

**Minutes of the September 16, 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.**

Today's meeting is limited to essential personnel, but streamed live on the Daviess Co. Fiscal Court Facebook page. Public questions/comments during this meeting, may be posted to the Facebook live stream or by contacting 270-929-1010 (voice/text).

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

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

Judge Mattingly Proclaimed the following:

- **National Senior Center Month**, Sept. 2021
- **TEN-4 Awareness Day**, Oct. 4, 2021
- **KY Women in Agriculture Day**, Oct. 19, 2021
- **Saving Our Rivers Day**, Sept. 27, 2021

Treasurer Jim Hendrix presented the Treasurer's Report for August 2021.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the September 2, 2021, 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 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.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Detention Center's Updated Policy and Procedure Manuals.

Daviess County Jailer Art Maglinger: This is the Daviess County Detention Center's policy and procedure manuals annual review and update. A few items of change included the creation and usage of a video visitation system and a parenting program.

The court praised Jailer Maglinger and his staff for their great work.

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; MOA with Owensboro Community and Technical College (OCTC), Mercy Ambulance of Evansville, Inc. d/b/a American Medical Response (AMR) and the City of Owensboro for a Paramedic Program.

Judge Mattingly: Commissioners, we are all aware of the stress and strain that has been placed on first responders. Particularly, with the paid county stations is that we have paramedics on every run, regardless of the run's level of severity. Chief Smith talked with us about how hard it is to keep paramedics, and how hard it is to get people to go and learn how to be a paramedic. We have found that this is not just a county problem, the city, and AMR, are dealing with this same problem. We met with the city, OCTC and AMR, and effective January 2022, OCTC will start providing an accelerated program for paramedics. Once participants pass this program, they will be eligible to test for the national registry of emergency medical technicians, which is the paramedic's exam. OCTC will charge approximately 40% of their standard tuition rate. I thank them for that and DC Fire Chief Jeremy Smith and Owensboro Fire Chief Howard for their hard work. This will provide a better kind of public service in our community.

Commissioner Castlen: I'm very pleased to have been able to work with all the players to get this program in place.

Commissioner Wathen: Can people from outside of Daviess County take this class?

Judge Mattingly: Right now, eligibility is limited to employee-members of AMR, Daviess County Fire and Owensboro Fire. The class is limited to 12 students.

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; MOA with the City of Owensboro for the 2021 Edward Byrne Justice Assistance Grant (JAG) Program Award.

This annual grant is shared between the city and county. On odd numbered years, the county applies for this grant and on even numbered years, the city applies. It is for \$24,060 and is used for mobile data terminals.

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; **Change Order #04** for **RFP 01-2020: P25 Trunked Radio System**.

Assistant County Treasurer Jordan Johnson: As you are aware, we have secured leases for towers in the east and south portions of the county and plan to construct our own tower for the western portion of the county at the landfill. This change order is for Motorola to perform site engineering, geotechnical work, surveys, reporting, and registrations necessary for us to proceed with constructing the tower. The total change order is for \$46,764. This figure is part of our original working estimate for new tower construction.

Judge Mattingly: This radio system requires three towers. We are building one and leasing two, correct?

Mr. Johnson: That is correct. We looked at leasing all three towers, but found that by constructing one in the west, the county would be far better off financially as opposed to leasing that 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; Declare the following as Surplus and Dispose of said Inventory in accordance with the Daviess County Administrative Code.

<u>Department</u>	<u>Unit Type</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN / Serial Number</u>
EMA	Vehicle	1995	Ford/Ambulance	Rescue	1FDKE30FXSHB20906
Fire	Vehicle	2006	Ford	Explorer	1FMEU72E56UA35996
Parks	Equipment	2005	Kubota	N/A	KRTV900A61038782
Parks	Equipment	1998	Kioti	DK45	156700389
Road	Vehicle	2000	International	4900	1HTSHAAR3YH305111
Road	Vehicle	1991	Chevrolet	Welding	1GBHK34K8ME179170
Road	Trailer	2016	Double G	A-Frame Trailer	4G7U1UA19GT000405
Road	Equipment	2000	Kawasaki	2510 ATV	JK1AFCA19YB536354
Road	Equipment	1984	John Deere	2950 Tractor	L02950L518228
Road	Equipment	2000	Flink	Snow Plow	1377
Road	Equipment	1996	Wacker	RD880	673602570
Sheriff	Vehicle	2010	Ford	Expedition	1FMJU1G50AEB07713
Sheriff	Vehicle	2009	Ford	Crown Victoria	2FAHP71V59X120222
Sheriff	Vehicle	2007	Ford	Explorer	1FMEU73E87UB50365
Sheriff	Vehicle	2004	Ford	F150	2FTRX18W84CA17046
Sheriff	Vehicle	2014	Dodge	Charger	2C3CDXAT6EH362067
Sheriff	Vehicle	2012	Dodge	Charger	2C3CDXAT2CH282634
Sheriff	Vehicle	2003	Chevrolet	Suburban	3GNFK16Z33G339035
SW Landfill	Vehicle	1997	Chevrolet	Scotsdale	1GCEK19M5VE221731
SW Landfill	Vehicle	2006	Ford	F-150 4x4	1FTPW14V36FB14136
SW Landfill	Vehicle	2007	Ford	F-150	1FTRF12W97KB47803
SW Landfill	Vehicle	1974	Heil Truck	Tanker	929779
SW Landfill	Equipment	1995	Case	580SL Backhoe	JJG0190510
SW TS	Vehicle	2009	Mack	CX4613	1M1AW02YX9N007978
SW TS	Equipment	1983	Case	1190	1190-00-11035655

Mr. Johnson: An in-house auction will be conducted on October 19, 2021, at the DC Operations Center with the above listed items.

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; Award the following as recommended:

RFQ 13-2021: D8T TRACK LINK ASSEMBLY.

Mr. Johnson: This quote is for the replacement of the track link assembly for the 2012 CAT D8T Waste Handling Dozer at the Landfill. We received three responsive quotes, ranging from \$13,519.54 to \$27,810.76, and recommend pursuing the low quote of Boyd & Sons in the amount of \$13,519.54. This is budgeted maintenance and there were no exceptions.

Bid No. 24-2021: STANLEY PARK PICKLE BALL COURT CONVERSION.

Mr. Johnson: This bid is to resurface the tennis court located at Stanley Park into 4 pickle ball courts with an add alternate to also resurface the basketball court on site to fully update the park. We recommend award to the only bid received by Tennis Technology, Inc., exercising add alternate 1, in the total amount of \$30,650.00. As noted, due to this company's high work load, this project is projected to begin in May 2022. This is a budgeted project and there were no exceptions.

BID No. 26-2021: HVAC ROOFTOP UNIT REPLACEMENT - B3.

Mr. Johnson: This bid is for the provision and installation of a replacement HVAC rooftop unit for Building 3 at the Daviess County Detention Center. We received five bids, ranging from \$15,900.00 to \$47,855.00, and recommend award to the lowest and best evaluated bid submitted by Perfection Heating & Air Conditioning in the amount of \$15,900.00. The jail has budgeted funds to cover the replacement and there were no exceptions.

BID No. 27-2021: MUNICIPAL SNOW PLOW EQUIPMENT.

Mr. Johnson: This bid is for the provision of two (2) municipal snow plows and two (2) snow plow tilting hitches for the Daviess County Road Department. We received two bids, ranging from \$23,548.04 to \$24,335.50, and recommend award to the lowest and best evaluated bid submitted by IMPCO for \$23,548.04. This is a budgeted replacement and exceptions were ruled as minor.

BID No. 28-2021: SIREN CONTROLLER SYSTEM.

Mr. Johnson: This bid is for a comprehensive siren controller system that will allow the Daviess County Emergency Management Agency (EMA) to monitor the status of all sirens in the City and County and allow for sectional or global activation. We received two bids, ranging from \$16,700. to \$295,044. The first bid is significantly lower because that company does not offer a system software solution as was specified, and instead presented a solution in complete exception to the specifications that emulates its functionality with 50+ digital radios, accounting for the large differential. We recommend award to the lowest and best evaluated bid submitted by Mobile Communications America for \$16,700. This is a budgeted item and exceptions were ruled as minor.

With both bid amounts being so vastly different, Commissioner Castlen requested more details.

Mr. Johnson: Mobile Communications America doesn't have software that does what EMA is needing it to do - to monitor all of the sirens and to be able to activate either a grouping of a few or all of them globally. The only way they could emulate that needed functionality is by installing a digital radio on each of the 50+ sirens, at about \$5,500 per radio. As you can see, that is the vast majority of their cost. Although they have proposed a different approach, we believe they can and will deliver what is needed.

BID No. 29-2021: TWO (2) NEW COMMUNITY NOTIFICATION SIRENS.

Mr. Johnson: This bid is for the provision of two (2) new community notification sirens for the EMA to be installed on Brook Street and Roy Clark Road. We received two bids, ranging from \$45,808 to \$59,679.78, and recommend award to the lowest and best evaluated bid submitted by Ohio Valley 2-Way Radio for \$45,808. This is a budgeted project and there were no exceptions.

Judge Mattingly: Does this complete a replacement of all the mechanical sirens?

Mr. Johnson: It does.

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; **Second Reading of KOC 220.35 (2021); 09-2021** – An Ordinance Authorizing the Rebate of 0.50% of Occupation License Fees due to Daviess County, from new employees of Gryphon Environmental (GE), LLC, Provided Corporation meets the criteria in its application for incentives under the Kentucky Economic Development Finance Authority, Kentucky Business Investment Program.

Comments:

David Smith: In 2017, GE received preliminary approval from the Kentucky Business Investment (KBI) to expand their Owensboro-based company. Since then, they have moved outside of the city limits. In order for them to get KBI's final approval, the county has been asked to approve this ordinance, which details GE's employment and salary targets as well as the county's willingness to grant GE ½ of 1% of their respective county occupational tax back to them upon the creation and hiring of a certain number of jobs.

Judge Mattingly: I am assuming there a callback in this document if they don't create those jobs?

Mr. Smith: This 10-year economic incentive grants GE the money as soon as they fulfill their commitment, again is to create and fill a certain number of jobs. Additionally, this enables them to receive a refund from a portion of their state income tax.

Judge Mattingly: The state doesn't give up their full 6%, only a small portion.

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

Other Business brought before the Daviess County Fiscal Court:

Judge Mattingly: We received the engineering report from Gardner Engineering regarding the Fire Tower at Panther Creek Park. The report notes that when the tower was originally built, it was intended as a single-person fire observation tower and not for public access/use. In order for a structure of any type to be occupied by the public, it must meet certain safety standards and building codes. In this particular case, the required design loads are much larger than for a limited access fire tower. In fact, they are 250% larger. In short, the report says that several issues were identified and until those issues are corrected,

the structure is not safe for public occupancy and should remain closed. It also gives a preliminary opinion on the probable repair costs, which was \$120,000. The "Parks Repairs" line item in this year's budget is \$250,000 and I can't, in good conscience, make a recommendation to utilize such a large percentage of that budget to repair the tower. I think my recommendation would be that we declare it surplus and proceed with removing it from the park.

Commissioner Wathen: As I read this extensive report and reviewed the pictures of the structure, I was surprised to see what poor condition the tower was in. Except for its historical value, I agree, we don't get much use out of it and for what it would cost to get it repaired, it is just too much money to spend.

Commissioner Castlen: I appreciate the work that the engineer did on this study. Over time, for what was designed for single-person use, the tower has experienced atypical usage. I am disappointed to hear that repairs could be so costly. I thought it could be neat to preserve it, but with such costly repairs, I can agree to declare it surplus.

Judge Mattingly: We can't control how many people go up in the tower, and we know more than one person goes up there at a time. If somebody gets hurt, the liability is just phenomenal.

Judge Mattingly: For anyone wanting to review the engineering report, it is a public document and you are welcome to review it.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Declare as Surplus Property the Fire Tower at Panther Creek Park and Instruct the County Engineer to Remove and Dispose of said Surplus Property in accordance with the Daviess County Administrative Code.

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

No Public Comments were received:

Comments by Daviess County Fiscal Court:

Judge Mattingly noted that the 5:00 p.m., October 2021 meeting dates have changed to the 14th and 28th and the first meeting in November has changed as well, and it will be held at noon on the 8th.

Judge Mattingly: Congratulations to Catherine Elizabeth Wright, a senior at Apollo High School, who has been named a semi-finalist in the 67th Annual National Merit Scholarship Program.

Judge Mattingly: Today, Governor Beshear announced that the state has provided more than \$65 million in eviction and utility relief to Kentuckians. There is still \$152 million out there. If you recall back in the spring, the governor set aside almost \$225 million for eviction relief and for utility relief and there is \$152 million still out there. He encourages Kentuckians to apply for the \$152 million in available assistance so that we can keep them in their homes and healthy. The program, so far, has received 17,250 applications because of that, it's being administered by the Kentucky Housing Corporation and they have hired more

people to administer it. One of the problems that they have had, just like unemployment, they are having a lot of people who aren't qualified applying and trying to scam the system. If a tenant is facing eviction, they are encouraged to apply for rental assistance, speak with their landlord, see if they can stay in the home while the application is being processed, contact the legal aid society, attend their eviction hearing, and ask the judge for some more time. For more information, please go to www.hherf.kentucky.gov. If you have trouble or have problems with the application, call the Daviess County Fiscal Court. Somebody will help you.

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Enter into Closed Session per KRS 61.810 (1)

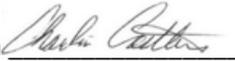
- (b) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.
- (g) Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussion would jeopardize the siting, retention, expansion, or upgrading of the business.

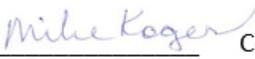
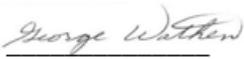
*No action was taken

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

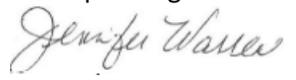
Without objection, Judge/Executive Mattingly adjourned the meeting.

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 October 14, 2021.



Jennifer Warren
Daviess County Fiscal Court Clerk