

**Minutes of the December 17, 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**

Today's meeting was limited to essential personnel, but made publically available via the Daviness Co. Fiscal Court's Facebook live page, where public questions/comments could be posted, or by contacting 270-929-1010 (voice/text).

**DOCUMENTS RELATED TO TODAY'S DISCUSSIONS
ARE FILED IN THE CORRESPONDING FISCAL COURT FILE**

Commissioner Koger is recuperating at home but joins us tonight via Zoom.

The meeting opened with a prayer and the Pledge of Allegiance.

Judge Mattingly announced the current remodeling of the courtroom. He said the project should be completed before the January 14, 2021 meeting and will provide improved accommodations for the public.

Judge Mattingly noted that he made an exception to the current attendance policy by allowing Messenger-Inquirer Reporter Jacob Mullikan to attend tonight's meeting. Mr. Mullikan has reported on county-related issues for the paper, but has recently decided to leave his post and this will be his final meeting with us.

Judge Mattingly presented a MOA between the Commonwealth of Kentucky Office of the Governor, Department for Local Government, Office of Federal Grants, and Daviness County Fiscal Court, which he executed via an emergency Executive Order on December 7, 2020.

Assistant Treasurer Jordan Johnson: Congress enacted the Coronavirus Aid Relief and Economic Security Act (CARES), which in part, allocated \$300 million to the Commonwealth of Kentucky to distribute to local governments and municipalities for reimbursement for expenses incurred during the COVID-19 pandemic. The state distributed \$250 million of those funds in the first COVID-19 relief fund reimbursement project. This is the second part of that and it distributes the remaining \$50 million. Daviness County's allocation is \$1,170,602 and this Memorandum of Agreement allows us to receive those funds. By Emergency **Executive Order #09-2020**, this MOA was signed and is being presented tonight for the record.

When we were informed about this funding, it was necessary to act quickly. Since we were unable to hold a special meeting to approve this MOA, Judge Mattingly executed this emergency order.

Judge Mattingly: This money is for reimbursement for expenses we have already incurred. We found out toward the end of the first CARES package of \$3.4 million, they declared that salaries for deputy jailers were also a reimbursable expense.

Mr. Johnson presented the Treasurer's Report for November 2020. As noted, the total cash on hand is \$40,828,262. The general fund balance is high because of the \$5.5 million that was bonded for the radio system and \$1.45 million of CARES reimbursement. All funds are performing within the expected range.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Minutes of the December 3, 2020 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 Koger, the court considered for approval; All Claims for All Departments.

Commissioner Castlen asked which fire truck unit is having the transmission replaced. His interest is if that unit is, as he stated, "a short-timer". He noted that replacing a transmission is a significant repair.

M. Johnson: We expect to get another four years out of it, but I will supply you with that analysis.

Judge Mattingly: We had that discussion as to whether we ought to move it up on the replacement schedule, but we felt, following consultation with our mechanic and the Fire Chief, it was in good enough shape and well worth the investment.

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; County Clerk's Claims for Preparing Tax Bills for 2020.

Mr. Johnson: This is a funding mechanism set by KRS for the County Clerk's office to receive payment for preparing the 2020 property tax bills. A total of 46,896 tax bills were prepared at 30 cents each for a total claim of \$14,068, which the court is responsible for \$7,034, which is half of that total.

Talking about the individual taxes collected, Judge Mattingly noted that State taxes amount to \$9.9 million, which is money collected by the sheriff that is returned to the state. County taxes, the part that

comes to Daviess County Fiscal Court in which is used for roads, bridges, paid fire protection, and those kinds of things, is \$9.4 million. Special levies, such as the library, street lighting districts, extension district, is \$8 million. Fire dues, these are the dues, which go to the volunteer departments in the 10 districts is totals \$701,000. School taxes total \$38.6 million. School taxes are often thought by some to be what the county receives and they will typically call complaining about taxes being too high. However, out of the total \$66.7 taxes collected, the county only receives \$9.4 million or 11% of the collective.

Commissioner Wathen asked if Mr. Johnson could find out what service we are provided for \$1.50. He stated, "I'd love to know what that is and what they can do for \$1.50?"

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; **Resolution 33-2020** Alcoholic Beverage Control matters.

Judge Mattingly: At our last meeting, we discussed additional relief to our local bars and restaurants. We talked to the County Attorney to see if we could send out a renewal without charging the local Alcoholic Beverage Control fee.

David Smith: The governor's office allowed a 12-month fee waiver for certain fees. Those fees, listed within this resolution, many of those the county is not allowed to assess and sell licenses for, such as caterers fees and different microbrewery fees. There are less than 20 county establishments for which we could provide that additional relief. The amount that the county will forego is about \$12,300 in fees. Unlike the governor's office, we will not be extending their current licenses fees. We will just be giving them a credit on their bill for those prices. So, if you are a restaurant and only get what is called a NQ2 license, a retail drink license, and that's your only license, it will cost \$600 per license. However, that amount will be credited back to you. You will still be required apply for a 2022 license, even though we will be waiving this fee.

Judge Mattingly: You are still required to apply and have the license, but you won't have to pay for the license on the ones that we are allowed the right to get rid of. Now, these are only the types of licenses that restaurants and bars have. Retail package stores will not qualify because they have not been impacted. Claud, you are in agreement that we can do this, correct?

County Attorney Porter: The governor just waived those and we have just taken the same thing. Mr. Smith had given me copies of several other cities and counties who had done the same thing. We have just basically mirrored what several others have done. We are not telling you, you can't do the fee or shouldn't apply. We are just saying we are going to waive it - giving you a credit for the future for one year.

Judge Mattingly thanked the court for considering this.

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 **Bid No. 47-2020** - Control Replacement for Courtroom Video to BCS, LLC. for \$28,673, including option #1.

Mr. Johnson: This is for the replacement of our video production system. This will upgrade our current production system, which is designed specifically to produce an older style television broadcast to a streaming oriented system, which will produce a higher definition video with direct control over graphic settings and additional options for camera settings and switching and texting graphics for the viewer. It will help with any streaming platforms such as Facebook and YouTube where we are seeing most of our viewers, if not all. Also included in this project will be six monitors along the dais tied to the projector system and outputs throughout the courtroom. Initially, we received three bids, but due to a quoting software error, the third participant requested to rescind their bid. Having two remaining bids ranging from \$28,673 to \$35,770, the lowest and best evaluated bid, without exception, is being recommended to BCS, LLC, and exercising bid option one.

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; Agreement with American Engineers for Yellow Creek Truss Bridge Construction, Admin. Testing and Inspection.

County Engineer Mark Brasher: Typically, when we replace a concrete bridge, we have a contract to do inspections to the footers, steel reinforcement, and test concrete. This truss bridge will require different inspections dealing with bracing the existing structure, reviewing proposed methods of construction, material delivery, and other special type reviews/inspections. That is why this contract amount is about twice the amount we normally see for the construction of a concrete bridge.

This project will be completed before ROMP 2021.

Commissioner Wathen asked if there was another event scheduled on Memorial Day Weekend.

Mr. Smith: Hopefully, this project will be complete by Memorial Day for this Geocaching event.

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; Hire Enoch Nelson as a Mechanic effective upon successful completion of pre-employment screenings.

Judge Mattingly: We had two people interview for this mechanics positions. Knowing how difficult it is to find and hire mechanics these days, and in anticipation of a soon-to-be mechanic vacancy, we thought it was best to hire both Mr. Nelson and the following *person while we had the opportunity.

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; *Hire Keith Lyon as a Mechanic 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 Castlen, seconded by Commissioner Wathen, the court considered for approval; Reappoint Mark Brasher #1.1.21 (S3T) as the Daviess County Engineer - TERM: 1/8/21 – 1/8/25.

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 Commissioner Mike Koger #12.11.20 (S1T) to the Chamber Board - TERM: 12/31/2020 – 12/31/2021.

The vote was called and with all present members, voting in favor, except for Commissioner Koger as he abstained, said motion passed.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Reappoint David Smith #12.3.20 (S3T) to the Mid-America Development Review Board - TERM: 12/31/2020 – 12/31/2023.

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 Judy Dixon #12.9.20 (S1T) to the OMPC Board of Adjustment - TERM: 12/31/20 – 12/31/24.

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; Reappoint Angela Hardaway #12.8.20 (S1T) to the OMPC Board - TERM: 12/31/20 – 12/31/24.

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; Appoint Jason Strode #12.12.20 (Larry Boswell S2.5T) to the OMPC - TERM: 12/17/20 – 12/31/23.

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; Appoint Dr. Patrick Marsch #12.10.20 (Dr. Walter Marsch S2T) to the DC Animal Care & Control Board - TERM: 12/17/2020 – 8/7/2021.

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; Appoint Lauren Osowicz #12.7.20 (Helen Mountjoy S1T) to the GRADD Board (Tri-Joint) - TERM: 12/31/2020 – 12/31/2023.

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

No other business was brought before the Daviess County Fiscal Court, however, under comments by Daviess County Fiscal Court, an new item considered and voted upon. See below*.

Public Comments:

No comments received.

Comments by Daviess County Fiscal Court:

Commissioner Wathen: The Green River Area COVID-19 Response Fund Committee meets twice a month and grant applications are reviewed for funding. Around March of this year, both city and county donated \$150,000 each to this fund. To-date, with all community private and public donations, that fund has grown to \$785,000. That is amazing and an indicator of the kind of a community we live in. The relief fund has benefited over 60 non-profit organizations who use those dollars to turn around and help others in need. Since this program has been so successful and beneficial, he recommended that the court donate an additional \$150,000 to this fund.

***By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Grant an additional \$150,000 to the Green River Area COVID-19 Response Fund.**

Commissioner Koger expressed appreciation for everyone’s effort regarding this worthy program.

Judge Mattingly: Following a conversation with the City Manager, I believe the City of Owensboro will again match our contribution to this fund. With local governments’ contributions, hopefully that will spur additional financial contributions from the community. The first donations were for a short-time

pandemic, but because it has been anything but short lived, money to support these non-profit organizations will come at a critical time.

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

Commissioner Wathen: This year's Christmas and Panther Creek Park Light show has surpassed our all-time record.

Mr. Smith reported on the relief funding for bars and restaurants. Mr. Smith: Monday is the deadline to apply for funding. Following the December 3, 2020 funding approval, staff contacted all of the known, qualifying, county bars and restaurants to inform them about this financial opportunity. A total of 14 checks, as of tomorrow, will have been issue. There are 4 applications being completed and processed and a few applications still in route to us. Thankfully, one of the 30 businesses thought to qualify, reached out and thanked us for the opportunity, but because their business is doing so well, they would not be applying for funding. One of the restaurants said this \$5,000 grant will be used to appropriately sanitize their place and to order food so they may restart their business.

Mr. Johnson: The 2020 Daviess County Gun Club activity shows a total revenue of \$120,868, operating expenses of \$76,579. Per Kentucky House Bill 366, we remitted sales tax of \$5,774, resulting in a profit of \$38,514. Our startup costs were \$122,218, and we have recouped about 30% of that investment. Additionally, Puzzle Pieces' recent fundraiser at the gun club gave them \$1,500.

Judge Mattingly: It is amazing that we will have a park facility, park amenity that will end up completely paying for itself.

Regarding the public Wi-Fi opening at the 7-volunteer fire stations, Mr. Smith reported that in one month, greater than 100 gigabytes of data have been used. Most predominantly, used at Pleasant Ridge and Yelvington. Those locations serve areas of the county that have the least amount of available internet services.

Judge Mattingly: It was timely, at the start of the second school shutdowns.

Judge Mattingly: Much of the work has been completed at the Operations Center for the Real ID offices. This new location should be up and running mid-January 2021.

The court presented Messenger-Inquirer Reporter Jacob Mullikan with a gavel and declared him an Honorary Member of the Daviess County Fiscal Court. They recognized him for the excellent reporting he has done and for his service to the court.

Mr. Mullikan said that it has been a real honor.

Judge Mattingly: As you are aware, the detention center has had a COVID outbreak. Roughly 44 inmates tested positive. Unfortunately, five or six staff also test positive. We think we have a handle on it. Jailer Maglinger is doing an excellent job. Somebody talked about the overcrowding in jail. Right now, we have a jail designed to hold 699 prisoners. We have 625 in-house. There are four temporary release inmates and 41 are in the substance abuse program. There are 226 county inmates. There are 23 Kentucky federal inmates and 77 Tennessee federal inmates. The federal inmate numbers are increasing. The state pays

about \$32 a day per state inmates and the feds pays \$55 a day, plus transportation costs. That is an excellent thing.

Judge Mattingly: In Daviess County, the Kentucky Bio Processing facility will begin phase one of human clinical trials for a plant-based COVID-19 vaccine. That's amazing. There has been talk lately about staking our claim and becoming known as the bio-processing capital or the Ohio Valley Bio-Center. Congratulations to Kentucky Bio Processing for moving forward with that.

Fourth quarter Employee Anniversaries:

- Solid Waste Scale Operator T.J. Johnston 20 years
- Assist. Fire Chief Shaun Blandford 20 years
- Mech. Supervisor Tim Jackson 15 years
- Animal Control Officer Wayne McElvain 10 years
- Firefighter/EMT Stephen Bell 10 years
- Service Tech. William Nantz 5 years
- Service Tech. Brandon Clark 5 years
- HEO Danny Roberts 5 years


Without objection, Judge/Executive Mattingly adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

Judge/Executive:  Commissioner: 

Commissioner:  Commissioner: 

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 January 14, 2021.



Jennifer Warren
Daviess County Fiscal Court Clerk