

**Minutes of the July 15, 2021, Daviess County Fiscal Court Meeting
Held at the Daviess County, Kentucky Courthouse.
Present elected court officials: Judge/Executive Al Mattingly and County Commissioners
George Wathen, Charlie Castlen, and Mike Koger.**

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

Judge Mattingly Proclaimed July 16-24, 2021 as Dust Bowl Week in Daviess County, KY.

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Daviess County Sheriff's 2020 Tax Settlement and Quietus.

Sheriff Keith Cain was commended on his outstanding collection rates.

Assistant County Treasurer Jordan Johnson: We have received a copy of the Quietus. Treasurer Hendrix and I have reviewed the data. It is consistent with our records. None of the other taxing districts have made us aware of any issues with their figures.

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; Minutes of the July 1, & 7, 2021, Daviess County Fiscal Court meetings.

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; 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 Wathen, seconded by Commissioner Castlen, the court considered for approval; Parks Special Event Rental Agreement with the Bluegrass Music Hall of Fame and Museum for the River of Music Party (ROMP) 2021 Festival.

Mr. Johnson: This agreement is between Daviess County Fiscal Court and the Bluegrass Music Museum Hall of Fame for the use of Yellow Creek Park to host the 2021 ROMP event, which will be held September 15 – 19, 2021. The agreement details requirements of both parties including security, which will be

provided by the Daviess County Sheriff's Office. The only change is the Emergency Response Plan that was modified by our EMA Director Andy Ball, legal staff, and parks administration.

Judge Mattingly: Last year, ROMP officials and the Bluegrass Museum came and asked that we support them by covering the cost of security, which we did. There is also an informal agreement regarding additional sanitation for folks.

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; Apply for the 2021 Kentucky Department of Agriculture's 2021 Spay/Neuter Grant.

David Smith: This annual state grant helps with the low-cost spay/neuter program. This year's grant has increased from \$2,500 to \$3,000.

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; MOA with the City of Owensboro regarding Juvenile Drug Court Funding.

Judge Mattingly: When the State decided to pull their funding of this program, local governments came together and decided that the community could not afford to forego such a vital program and, at that point, agreed to each pay \$70,000 per year to continue the program. This agreement renews that commitment.

County Attorney Claud Porter: The program is highly successful and has proven to be a wonderful opportunity for many kids to get rid of their public offenses. Families are involved as well and are key to the children's success.

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; Amended Memorandum of Agreement with Hollison, LLC.

Mr. Smith: In 2015, the court signed an incentive agreement with Hollison, which involved a grant portion and a loan portion. Late last month, the Judge received a letter requesting an extension primarily due to COVID impacting their business. This extension lengthens the loan to 10-years, due in September 2025.

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

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Service Agreement with Gardner Engineering Consulting, PLLC to Assess the Structural Condition of Panther Creek Park Fire Tower.

Judge Mattingly: Several months ago, the county engineer brought us a concern about the safety of the fire tower so we closed it out of an abundance of caution and prudence. This agreement is with a structural engineer who will tell us if the tower is safe for people to use, if repairs are needed, or if it is structurally unsound.

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; PR-5632 Lease Agreement Modification for KYTC Leased Premises.

Mr. Johnson: This lease modification is to extend the currently leased space by KYTC at the operations center to include two additional offices (371 square feet) for \$5,171.72 per year. We anticipate the painting and carpeting costs to meet their finishing requirements to be approximately \$4,000 and will be recouped within the first year of this lease. These current vacant offices are located directly inside the building on the right, and are the first two offices on the right side of the hallway. The state plans to use this space for driver's license tests.

Commissioner Koger asked about the number of years in this lease.

Mr. Johnson did not have that info at hand but said he would get a copy of the lease to him as soon as possible.

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; Lease Agreement with Hurricane Marina, LLC.

Judge Mattingly: Commissioners, as you were aware, about 7 years ago, we bought Little Hurricane Boat Ramp and about 20 acres from the federal government. Since then, we have always looked for ways to improve it. A couple of years ago, we were approached about a lease where these folks would take care of the property, which they have done, and they were going to put a boat dock in and some other amenities. Unfortunately, they didn't believe that the Corps of Engineers had the sting they do and the Corps. stopped them because they failed to obtain all the necessary permits and documents to do the things they wanted to do on that property. Daviess County Fiscal Court didn't stop them, slow them down, move them, or do anything. It was their own intractability in dealing with the Corps. and the Division of Water that caused this slow down. Additionally, they needed a conditional use permit from OMPC. I hope that going forward, we don't get bubble gum on our shoes.

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; AmeriCorps Host Agency Agreement benefitting EMA.

Mr. Johnson: For the last several years, the court has participated in this AmeriCorps program for EMA. The program has proven beneficial for the Department. It gives them an employee at a cost of \$5,750. This is an agreement for the program year extending from September 1, 2021 to August 31, 2022.

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:

- 08-2021: Construction of a Restroom Facility at Horse Fork Creek Park to Lanham Brothers for \$152,239.

Daviess County Fiscal Court received three (3) bids for the construction of a restroom facility at Horse Fork Creek Park for the Daviess County Parks & Recreation Department. Lanham Brothers is the lowest and best evaluated bid, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 08-2021 to Lanham Brothers in the amount of \$152,239.00.

- 16-2021: 10 New or Used Target Throwing Machines to Midwest Clay Sports for \$23,527.40.

Daviess County Fiscal Court received four (4) bids for the provision of ten (10) new or used target throwing machines for the Daviess County Gun Club. Midwest Clay Sports is the best evaluated bid, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 16-2021 to Midwest Clay Sports in the amount of \$23,527.40.

- 15-2021: 2 New Custom Pumpers to Johnson's EVS for \$1,055,532.

Daviess County Fiscal Court received four (4) bids for the provision of two (2) new custom pumpers for the Daviess County Fire Department. Johnson's EVS is the best evaluated bid, having no exceptions to the bid specifications. It is our recommendation to award Bid No. 15-2021 to Johnson's EVS for the two (2) 2022 Spartan ERV Metro Star/Star units in the amount of \$1,055,532.00.

The volunteer fire trucks cost around \$260,000. Chief Smith was asked to discuss the price disparity here.

Chief Smith: The volunteer stations typically buys a standard, manufactured cab brand of pumper. This bid today is for 2 custom pumpers, which are custom built for maneuverability. These have been designed for specific medical and advanced medical equipment as well as to multiple safety features for those personnel riding in them. The heavy commercial size and additional safety features are what increases the cost.

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; Accept the Retirement Resignation of Karla Riney, Public Works Admin. Assistant eff. July 31, 2021 (26 Years of Service).

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

No other business was considered.

No public comments were received.

Comments by Daviess County Fiscal Court:

Commissioner Wathen thanked the Lions Club for allowing the county to use the fairground for this week's Waste Tire Amnesty Day Event.

Commissioner Wathen: I know nothing specific has been proposed regarding the outer loop, but I am going to say that if it is a bypass style outer loop, I'm totally against it. I don't think we need it. I believe it would be overkill. It is a \$400 to \$500 million project, and I have yet to see any factual evidence showing that it would be a big benefit. I see the potential to be greater for more negative impacts than positive, which could include drainage issues and a weakened agriculture community and devastated farmlands. I don't think we have maximized the current by-pass' value. We should begin by widening it from 4 lanes to 6 lanes and reduce the speed limit back down to a safer 55 miles an hour. I would like the see the state look for ways to improve our current infrastructure.

Judge Mattingly: Commissioner Castlen and I met with folks regarding the outer loop and discovered that there is a tremendous amount of misinformation and misconceptions going on particularly on social media. To clarify one, the state does not have land contracts out for this project as they don't have a route selected. They are only in the feasibility study stage and they do not know where a route would be recommended at this point. Senator McConnell has not guaranteed a percentage of funding for the outer loop. If it was that easy, we would already have money for the Hwy 54 completion and would not need to beg for that money. When this feasibility study is done, and KYTC brings all the data and information together and allows the community to review it, I think things will become clearer. I think the state and GRADD did a poor job in rolling this thing out. People were under the impression that that one zoom meeting was all there was going to be for them to comment. We will have a link on a county web page for people use to get factual information on this project.

Judge Mattingly: They are all talking about "that" money. I'm assuming they are talking about the American Rescue Plan Act (ARPA) money that is coming to the city and the county. Let me assure the public that once we have final guidance from the treasury, and who knows when that will be, that we will try to have a couple of public meetings where we can talk to people, directly answer questions as to how the money can be used, what thoughts we might have, and what thoughts the public might have. I mean I've always hollered that when we get together our plan of action from the chamber, EDC, the city/county - and those little cards that we give out, they need to have a segment for the public to come in and talk.

It seems like the public never comes in, but that's okay, at least we have given the public a chance. The ARPA money is going to be a while. I would say probably the end of this year, we might get final guidance.

Judge Mattingly: I want to thank the Daviess County Lions Club Fair committee particularly Joan Hayden for allowing us to use the Fairgrounds for the Tire Amnesty event.

Judge Mattingly: There is a new COVID variant out there. We have had an upturn or uptick. We now have some red counties, which means that county has at least 25 cases per 100,000 population. The increase is mostly due to the recent large group holiday gatherings - people who were unvaccinated. The age range of most of these cases are between 18 to 40. Most of the cases are from people who are unvaccinated. If you choose to not get the vaccine, you need to be careful when you are around large crowds and non-family groups. We certainly don't want to see those numbers increase any further.

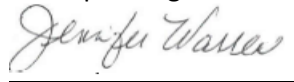
Without objection, Judge/Executive Mattingly adjourned the meeting.

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 August 5, 2021.



Jennifer Warren

Daviess County Fiscal Court Clerk