bring something back.

Commissioner Wathen: Okay, I just want to vote before we advertise a position that represents an increase in our number of staff. We don't vote on it if we advertise if it's not an addition, and we made that decision. I don't remember how we made it, but we did make that change where we stopped voting on every time we advertise.

Judge Mattingly: If I remember, and this didn't have necessarily to do with personnel, this was any advertisement for any bids or any of those kinds of things. I don't think it was specific to personnel, but I understand what you're saying so let's just get what Claud and see.

Commissioner Wathen: Everybody might not agree with me, but I'd like to.

Judge Mattingly: My issue sometimes is sometimes you want to go out there and see who's out there, but anyway, I agree with you.

Judge Mattingly: Keep washing your hands, wearing your mask, and social distance folks. The viral numbers are trending upward. I know that some schools are back in session, person-to-person, and some are virtual, but it's real. We lost another citizen today and the hospitalized numbers are also trending upwards. I know a lot of folks are out there and want to talk about the number of people that have died as a percentage of our population or whatever, but if it happens to be one of your family members or relatives, your child, and really what bothers me is seeing the trend of children who are starting to be diagnosed with this. The good news is most of them are recovering - 99.9 are recovering, but if it's some relative it becomes real critical. Commissioners, I recommend that we go another month without having folks in our courtroom. To my knowledge, the governor and CDC are still recommending that you not have groups larger than 10, and we are right at that right now. So, I recommend that we go through September and then reevaluate it.

Without objection, Judge/Executive Mattingly adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

Judge-Executive Al Mattingly  Commissioner 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 corresponding Order Book minutes were approved by the court on September 3, 2020.

Jennifer Warren

Jennifer Warren
Daviess County Fiscal Court Clerk