

**Minutes of the December 1, 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.**

\*\*\*\*\*

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

\*\*\*\*\*

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Minutes of the November 15, 2022 Court Meeting.

**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; 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 Castlen, seconded by Commissioner Koger, the court considered for approval; County Clerk's Claim for Preparing Tax Bills.

Assistant County Treasurer Jordan Johnson: This is a funding mechanism set by KRS for the County Clerk's office to receive payment for preparing the 2022 property tax bills.

**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; **Resolution #21-2022**: Street Lighting District for The Preserve.

Mr. Johnson: This is the method per KRS to allocate the meter cost of street lights installed in subdivisions in unincorporated areas of Daviess County. This resolution is for the Preserve Subdivision off of Millers Mill Road and was petitioned by the property owners.

**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 City of Owensboro for Juvenile Drug and Mental Health Court.

County Attorney Claud Porter: This is a request for continuation and additional funds and activities for what we have as the Juvenile Drug Court. In 2019, the city and county created a Juvenile Drug Court because the Administrative Offices of the Court quit funding it. This program has been very successful. Numerous organizations have asked about this program and how we deal with some of the juvenile crimes or incidents. Serious crimes like robberies, rapes, murders, etc. are not what we are dealing with, those are treated very seriously and those kids end up in detention. These are ones where we hope that we can reach out to them through the schools and providers to reduce recidivism and provide treatment options for them that are not available through the courts, right now. I think the county has been very generous in allowing us to do this in the past. We have asked both the city and county to split an additional \$10,000, which is less than the first amount of funding that the county provided back in 2019.

Judge Mattingly: Prevention is the better investment. Over half of the Detention Center inmates are in there for drugs. Tax payers are paying to house, feed, and care for them while they are incarcerated. Hopefully, this program will equip them early with the proper tools and resources to prevent them from becoming an inmates.

Commissioner Wathen: I like that there is a set time frame of four years. At the fourth year, they reevaluate the program to see if it's working well and if not it can be terminated. It is a good program.

**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; Change Order 06 for RFP 01-2020: P25 Trunked Radio System.

Mr. Johnson: This is the final change order for the P25 trunked radio system for \$39,590.00, of which \$34,604.92 represents the final verification of all radio counts and models across all participating departments and volunteer systems, where we returned equipment and replaced it, and added radios where needed. The remaining \$4,985.08 covers backup systems, desk-sets, and installations at main dispatch, backup dispatch, and the Operations Center. This change order brings our total contract value to \$6,414,632, which is below our initial December of 2019 estimate of \$6.46M for the system. Our consultants at Trott Communications and myself have reviewed it. We are in agreement with Motorola's final counts and figures and I recommend approval.

**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; Terminate the following **Bids** (Contracts):

**No. 19-2022:** Janitorial Services for Morton J. Holbrook Judicial Center (Annual)

**No. 24-2022:** Janitorial Services for County Administrative Facilities (Annual)

Mr. Johnson: We are recommending terminating these two janitorial contracts covering all government facilities with EPIC Systems, Inc. per Contract Section 3.22: Contract Termination; Subsection III: Default;

Subsection B. These contracts were awarded on 6/2/2022 for the term July 1, 2022 - June 30, 2023. I have apprised the court of the issues we have had, and after consulting with the County Attorney, County Engineer, and Judge Mattingly, we recommend termination and will address the remainder of the contract term with two award recommendations later in the agenda.

**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; Reject **Bid No. 2223-27**: Electrical & HVAC Upgrade Project (Courthouse) and **Bid No. 2223-31**: Electrical Upgrade Project (Courthouse)

Mr. Johnson: These bids were to expand the electrical capacity of the Courthouse to allow for future growth and options when addressing the Courthouse's HVAC system. They were essentially the same project with one addressing some HVAC issues on the second floor of the Courthouse in addition to the electrical portion. The bid received for 2223-27 was far outside of our expected cost range. The bid for 2223-31 was slightly outside of our expected cost range. However, they cannot begin work until October 2023, which will be in a new budget of a new administration. Since this project is not time-sensitive, we recommend rejecting both bids and revisiting this item next year when delivery times of necessary equipment are more stable.

**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; Award the following **Bids** as recommended:

Mr. Johnson:

**No. 2223-33: Trap & Skeet Targets (Gun Club)**

This bid is for the provision of 2,880 cases of targets for the Daviess County Gun Club. We received four bids, ranging from \$44,976.75 to \$52,079.81, and recommend award to the lowest and best evaluated bid of Welch Outdoors for \$44,976.75. Although we have not used this vendor in the past, Gun Club management are aware of them and foresee no issues. This is a standard budgeted restock of targets for the Gun Club. The cost will be recouped by shooting fees. Their exception was minor and I recommend approval.

**No. 2223-34: New Truck Weighing Scales (Transfer Station)**

This bid is for the removal of the existing scales and installation of a new concrete deck truck scale at the Grimes Avenue Transfer Station. We are recommending award to the only bid submitted by Premier Scales & Systems for \$75,770. This is a budgeted replacement. The dates are acceptable to Transfer Station management. There were no exceptions and I recommend approval.

**No. 2223-37: Janitorial Services for Morton J. Holbrook Judicial Center (Annual)**

This bid is for the provision of janitorial services at the Morton J. Holbrook Judicial Center. We received two bids, ranging from \$5,490.56/mo. to \$6,699.66/mo., and recommend award to the lowest and best

evaluated bid of Purus Clean for \$5,490.56 per month. The contract period extends from December 1, 2022 to June 30, 2023 to replace the respective terminated contract addressed earlier. These are budgeted services that are reimbursed by the Administrative Office of the Courts. There were no exceptions and I recommend approval.

**No. 2223-38: Janitorial Services for County Administrative Facilities (Annual)**

This bid is for the provision of janitorial services for County administrative facilities, which include the Operations Center, Landfill Office, Transfer Station Office, Courthouse, Schertzinger Building, and Kirtley Annex. We are recommending the only bid submitted by Purus Clean for \$8,645.26 per month. The contract period extends from December 1, 2022 to June 30, 2023 to replace the respective terminated contract addressed earlier. These are budgeted services, there were no exceptions, and I recommend approval.

**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; Promote Aaron Rafferty to Transfer Station Heavy Equipment Operator Eff. 12/2/2022.

**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; Promote Bryant Taylor to Road Dept. Service Technician Eff. 12/2/22.

**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; Hire Jerome Hernandez as Road Dept. Service Technician Eff. 12/5/2022.

**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; Appoint Merritt Bates-Thomas and Katie Cecil to the DC Extension District Board (3-Yr. Term) Eff. 12/31/22.

**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; Reappoint Rodney Ellis and Appoint Christopher Gendek to the DC Library Board (4-Yr. Term) Eff. 9/13/22.

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

**Comments:**

County Attorney Claud Porter: This is a request for an appeal from the planning commission's decision that was made in September. They approved and are required to approve a consolidation of a lot owned by one person. There were five people who filed an appeal to the county because the property is within the county. The county has an option to do three things. One, they can have a hearing. Two, they can have a hearing where there's no evidence, but just arguments on each side. Three, the county, as in this instance, decide that the planning commission's decision was appropriate. I think the court decided to do the third option, because it was a required zoning change and this change was really just to consolidate two lots into one. As was explained to them at the last court meeting, their real concern was some of the planned uses, which will require them to go back to the planning commission or to the board of adjustments to seek a conditional use permit for the uses they have.

Judge Mattingly: I think in talking to some of the folks after the last court meeting, they thought that by appealing this that they were actually going to have a conditional use hearing, which is not the case. There's another board that will hear that.

Commissioner Wathen: I think it would be a lot simpler, in split-zoning situations, if people could just apply for a consolidated zone and allow the planning staff to select the appropriate zone. This would speed up the process and cut out the processing and paperwork fees for citizens. I hope the future court will consider making this practical policy change.

Judge Mattingly: Commissioner, I agree.

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

\*\*\*\*\*

**Consideration for Discussion:**

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

No Public Comments were received.

Comments by Daviess County Fiscal Court:

The court recognized Firefighter/EMT Andrew Wilson on his 5-year employment anniversary.

\*\*\*\*\*

Without objection, Judge/Executive Mattingly adjourned the meeting.

**SO ORDERED THAT COURT STAND ADJOURNED.**

Judge-Executive Al Mattingly *Al Mattingly* Commissioner Charlie Castlen *Charlie Castlen*

Commissioner Mike Koger *Mike Koger* Commissioner George Wathen *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 15, 2022.

*Jennifer Warren*

Jennifer Warren

Daviess County Fiscal Court Clerk