

**Minutes of the November 15, 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, Mike Koger, and Charlie Castlen**

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

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

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By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Minutes of the November 3, 2022 Court Meeting.

**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; All Claims for All Departments.

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

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Judge Mattingly proclaimed November 13 – 19, 2022 as Nurse Practitioner Week.

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County Treasurer Jim Hendrix presented the Treasurer's Report for October 2022.

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By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; GRADD Administrative Services Agreement regarding the Jack Hinton Road KIA Clean Water Grant.

This agreement allows GRADD to administer the Jack Hinton Road KIA Clean Water Grant for the county.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Award: RFQ 223-36 One New Mini-Excavator Tree Saw (Road) to Glascock Equipment & Sales.

Assistant Co. Treasurer Jordan Johnson: This unit will be used by Public Works to control county roadside vegetation. This quote is for the provision of one (1) new mini-excavator tree saw attachment. We

received three responsive quotes, ranging from \$11,641 to \$12,325 and recommend pursuing the lowest and best evaluated quote submitted by Glascock Equipment & Sales for \$11,641. There were no exceptions and I recommend approval.

**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 Wathen, the court considered for approval; Award the following Bids as recommended:

Mr. Johnson:

Bid No. 2223-28: Bituminous Hot Mix & Pavement Milling (Annual)

This is our annual contract for bituminous asphalt hot mix & pavement milling for calendar year 2023. We recommend award to the only bid received of Yager Materials for the presented rate schedule. You'll see that all items have a price increase this year, however, it should be noted this is in agreement with what we have seen with other municipal agreements across the state and market trends. There are no exceptions and I recommend approval.

Bid No. 2223-29: Elevator Maintenance Services (Annual)

This is our annual service contract for routine elevator maintenance and repairs for the elevators located in the Courthouse, Kirtley Annex, and Judicial Center. We received two bids and recommend award to the best evaluated bid of DC Elevator for the presented rate schedule. You'll note we are not recommending the low bid. DC Elevator has held this service contract for the last five years, has provided satisfactory service with excellent response times, and all elevators have passed state inspections with no issues. Since the difference in the two bids is only \$480 per year, maintenance recommends staying with this vendor. There are no exceptions and I recommend approval.

Bid No. 2223-30: Property Maintenance Services (Annual)

This bid is for our annual property maintenance services contract directed by the Solid Waste Coordinator for properties that are in violation of Daviess County Ordinance KOC 1-2016. We recommend award to the only bid received of U.S. Lawns for the presented rate schedule. The vendor had a single exception, and that was a higher hourly rate if a job requires additional equipment above standard commercial mowing equipment (i.e., a tractor, a bush hog, excavator, etc.). We believe this to be reasonable, and recommend award.

Bid No. 2223-32: SURPLUS - 2001 Trommel 725LL Screen (Landfill)

We purchased a new Trommel screen for the Landfill in August, 2022, which was recently delivered, rendering the old unit surplus. We did not include the old unit as a trade-in on that bid because of the effect of the offsetting grant, so it was sold via a competitive sealed bid process. A single bid was received by Powerscreen Crushing & Screening offering \$9,999 for the old unit, and since this was above our expected range, we are recommending award.

Bid No. 03-2020.3: Mosquito Control Services (Annual)

We are recommending the third renewal of the Mosquito Control Services contract with Action Pest Control. The current vendor has agreed to the original contract price to be extended for an additional year. The Road Department is satisfied with their service and public complaints are minimal (with the

treatment locations being updated by County Engineer Brasher as complaints are registered per the contract). I recommend renewal.

Bid No. 49-2020.2 - 55-2020.2: Mowing of County Right-of-Ways; Section A-G (Annual)

For Bids No. 49-2020 through 55-2020, we are recommending the second renewal of all Mowing of County Right-of-Ways contracts (Sections A-G) with BJ Ward for the presented rate schedules. The current vendor has agreed to the contract price to be extended for an additional year, and the Road Department has been highly satisfied with their service. All seven contracts constitute approximately 478 miles of right-of-way mowing, with each mowing cycle of all sections costing \$43,348.80. Typically, we have three mowing cycles per year, which would be a total of \$130,046.40 per year for all seven sections. I recommend renewal.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Accept the Resignation of Jim Hendrix as Daviess County Treasurer, eff. 12/31/2022.

The court commended Treasurer Hendrix for his work during his time as County Treasurer.

Treasurer Hendrix: I am resigning as Treasurer, but I'm not retiring. Since there will be new members of each Fiscal Court position and a new County Treasurer, I've been asked to stay and help with the transition. I plan to do so on a part-time basis. I've enjoyed serving and working with both fiscal courts as the County Treasurer.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Appoint Jordan Johnson as Daviess County Treasurer for the Term: 1/1/2023 to 6/30/2023.

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

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**First Reading of KOC 921.681 (2022) 15-2022** – An Ordinance Amending a Zoning Classification Set Forth in the County Zoning Ordinance of February 5, 2004 Regarding 6841 Hwy 144.

**Comments:**

Judge Mattingly: Five parties filed appeals regarding this rezoning. The court members have had a copy of the transcript, various pieces or documents of the evidence that was submitted, and access to the planning and zoning meeting video. There are three ways we can handle these appeals.

County Attorney Porter: One, the court can accept the planning commission's recommendations as proposed. Two, the court can accept the planning commission's recommendation and hold a hearing where they only accept, not evidence, but comments concerning the decision. Three, the court can hold a completely new hearing where it makes its own separate findings of facts and conclusions of law.

Judge Mattingly: This is a rezoning in order to consolidate a split zone property. This case is pretty simple. All of the evidence is in the record and we will review the record and vote on it at the second reading on December 1<sup>st</sup>. If anyone on the court has questions regarding what went on at that planning and zoning meeting, then we'll have someone from the zoning office here to explain it or you could contact Brian Howard at the planning office and talk to him. I know there was a lot of talk regarding how the property was going to be used, but the zoning doesn't have anything to do with how the property is going to be used. This zoning is to a consolidate a piece of property that is on R1A and AU to a single AU zone. The next court may look at ways to handle this issue without having the property owner pay fees and go before the planning and zoning commission in order to consolidate a split zone property, as there are numerous split zone properties in the community.

Commissioner Wathen: I agree. They should be able to just apply and let the staff pick one.

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No other business was brought before the Daviess County Fiscal Court.

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No Public Comments received.

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Comments by Daviess County Fiscal Court:

Commissioner Wathen discussed various community events.

Judge Mattingly noted that the County Clerk's office did a great job on the recent elections and recognized Commissioner-elect Marksberry, Commissioner-elect Condor, Commissioner-elect Chris Castlen, and Judge-Executive-elect Charlie Castlen. He also celebrated Lisa Castlen's recent successful surgical procedure.

Judge Mattingly noted that last Thursday, the road department crew set the Confederate Statue at Potter's Field Cemetery. He stated, "Since we have it set in the place that we had talked about setting it, I would propose, without objection, that Daviess County Fiscal Court have Claud (County Attorney) prepare the papers necessary to turn ownership of that statue over to the Owensboro Museum of Science and History. The Owensboro Museum of Science and History is where it should have been to begin with. This will give them care, control, and custody. Fiscal Court won't have anything to do with it. It will also allow them to put up the necessary plaques, placards in order to show the history of Daviess County, to show what went on during the Civil War period and they can use it during the voice of Elmwood so I'll leave that up to anyone if you've got any comment about it, but that's what I would propose – Claud, you do it. Can you do it?"

County Attorney Porter agreed.

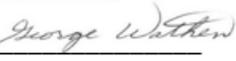
Judge Mattingly continued, "And it would be just a lateral transfer over to a not-for-profit. I have talked to the Owensboro Museum of Science and History and they said that they would be willing to accept it and take care of it. So, I hear no comment there."

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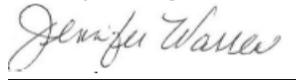
Without objection, Judge/Executive Mattingly adjourned the meeting.

**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 December 1, 2022.



Jennifer Warren

Daviess County Fiscal Court Clerk