

**Minutes of the January 26, 2022, 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.**

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

Judge Mattingly: For those who are watching on Facebook live today, you are welcome to send us your comments and questions. You can either do it on Facebook live or you can call/text 270-929-1010. There is a delay, so we may not get to your question right away, but if it's germane to the topic that we're discussing, we will answer it or if it has to do with anything other than what's on the agenda, at the end or in the public comments section, we will get to it.

As court meetings dates are subject to change, Judge Mattingly encourage all to review the online calendar for court meeting dates and times. He noted that the next court meeting will be Feb. 10, 2022.

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

Judge Mattingly Proclaimed January 26, 2022, Dr. Donald Douglas Day and Dr. Douglas's brother Charles received and thanked the court for this honor.

Judge Mattingly: With Dr. Douglas now a member of the Kentucky General Assembly, I'd like to think that Senator Douglas, like our own state elected officials, will keep Daviess County in mind when legislation comes up and if I give him a call that he might be willing to listen to the needs of Daviess County as well.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Minutes of the January 13, 2022 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 Koger, seconded by Commissioner Wathen, the court considered for approval; **Resolution #02-2022** Regarding Kimberly-Clark Corporation and Industrial Revenue Bond.

David Smith: The state economic development board gave preliminary approval for Kimberly-Clark to do an expansion at their Daviess County facility, last December. It is a \$110 million project with \$50 million to be spent on an expansion of the buildings and \$60 million on equipment. It would bring in 42 jobs at a rate of \$48 an hour including benefits. Currently, at the Daviess County location, they have 337 employees. This location is in competition with other Kimberly-Clark facilities. The corporation plans on making their decision sometime in the first half of this year. They requested that fiscal court pass this resolution to confirm our willingness to issue industrial revenue bonds to facilitate this expansion.

Judge Mattingly: When they first located here, Daviess County Fiscal Court approved or issued for them an industrial revenue bond, correct?

Mr. Smith: Yes, for approximately \$110 million to build the original plant and that is slated to be paid off in the next year or two. It was a 30-year bond. We're not certain as to how long these are, but 30-year bonds are not as common as they were. I will note, as part of the industrial revenue bond, we do require them to make a payment in lieu of taxes to the local school districts.

Commissioner Wathen: They're good corporate neighbors and help us a lot. They do a lot of things and we appreciate them.

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; Agreement with Strand Associates for Fire Flow Master Plan Study.

Judge Mattingly: This really is a hydraulic study of our water system in Daviess County. A side benefit is the fact that we could expand our fire hydrant policies and provide better fire protection thus lowering the cost of insurance for people.

Mr. Smith: Yes, that's what I was going to mention. This project will pay for a complete hydraulic model of the Daviess County Water District and the area served by the City of Whitesville's Water Department. This complete hydraulic model will have multiple benefits. It will aid in the growth and help us to better understand what different growth is going to cause within the system, but as the judge pointed out, that the main driver to this is with the increased amount of funding we are getting for infrastructure projects. As you all are aware, we got, I believe, \$3.7 million last year, from the state. The state budget includes another \$3.7 million, plus whatever comes down from the Infrastructure Act. We wanted to have a plan to go forward. You know, the best way for us to spend money is to have a plan, to know how it's going to affect people, and to do it in a smart way that doesn't cause problems later on. In meeting with the Fire Chief, Assistant Chief and Billy Higdon with the Daviess County Water District, we all felt that the best way forward is to pay for a complete hydraulic study of the system so that we understand what will occur if we extend six-inch water lines out through the community, which as the Judge points out, if we can extend six-inch water lines out further, that will allow us to put more fire hydrants out, which will in turn, increase fire protection. Secondarily, they will also look at areas that are underserved regarding fire hydrants. I think the Chief said recently, they responded to a fire in the Knoxville area and it took them 15 minutes

to get to the nearest fire hydrant, so we will be looking at ways to get fire hydrants further out into the community and that will be a part of this. While the modeling will only be done on those two, we will be getting a recommendation on how to extend better fire protection into the East County Water Association's service area and the Ohio County Water Service area, but to hydraulically model those two districts when we are such a small part of it did not make financial sense.

Judge Mattingly: We want to get ahead of the game because we looked into applying for some ARPA state funding for trails and other issues and by the time we got there it was all gone and it was going to people who already had a plan in place and they could present it immediately. This is one of those examples of why it's so important that we study things. It's so important while we plan for the future, while we may not be doing those things today, we have to be ready when we are asked to present our plans for the future and sometimes people get all tied up in a single issue and they stop that study and planning, but it's extremely important.

Mr. Smith: That is another part of this. It will be segmented out as to the highest priorities. This plan is something that is not just for the next five years, this will give us a path forward for the next 20. Quite honestly, this is planning for the future of this county.

Judge Mattingly: And with the plan in place, we really don't know, we think we know which direction we're going to grow, but we don't have a clue of where developers are going to want to go and where we're going to end up 20 years. I'd like to equate this to the City's drainage plan. They did the study. They didn't act on it for five or six years, but when they did, they were able to accomplish about 60% of the value by spending about half of the money. It's really important that we do this.

Commissioner Koger: This would also add more fire hydrants, which would lower the insurance costs to the residents as well.

Judge Mattingly: Right now we've got a hodgepodge of two inch to 12 inch lines. We would hope that this will standardize that and there won't be anything smaller put into a subdivision or down the road, anything smaller than six inch because that's what's required to provide the flow that's necessary for good fire ratings.

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; Contract with HDR for the Solid Waste Transfer Station Master Plan.

Mr. Smith: When the transfer station opened nearly 30 years ago, it was designed and operated for trash trucks only. There were no individuals coming in and it was residential trash and no CD&D. In fact, back in October of 1998, it only took in about 8,000 tons of trash that month and this past October it took in over 13,000 tons of trash. We not only have the residential trash trucks like the city and Republic and the local, we also have individuals bringing trash there and we also have CD&D material now going in there. In fact, since 2017, while the tonnage is only up 5%, the actual number of trips across the scale has increased 10%. There's only been one change in the entire 30 years that it's existed and that's the moving of the scale house. Not only are there traffic conflicts throughout, we have in many cases safety issues, either actual accidents occurring up on the floor or near misses and it just seems like every time we would

solve one problem, two or three years down the road, we would create another problem without realizing it. Commissioner Wathen, as solid waste liaison, he wanted us to look at it and instead of piece mealing it to trying and figure out what to do to solve a particular problem, to take a larger approach and see how the place needs to work better. We know we have issues with the flow of our semi-trucks that can be solved. We know our convenience center, because the amount of individuals now coming there, is too small, but before we tried to solve that ourselves we wanted to make sure that we didn't create a different problems. This plan is going to be not just an immediate plan of what can be done to solve the current problems, but is also going to be a plan that looks 10 to 15 years into the future of what happens if our growth keeps occurring and ensures that whatever we do today won't interfere with the future expansion.

Judge Mattingly: HDR, don't they specialize in this this kind work?

Mr. Smith: When we looked, you know, if you think about it, there's not a whole lot of transfer stations across the country, I mean there are hundreds of them, but that's not a huge amount so when Commissioner Wathen brought this forward, he tasked me to try to find companies that could provide this work so I did some research into other cities that have had these types of issues and HDR came up most of the time. They are one of a few located east of the Mississippi River that does this type of work. They've done it anywhere from Charlotte, North Carolina all the way to Texas.

Judge Mattingly: So they're not going to learn on our dollar.

Mr. Smith: We've numerous examples of where they've gone in and not only reconstructed transfer stations to do like we're talking about of looking at how everything flows, but they've also done designs from the ground up for a new facility.

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; Change Order #05 for RFP 01-2020: P25 Trunked Radio System.

Assistant County Treasurer Jordan Johnson: This change order is to construct the 250-foot, self-supported tower at the landfill utilizing state master agreement 758-18262 for \$282,225. Change orders four and five were for new tower construction and collectively came in well under our working estimate. This brings our total contract value to \$6,375,042 for the P25 digital radio system. We still anticipate the system going live in the spring or summer of this year. Our consultant Trott Communications, Daviess County Engineering, and I have reviewed it and recommend approval.

Judge Mattingly: The P25 trunk system is the radio system that provides improved communications for Daviess County.

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 Jill Ransom as Staff Accountant in the Treasurers Department eff. 1/10/2022.

Treasurer Hendrix: In contemplation of my previously announced departure about 11 months from now, this individual is being hired so that we will have everybody trained and backfilled and the court will be good to go. Jill has been here for a little bit and she's going to fit right in.

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; Promote Danielle Fulkerson as Solid Waste Administrative Assistant eff. 1/31/2022.

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; **Second Reading of KOC A.100.03 (2022) 01-2022** - Budget Amendment #3

Comments:

Treasurer Hendrix: This is the third budget amendment for this fiscal year. This particular one is recognizing the additional \$500,000 that we're going to transfer from the general fund to the road fund for asphalt resurfacing, so the entries account for that. We're also recognizing an \$8,800 KACo grant that was not budgeted, so that's in here too. It has been reviewed and approved for form and classification by DLG. Unfortunately, about 15 minutes before we came out here, the top account is not the proper account so the official document that we will return to DLG will reflect that that top account is not 01-9200 rather it is 01-4901-000-00, which is the prior year's surplus account - the account that's recognized there is actually an expense account so that will fix it all everything else remains the same.

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

Other business to be brought before the Daviess County Fiscal Court

Public Comments

Comments by Daviess County Fiscal Court:

Commissioner Wathen: We brought in just under \$32,000 for this year's Christmas at Panther Creek Light Show. Each of the 5 participating non-profits have received checks in the amount of \$3,185. Half of the annual total proceeds are divided equally and distributed to the 5 participating non-profits and the other half goes into the county's account for maintenance and upgrades of the lights for future years. This was the 2nd best year for the show's history.

Judge Mattingly: This is an easy way for non-profits to make some money. I would encourage them all to sign up next year because we'll have some new folks doing that and I want to take the opportunity to thank them for helping us out.

Commissioner Castlen: Friday, my grandson will be 9 weeks old and although still in the hospital's neonatal intensive care unit, he is growing and may get to go home soon. The community's prayers have been and continue to be greatly appreciated.

Judge Mattingly: I want to tell everyone to stay warm and safe and when I talk about staying safe, I want to thank the Daviess County Sheriff's Office and OPD for the job that they do. It's becoming quite concerning with the number of shootings we are having in our community. It's not just happening in the city. It's happening outside the city. It's not just happening on the west end. It's happening on the south side. It's happening on the east side. I know sometimes people just beat up law enforcement because they're not protecting the citizens, but I'm going to tell you, a lot of this starts at home. It starts with parents maintaining a safe and loving environment for their kids and teaching them the difference between right and wrong. Law enforcement can only do so much. Claud, a child that's arrested for a shooting or possession of a handgun, are they immediately discharged by the judicial system as people keep saying?

County Attorney Claud Porter: No they're not. The possession of a weapon is different than a discharge. A dischargeable weapon they will always be contained and they're usually contained for... 2 or 3 weeks. For a mere possession, they usually don't stay

Judge Mattingly: Generally, if they discharge a firearm. If they're shooting at somebody. If they're attacking somebody they are not just slapped on the hands and turned loose.

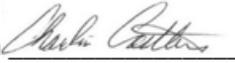
Attorney Porter: They are often held in detention for weeks.

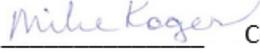
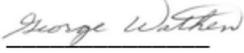
Judge Mattingly: It appears to be an epidemic. You know, we're fortunate in this community to have good law enforcement both city and the county and I just wanted the law enforcement people to know, if you're watching, that you have 100% of my support and I suspect if I ask the other court members up here they would say the same thing.

Judge Mattingly: Yesterday was the last day folks. If you had hopes and desires to run for elected office you had to have thrown your hat into the ring. Boy we've got lots of candidates. We will draw for the positions on the ballot tomorrow here in the courtroom and for those candidates that want to come to the courtroom to observe, please wear a mask and socially distance while you're here.

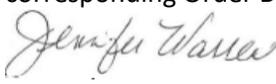
Without objection, Judge/Executive Mattingly adjourned the meeting.

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 February 10, 2022.



Jennifer Warren, Daviess County Fiscal Court Clerk