

**Minutes of the March 4, 2021  
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).*

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

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

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Judge Mattingly: Before we get started, I want to announce that we now have a COVID rate of 15.8 cases per 100,000. That is the lowest since September. Many people are getting vaccinated, but let's not drop our guard. Let's whip this scourge. Too many people have lost their lives. Also, before we get started, I want remind the public that they may submit comments or questions on the live Facebook page.

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By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Minutes of the February 18, 2021 Court Meeting.

Commissioner Castlen asked if public hearing minutes are taken.

Judge Mattingly said that minutes are not usually taken for public hearings.

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

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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.**

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By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; **Resolution 05-2021** – CDBG-CV Utility Assistance Grant Program.

Judge Mattingly: This resolution relates to the county's application for CDBG-CV Utility Assistance funding. This grant totals \$200,000 and is specifically to be used to aid those who have fallen behind in utility payments during the pandemic. There are no income restrictions on this funding but it is limited to Daviess County residents who live outside of the corporate limits of the Cities of Owensboro and Whitesville. If we are awarded the grant, Audubon Area Community Services (AACS) shall act as our agent in distributing those funds. As AACS currently administers a similar utility assistance program, they have the know-how to facilitate these dollars. I know \$200,000 will not go very far as many Daviess County Water District, RWRA, OMU, and Kenergy customers are substantially behind on utility payments due to the pandemic. Historically, and unfortunately, this type of funding can take 4-5 months before the money is available for use. Hopefully, we will get funding faster and will not have to wait to assist those in need.

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Contract with AECOM for Performance of 2D Analysis of Big, Goetz, and Carter Ditches.

County Engineer Mark Brasher: The end goal for this 2-dimensional analysis is to be able to present an appeal to FEMA regarding their presented draft maps. Carter and Goetz ditches pose a very specific issue as FEMA's model shows a dramatic increase in the area's base flood elevation. A private entity is also conducting a 2D model just south of ours and by tying both models together, we believe it will provide for more accurate analysis of how those two systems work together. As this is going to affect some interest the county has in the MidAmerica Industrial Park, I recommend approval.

Commissioner Castlen: When will the appeal process wrap up and be finalized?

Mr. Brasher: With COVID, the schedule is very fluid. Within the next few months, FEMA, as required, will hold public meetings. Following those meetings, I believe, there is a six-month window allowing for public to submit appeals to the Division of Water and FEMA. Appeals will require factual data to clarify disputes and that is why time is of the essence. Our model is going to take quite a bit of time, but if we begin soon, they should be completed within that appeals period.

Judge Mattingly: Mark, there's no guarantee that this is going to change anything, but any change, any lowering whatsoever, would financially reduce flood insurance.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Reimbursement Agreement with Economic Development Properties, Inc. for Performance of 2D Analysis of Big, Goetz, and Carter Ditches.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Commit to Accepting the Transfer of the Wimsatt Court Connector and associated Right-Of-Way.

Mr. Brasher: This relates to the highway department's plan to widen Highway 54. Wimsatt Court is a residential subdivision street located next to the US 60 interchange. Widening this portion of road is going to have some issues as it is difficult to get in and out of that street. Although clearly marked, vehicles consistently block that intersection due to heavy traffic and traffic backups. The Highway 54 widening plan will open up the back of Wimsatt Court and create an access road connecting it to the Gateway Commons. This additional access road will provide Wimsatt Court residents an easier alternative to and from their homes. Once the connector is completed, through this commitment, the county will take over maintenance of this small section of road.

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

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

Assistant County Treasurer Jordan Johnson:

**RFQ 04-2021:** One (1) New 24x26 Vertical Garage (Landfill) to Carolina Carports.

Daviess County Fiscal Court received three (3) responsive quotes for the provision of one (1) new 24X26 vertical garage for the West Daviess County Landfill. Carolina Carports is the lowest and best evaluated quote received, having no exceptions to the specifications. It is our recommendation to pursue the lowest and best evaluated quote submitted by Carolina Carports for \$11,990.

**Bid No. 02-2021:** Landfill Administration Office Renovation (Landfill) to Lanham Brothers.

Daviess County Fiscal Court received four (4) bids for the renovation of specified areas of the West Daviess County Landfill Administration Office. Lanham Brothers is the lowest and best evaluated bid, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 02-2021 to Lanham Brothers for \$227,871.

**Bid No. 04-2021:** Portable Radio Interoperability Gateway (EMA) to Systems Engineering Technologies Corp.

Daviess County Fiscal Court received one (1) bid for the provision of a portable radio interoperability gateway for the Daviess County Emergency Management Agency. Systems Engineering Technologies Corporation is the only bid received, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 04-2021 to Systems Engineering Technologies Corporation for the 2021 SyTech RIOS TAC2 unit for \$29,475.

**Bid No. 05-2021:** Sign Posts & Fittings (Road) to A&A Safety, Inc.

Daviess County Fiscal Court received three (3) bids for the provision of specified quantities of sign posts and fittings for the Daviess County Road Department. A&A Safety, Inc. is the lowest and best evaluated bid, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 05-2021 to A&A Safety, Inc. for \$18,350.

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

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By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Hire Gavin Cecil as Service Tech eff. upon successful completion of pre-employment screening. **The vote was called and with all present members voting in favor, said motion passed.**

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The court heard the **First Reading of KOC 621.20 (2021) 02-2021** – An Ordinance Relating to the Daviess County Road, Bridge and Street System.

**Comments:**

Engineer Brasher: This is the annual county road index update. New county roads are included, which are primarily streets created by new subdivisions. This update includes the addition of 1-2 miles.

Judge Mattingly: If a street or road is not in the road index, we are not allowed to spend money on it.

Commissioner Castlen asked if this update included any road deletions.

Mr. Brasher: Roads being removed from the index go through a road-specific ordinance approval process.

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No other business was brought before the Daviess County Fiscal Court.

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**Public Comments:**

Judge Mattingly: Prior to court, someone asked when trash on the Owensboro Bypass would be picked up. As the bypass is state owned and maintained, I cannot answer that. I know that local inmate crews pick trash up along the bypass, but with COVID, that program has been temporarily suspended. County Engineer Brasher will pass along the request to the state highway department.

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**Comments by Daviess County Fiscal Court:**

Judge Mattingly gladly reported on the pandemic's downward trajectory.

Judge Mattingly: An appeal has been filed regarding the rezoning of property at Daniels Lane and Hayden Road. About 20 days ago, OMPC approved the property's rezoning. It is the developer's intention to construct 128 apartments at the site. The hearing will be open to in-person attendance and will follow the regular session of this court on April 1, 2021. There is some question as to whether those who filed the appeal can speak, as they did not speak at the OMPC rezoning meeting. Once that is determined, the County Attorney's office will notify those involved about the hearing.

Judge Mattingly: Due to flooding, the elevated trails at Panther Creek Park are closed.

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Without objection, Judge/Executive Mattingly adjourned the meeting.

**SO ORDERED THAT COURT STAND ADJOURNED.**

Judge-Executive Al Mattingly  Commissioner Charlie Castlen 

Commissioner Mike Koger  Commissioner 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 March 18, 2021.



Jennifer Warren

Daviess County Fiscal Court Clerk