

Minutes of the June 3, 2021, Daviess County Fiscal Court Meeting  
Held at the Daviess County, Kentucky Courthouse

Present elected court officials: Judge/Executive Al Mattingly, County Commissioners Charlie Castlen and Mike Koger. Commissioner George Wathen attended via Zoom.

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

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

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

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The court recognized OHS 2021 Graduate and Fall Harvard Freshman Kaysia Harrington.

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County Treasurer Jim Hendrix presented the Daviess County Fiscal Court Audit Report for the Year Ending June 30, 2021.

Treasurer Hendrix: The state APA conducted this fiscal year's audit. Their report detailed a single negative finding, which included a pay-period glitch and states, "The Daviess County Fiscal Court submitted ineligible expenses for reimbursement from the COVID virus relief line". This was a pay-period related disagreement between DLG and this court, which has been successfully reconciled. With that cleared up, no ineligible expenses are reported. We also did not have to return any received COVID-related money. The report is good and the finances of Daviess County Fiscal Court are recorded as they should be.

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the May 20, 2021, Court Meeting.

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

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Judge Mattingly: Let me remind those watching online, if you have a question/comment on any agenda item, I know there is a streaming delay, we will take a little more time to allow remarks to come through. For items not listed on this agenda, there will be an opportunity for remarks towards the end of the meeting.

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By a motion of Commissioner Koger, 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.**

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By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Fund Transfer of \$1,170,602.61 from the General Fund to the Jail Fund.

Treasurer Hendrix: I am requesting permission to transfer this unbudgeted amount relative to COVID reimbursements for jail salaries and because of cash flow, we need this money over there anyway.

**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; Budget Transfers for Fiscal Year Ending June 30, 2021.

Treasurer Hendrix: Annually, during June meetings, we start making our budget transfers. These transfers are necessary because under our accounting system the state does not allow counties to have any account line where the actual expense is more than the budgeted expense. In the nature of doing things, estimating these amounts down to the penny rarely happens and if we tried to make them all be over, we would end up with a ridiculous budget, and we don't do that. All of these transfers, are offset by another expense reduction or they were an item approved by the court, or we have additional funding that covers them. I have reviewed these transfers and they are all in order.

**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; **Resolution 08-2021**: Adoption of the 2021 GRADD Hazard Mitigation Plan Update.

Judge Mattingly: The court receives a reimbursement from FEMA to cover administration costs related to this regularly updated plan. The court pays GRADD to administer and update this plan. They look at things that we can do, particularly things that don't cost us a lot of money and may offset or mitigate the effects of natural disasters. We try to anticipate those kinds of things and do some up-front planning to mitigate the end result.

**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; Contract with Daviess County Board of Education for the 2021/2022 Transportation of Non-Public School Students.

Treasurer Hendrix: This contract is much like those we have done in past where we pay the Daviess County Public Schools \$75,000 a quarter for the transportation of non-public school students. When all related expenses come in, we true it up this amount for the following school year. Lately, it has been closer to \$230,000 - \$240,000 rather than the typical cost of \$300,000. This is due to a continued reduction in the number of students riding the school bus. The Kentucky Transportation Cabinet reimburses the county for providing this annual service.

**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; Business Associate Agreement from Green River District Health Department for July 1, 2021 to June 30, 2022.

Judge Mattingly: This relates to providing our "risk assessed" county employees with preventative shots for disease prevention as well as for treatment.

**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; Administrative Code Amendments Regarding Comp-Time and Paramedic Training for Fire Dept. Employees.

**CHAPTER 11 ATTENDANCE AND LEAVE**

**Section 18.1 Comp Time for Fire Department Employees**

- (A) Due to the Fire Department's unique work schedule and amount of trainings and meetings, the Fire Chief shall have the authority to offer comp time, as an alternative to paid time, for mandatory and non-mandatory meetings and trainings.
- (B) Comp time is an option and is made only by an election, in writing, by the requesting employee. One hour of regular time shall be converted to one hour of comp time and one hour of overtime shall be converted to one and a half hour of comp time.
- (C) Similar to vacation usage, comp time must be approved by a supervisor and may be used only when it does not result in overtime pay.
- (D) Comp time must be used prior to vacation time and it expires at the end of each calendar year it is incurred. No comp time shall be carried over to a new calendar year.

**CHAPTER 21 EDUCATIONAL ASSISTANCE PROGRAM**

**Section 6. Paramedic Training for Fire Department Employees**

- (A) The County will pay 80% of the costs necessary for an employee to earn the Paramedic certification. The County will pay these costs to the institution up front, subject to the repayment rules, or will reimburse the employee upon successful completion of the course(s).
- (B) Employees must successfully complete the course(s) and attain the Paramedic certification or be subject to the repayment rules.

- (C) Employees who receive benefits for Paramedic training are expected to continue to work for the County for a minimum of three years or be subject to the repayment rules.
- (D) Repayment:
  - 1) If an employee does not complete the course(s) and does not attain the Paramedic certification, then the employee must reimburse the County 100% of any costs paid.
  - 2) If a Paramedic leaves within 12 months of receiving a County benefit, then the employee must reimburse the County for 75% of any costs paid.
  - 3) If a Paramedic leaves within 24 months of receiving a County benefit, then the employee must reimburse the County for 50% of any costs paid.
  - 4) If a Paramedic leaves within 36 months of receiving a County benefit, then the employee must reimburse the County for 25% of any costs paid.

Treasurer Hendrix noted that the above administrative code amendments deal only with Daviess County Fire Department employees. The first one relates to providing firefighters the choice to either receive over-time pay (which is the current allowance) or comp time as it relates to over-time hours for continuing education and training hours. This is being offered as an incentive to encourage the completion of training. The second amendment relates to paramedic training. Finding, hiring, and retaining certified Firefighter/Paramedics is becoming difficult. As detailed above, and in addition to incentive pay, this amendment adds an incentive to encourage our firefighters to train for and obtain their paramedics certification with a commitment to reimburse, with conditions, the employee for a large portion of associated certification training costs.

Judge Mattingly: In a multi-agency effort, the city, county, and local ambulance service provider (AMR) have agreed to provide paramedic training instructors and OCTC has agreed to provide them training space to hold paramedic certification training. Proudly speaking, if not mistaken, our 2 paid stations may be the only stations in the state that deliver to its citizens paramedics trained in advanced life services. I think that is pretty cool.

**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; Appoint to the Owensboro-DC Convention & Visitor’s Bureau; TERM: 6/30/21 - 6/30/24

- Sharon NeSmith (DC Hotel/Motel) (Brian Smith S1T) [#6.6.2021](#)
- Greg Floyd (Restaurant) (Brooklyn Maple S1T) [#6.5.2021](#)

**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; Reappoint to the DC Economic Development Advisory Board; TERM: 6/19/21 – 6/19/2025

- Phil Riney (S1T) [#6.3.2021](#)
- Christina O’Bryan (S3T) [#6.4.2021](#)

**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; Reappoint to the DC Drainage Commission; TERM: 6/22/21 – 6/22/2024

- Wally Taylor (S1T) [#6.2.2021](#)
- George Altman (S1T) [#6.1.2021](#)

**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; **Second Reading of KOC A.98.02 (2021) 04-2021** – An Ordinance Relating to the FY 2020/2021 Daviess County Budget.

**Comments:**

Treasurer Hendrix: This is budget amendment #2 and records the revenue that had been previously unbudgeted for the second payment of the CARES funds of a \$1,076,261, and also records the unbudgeted American Rescue Plan Act (ARPA) deposit of \$9,858,661.

**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; **Second Reading of KOC A.98.03 (2021) 06-2021** – An Ordinance Relating to the FY 2020/2021 Daviess County Budget.

Treasurer Hendrix: This is budget amendment #3 and records the unbudgeted revenue from the COVID-Community Development Block Grant of \$200,000 for Owensboro Regional Recovery.

**Comments:**

No comments received.

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

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**No Other Business was considered.**

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**No Public Comments were received.**

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**Comments by Daviess County Fiscal Court:**

In order to allow for court members to attend an out of town, 3-day, joint conference, Judge Mattingly noted that the next court meeting has been rescheduled from June 17 to June 15 at 10:00 am. He also noted a 3<sup>rd</sup> meeting in June, which is set June 30 at noon, where the court will consider for approval all

remaining fiscal year ending Budget Transfers. He congratulated all who coordinated the moving and well done Memorial Day Events.

Judge Mattingly: There is some confusion or misconception in our community about the Hotel Room Tax and the Convention Visitors Bureau. I've heard it called the County's Convention and Visitors Bureau on several occasions and you know it's not the County's Convention Visitors Bureau. It may have been established by Daviess County Fiscal Court many years ago, but it's the Community's Convention Visitors Bureau. Their one task is to market and promote the entire community. The Hotel Room Tax, some people believe that money goes into the Daviess County Fiscal Court's Budget, and although it does initially, we are merely the pass through agency and do not get to spend that money. This money comes in and goes out. We only collect the tax and it doesn't benefit us directly. It does benefit Owensboro and therefore, it benefits Daviess County Fiscal Court because Owensboro is within Daviess County. I want to give you a few items here since the county raised the room tax. We were asked by the city to increase the room tax by 1%. We could put a 1% addition on to help offset the operating costs of the convention center and we agreed to do it because it helped offset that deficit spending by the city on the convention center and they were using general fund dollars and that was coming out of the pockets of the citizens of Owensboro. Therefore, out of the pockets of Daviess County citizens. So, we put that tax on and since then we have transferred around \$1.8 million to the city to help with operating costs. We transferred nearly \$5.5 million to operate the Convention and Visitor's Bureau. Of that 6%, the Convention and Visitor's Bureau gets 3%, the Convention Center gets 1%, and the remaining 2% has enabled us to pay over \$1.1 million for debt service projects for the RiverPark Center and Art Museum. Also within that 2% are grants we provided to the Bluegrass Music Hall Of Fame and Museum of nearly \$600,000, to the RiverPark Center of nearly \$250,000, Theater Workshop of Owensboro received over \$175,000, Museum for Science and History over \$175,000, Owensboro Symphony Orchestra over \$100,000 and then we gave out over \$150,000 in "silo busting" grants to core-downtown, multi-group agencies. Not included in the above, but should be noted, is the \$1 million we gave the RiverPark Center, which we made contingent upon them raising another \$1 million, of which they accomplished. Additionally, the city agreed, with the same contingency, to pay off their \$4 million bond. This meant that the city only had to pay \$2 million. If you recall, of those statutory appointments we make to the Convention and Visitor's Bureau, from the hotel and restaurant industries, and then there are 2 at-large appointments; one filled by the county and one from the city. The law governing this tax does not make recommendations on how the county should use these tax dollars, rather the law states that the county shall do the following:

- Shall use these funds to fund the Convention and Visitors Bureau
- Shall transfer funds to offset operational costs of the Convention Center
- Shall grant money to core-downtown arts organizations

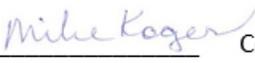
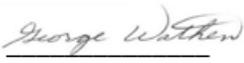
Judge Mattingly: The governor has selected June 11 to be the date he removes current mask mandates and other restrictions. For many months now, we have limited courtroom attendees to essential personnel. In light of Daviess County now being in the Yellow Zone, I recommend we lift that restriction, but limit public attendees to 12. This will allow for continued social distancing, but will afford groups the opportunity to send a representative to discuss particular issues. I ask that anyone wanting to attend a meeting, call our office to reserve one of the 12 seats so we do not have people showing up, just to be turned away. Additionally, no one will be asking about anyone's vaccination status. When we reach the Green Zone, meaning that we have no community spread at all, we will return to pre-pandemic rules regarding attendance. Court members all agreed with this recommendation.

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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 June 15, 2021.



Jennifer Warren

Daviess County Fiscal Court Clerk