

**Minutes of the November 18, 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: For those folks watching us on Facebook live, you may text or type a message into Facebook that will be relayed to us or you could text or call 270-929-1010 your question or message.

Within tonight's regular meeting, Judge Mattingly opened a **Public Hearing** to receive comments regarding OASIS Shelter's application for a CDBG-CV for property acquisition. He opened the floor to GRADD Executive Director Joanna Shake.

Ms. Shake: I have with me this evening OASIS Executive Director Andrea Robinson and the purpose of this public hearing is to provide information concerning the proposed application of a million dollars of Community Development Block Grant COVID (CDBG-CV) funds under the public services category to be submitted to the Department of Local Government (DLG) and it's also to explore any views on housing and community development needs as well. This hearing also serves to inform low to moderate income folks that help through technical assistance through the GRADD in developing proposals and projects for CDBG is available. Effective August 10, 2020 Housing and Urban Development (HUD) made CDBG-CV funds available to prevent, prepare for, or respond to the coronavirus. \$38 million was set aside for utility assistance. And I know you all are very familiar with that because you were able to obtain those funds as well. However, there have been some funds remaining in that pool of monies and so now DLG is looking for projects - more capital type projects - to expend these funds. The Commonwealth wants to use all of the \$38 million that it can, so now it's pretty much an open call for all non-utility-related type projects for assistance. This proposed project will provide funds to OASIS women's shelter to acquire property. The total estimated project is \$1.4 million. Daviess County Fiscal Court will be requesting \$1 million on behalf of the shelter and the remaining funds will be provided by OASIS. Since the project funds are being sought through HUD, the Uniform Relocation Act or (URA) does apply to this project, so should there be anyone dislocated as a result of this project we will implement the proper URA protocols and copies of that information is available at the GRADD office. I welcome any comments or questions.

Judge Mattingly: I had a concern when you first came to me because Daviess County Fiscal Court must apply for CDBG grants. The City of Owensboro is in an entitled community and they get a certain amount

every year and don't have to apply... Does this have any effect on our ability to apply of other CDBG funds?

Ms. Shake: It does not. Typically there could be threshold issues, but this is specifically for COVID related funds and this pot is separate from traditional CDBG funds.

Judge Mattingly: Also, when projects are inside of the corporate limits of the city the county is not allowed to use CDBG funds, but again this being the "CV" CDBG funds, I assume that is waived as well.

Ms. Shake: That is correct and because of the nature of the services with seven counties that's why they have waived that as well.

Judge Mattingly: I think anytime we have an opportunity to help OASIS do the job that they have done so well over the years that we should be happy and we are happy and willing participants.

Ms. Robinson: Thank you very much. Over the past 40 years, our shelter has been a very congregate operation and so that means everybody is in one mostly open space and because these dollars are specifically related to COVID-19 this project is going to allow us to provide non-congregate shelter, which means that our participants and our program residents will be able to be in their own individual units, which will not only prevent the spread of COVID-19, but it will also help provide them individualized space and decrease the risk of further trauma. Thank you for considering our application and supporting us in this process.

Judge Mattingly: I don't want to say this to beat anybody up, but the reason that you are looking to do this is that you are having to move from your current, city owned, location, as they intend to utilize that location for another application in the near future.

Ms. Robinson: We have been there for over 26 years. This was a little unexpected, but in the end, we believe it's going to benefit OASIS and our community.

Commissioner Castlen: What is your timetable on your move?

Ms. Robinson: We need to move pretty quickly. We have to be out by September 30, 2022. For a 65 bed facility, we are going to plan for and prepare to move in the Spring of 2022.

Without questions or comments from the public, said Public Hearing closed.

County Treasurer Hendrix presented the Treasurer's Report for October 2021.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the November 8, 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 Castlen, the court considered for approval; Fund Transfers.

County Treasurer Hendrix:

- From the General Fund \$1,900,000 to the Road Fund
- From the General Fund \$1,300,000 to the Jail Fund
- From the Solid Waste Op. Fund \$852,000 to the Solid Waste Construction Fund

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; Resolution 18-2021 – Applying for a CDBG-CV to assist OASIS with acquiring property.

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; Resolution 17-2021 and Agreement with KYTC regarding the Lyddane Bridge Road South Drainage Structure Replacement.

County Engineer Mark Brasher: This 80/20 funding Agreement relates to the replacement of the Lyddane Road South Bridge over Flat Lick Creek.

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; Professional Services Contract with AEI to Design the Lyddane Bridge Road South Bridge Replacement.

Mr. Brasher: This is the service contract that will conduct the design work for the replacement of the Lyddane Road South Bridge over Flat Lick Creek.

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; Change Order #1 from Q&S Enterprises for the Vet. Clinic Project – Employee Parking Lot.

Mr. Brasher: They started excavating for the parking lot and once they got down to grade they found that the subgrade is unsuitable - it's pumping and moving and not at a point where we would want to put rock and asphalt on it. They intend to undercut that area and stabilize it first before proceeding with fill material. I would recommend approval.

Commissioner Castlen: When they identify that it's unsuitable, that it's got motion in it, I assume they'll do that again. When they, as you call it, undercut it.

Mr. Brasher: Yes, sir.

Judge Mattingly: They will take it all the way down to stable. Well, if we can get away with 1% of the total contract being an add then we will be very fortunate.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Award RFQ 40-2021: Kirtley Annex Office Renovation as recommended:

Assistant County Treasurer Jordan Johnson: Daviess County Fiscal Court received three (3) responsive quotes for the renovation of specified areas of the Robert M. Kirtley Judicial Annex for the Daviess County Attorney's Office. Lanham Brothers 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 Lanham Brothers for \$13,943.

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; Surety Bond Release for Woodland Ridge Subdivision Unit 4 – Sidewalks.

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; Hire Dakoma Carbon as Solid Waste Laborer eff. upon successful completion of pre-employment screening.

David Smith: The court decided to add this position for this budget year due to the effects that COVID-19 has had on our solid waste labor situation. Inmate labor at the landfill was removed, which had already been significantly decreasing for some time and we started to depend more heavily on temporary employees, which by its nature, is not typically the most dependable. We found that a good number of temporary labor workers at the landfill were unreliable in this position. The work is outside in all weather

conditions and most have to drive 20 or more miles just to get there. The employee turnover is extremely high and a lot of times they quit without proving any notice. The department head met with the Judge and received approval for this position to replace one of the temp. workers we are currently hiring. Mr. Carbon and one other person were interviewed. Mr. Carbon has been a temp. worker for some time now and has been doing a good job.

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; Solid Waste Administrative Assistant Job Description.

Mr. Smith: This is a new position and we will seek to fill this position very soon. Although this is an unbudgeted item, the department head did make it a request at the beginning of the year during the budget cycle, but the Judge asked that we put it on the list and decide on it later. This past summer and into fall we have become to have a much bigger problem filling backups for our scale houses. As you all are familiar, we have two scale workers. One at the transfer station and one at the landfill. They are open five and a half days a week. We have a scale operator in Henderson and that makes six days a week of coverage that we have to have and it has become more and more difficult between vacation and sick days, including necessary 2-week COVID-19 quarantines. Additionally, we have been blessed that we have had an employee who has worked for the county for almost 30 years and worked all 5 ½ days of the week but who is now starting to take some of his well-earned vacation days. His position is extremely vital and with him being gone more frequently, someone there as a backup is necessary. Another example of need is I get a call at 5:30 in the morning from the Henderson scale operator and they say they are sick and can't come to work that day. It just causes a heck of a scramble. I then go through the list of the available people and as of course as it turns out, one of our full-time people is on vacation already and so it just causes a domino of it being very difficult to fill it. This job will do that because I'm sure you understand. As Commissioner Wathen and I talked, you are not going to be able to find someone willing to work part-time on-call. You are just not going to find it. This job will do this position. We will work them regularly in the scale houses because this is something you have to keep your skills up with, but then also, they will provide other administrative work within the Solid Waste Department. The landfill doesn't have an administrative assistant, so all paperwork, all purchase orders, all accident reports, any training that has to be done, all scheduled by the managers, etc.

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 Wade Jenkins (Cathy Switzer S5T) [#12.5.2021](#) to the Paradise Regional Industrial Park Board; for the 4-year TERM: 12/1/21 – 12/1/2025.

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 Aaron Wilson (S2T) #12.6.2021 and Appoint Lisa Castlen (Jonas Billingsley S2T) #12.7.2021 to the OASIS Board for the 3-year TERM: 12/1/2021 – 12/1/2024.

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

No Other Business was considered.

Public Comments:

Someone on Facebook live asked about the Panther Creek Fire Tower. Judge Mattingly noted that the tower had been taken down for some time now and explained that to repair the tower was going to cost 2/3 of the Parks Department's repairs budget for the year and the court thought it better to spend that money on other things.

Another person on Facebook asked about the road condition on Kelley Cemetery Road. *(Judge addressed the issue below).

Comments:

All Court members wished the public a Happy and Safe Thanksgiving Holiday.

Commissioner Wathen invited all to the Christmas at Panther Creek Light Show, which begins next Friday.

Judge Mattingly: Yesterday, court members took part in the dedication of a portrait to Moneta Sleet, Jr. Mr. Sleet was a native son of Daviess County and a very prominent photo journalist who won a Pulitzer Prize in 1968 for a picture he took of Coretta King at her father's funeral service. Daviess County Fiscal Court will provide funds for a multi-phase celebration and dedication of Mr. Sleet's life that will take place over the next couple of years.

Judge Mattingly: There is a group of citizens, very civic-minded citizens, who have started organizing an alternative to the Christmas parade that's typically held and I understand it may be held this Saturday, but for those interested, stay tuned to social media and other news outlets.

Judge Mattingly: This evening at 7:00 p.m. there will be an online meeting to discuss Kelly Cemetery Road. A lot of interest in what's going on out on there has occurred since our announcement of conducting an adventure park study. A lot of residents out there were concerned about the shape that that road is in and the County Engineer will briefly review that topic for us now.

Mr. Brasher: It appears that over the last winter or early spring, some heavy vehicles may have been driving that road causing it to break down. Large commercial trucks like logging, coal, or agricultural equipment can have very devastating effects on roadways especially during the colder seasons. Regardless, we are aware that the road is in need of repair. It is currently in rock because we have just undercut it and next week, we hope to have a paving crew out there to pave that section that has rock.

Judge Mattingly: We had to work this repair in among all the other roads that we already had budgeted and scheduled for work this year.

Mr. Brasher: This winter, I anticipate that we will be able to get started on undercutting and re-stabilizing the road's subgrade and then we'll pave it or patch those areas as soon as possible. I will then bring before the court a request for funds to resurface this section of Kelly Cemetery Road.

Judge Mattingly: There are three undercut areas undercut areas right now that only have gravel. Are you going to try to get those paved next week?

Mr. Brasher: We are trying very hard to get that done. Hopefully, with our efforts and favorable temperatures along with contractor availability, we will do whatever is possible.

Judge Mattingly: Again, we are aware of it. We have been aware of it and been working on it as time and money has permitted. We are going to look at it very seriously next year as being one of those roads that we put into the budget to be repave. I think on average we have done 33 to 35 miles of road each year over the last 11 years. If you compare that to what other counties do, you will find that Daviess County is near the top if not the top county. I hear horror stories when I go to KACo and Judge/Executive meetings where some counties pave two or three miles a year. We take roads very seriously. That's one of those things that folks pay their taxes for; so folks on Kelly Cemetery Road, we are aware of it.

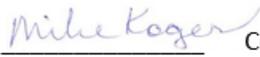
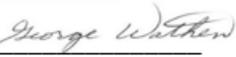
Commissioner Castlen: As far as when the plant shuts down, is that a certain date or is that based on temperatures?

Mr. Brasher: Normally, it's early to mid-December, but it's really weather driven.

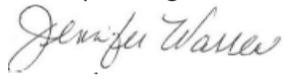
Without objection, Judge/Executive Mattingly adjourned the meeting.

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 December 2, 2021.



Jennifer Warren
Daviess County Fiscal Court Clerk