

**Minutes of the February 23, 2023 Daviess County Fiscal Court Meeting  
Held at the Daviess County, Kentucky Courthouse  
Present elected court officials: Judge/Executive Charlie Castlen and County Commissioners  
Janie Marksberry, Christopher Castlen, and Larry Conder**

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**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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Owensboro Health (OH) President Mark Marsh presented the hospital's 2022 Community Report.

Mr. Marsh: It is the hospital's mission to heal the sick and improve the health of the communities they serve. It is their vision to become a regional center of excellence by actively listening and partnering to meet the individual health care needs of those we serve. OH services a population of approximately 561,000 in 3 primary and 15 secondary service areas (counties) with 93 OH facilities, including 85 Clinics, 3 Hospitals, and 3 Healthplexes. OH employees and/or contracts with 5,534 individuals, with over 50% of them residing in Daviess County. OH grants over \$1 million annually to organizations within their service areas. They also conduct numerous community Listening Sessions and Town Hall meetings regarding OH's vision for a healthy community, and finding out about the local area's health challenges and their barriers to accessing care.

**THE OWENSBORO HEALTH WAY:**

- Quality: Leadership, Learning System, and Safety Culture
- A Great Place To Work: Enhance Recruitment, Improve Retention, Wellbeing
- Earn Physician Loyalty: Enhance Recruitment, Improve Retention, Wellbeing
- Partner With Our Communities: Lead with Health Strategies, Partner with Local Governments & Public Health to Enhance/Expand Outreach & Increase Leader & Physician Community Involvement
- Drive Growth & Innovation: Business Development, Advance & Leverage Tech., Ed./Innovation Ctr.
- Serve Individuals with Excellence: Regional Healthcare System of Choice, Improve Access, Ensure Consistent Delivery of Exceptional Service

**OWENSBORO HEALTH'S FUTURE:**

- Recruitment: New Specialists and Services
- Increased Access for Visits: Mobile (and Virtual) Clinics
- Workforce Development: Commonwealth West Healthcare Innovation Center
- Regional Development Strategies: Increased Community Partnerships, Direct Employer Contracting, Service Line Development, Review Newer Technology Advancements, Expansion into Neighboring Communities
- Accessing Future Capital Needs
- Journey to Top 100 Health System

He added, OH will look into the healthcare and clinic needs of those on Daviess County's Westside).

**OH Goals:**

- Provide Increased Primary Care Access to the Homeless
- Increase Access Points to Reduce Emergency Room Visits
- Increase Efficiency in Finding Ways to Provide Care
- Produce, Recruit, and Retain Enough Physicians
- Reduce Patient Delay of Care
- Provide Great Access to Preventive Care

Mr. Marsh: The purpose of the Commonwealth West Healthcare Workforce Innovation Center is to create a local educational & training facility to grow our own healthcare professionals, which will open this autumn. It is the intent to annually, educate and employ 1,000 healthcare workers. The plan is to work collaboratively with area colleges and high schools to get students interested in the field of healthcare.

Commissioner Castlen thanked Mr. Marsh and the board for the work they do for the community.

Commissioner Marksberry: I am happy to hear that the hospital is pursuing a Westside clinic.

Commissioner Conder asked about the hospital’s daily operating costs and how the hospital retains employees and physicians.

Mr. Marsh: It costs \$2.3 million per day to operate OH. All OH staff must feel valued and appreciated. We actively listen and talk to them. We engage with them, seeking out ways to make their work easier, more enjoyable, and efficient. We reward and award them. We also keep up with market performances and meet market salary markers.

Commissioner Conder appreciated those remarks and congratulated the hospital board and staff for a great job.

Judge Castlen: Our ambulance service provider is not in-network. Following your recent meetings with AMR, can you share any discussion details?

Mr. Marsh: At this time, I can say, things are in the works and we are making progress.

Judge Castlen also commended on the hospital’s quality of care. Most notably, following a recent personal hospital stay where he was treated very well and last year during his adult daughter’s pre-term delivery and his grandchild’s subsequent NICU stay. He said, “My daughter and her husband couldn’t have been more pleased with the care they got.”

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County Treasurer Jordan Johnson presented the Treasurer's Report for January 2023.

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By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; Minutes of the February 9, 2023 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 Conder, seconded by Commissioner Marksberry, 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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By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; Audit Engagement Letter for FY 2023 with MCM CPA's & Advisors, LLP.

Treasurer Johnson: The state Auditor's Office has declined to conduct the FY 2023 audit and has given us leave to contract with a CPA firm. This is the engagement letter to conduct our annual audit. We have used them before and been very pleased. The state has had no issues in review of audits MCM has conducted for Daviess 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 Marksberry, seconded by Commissioner Conder, the court considered for approval; County Jailer's Annual Incentive Payment for CY 2023.

Treasurer Johnson: For certain elected officials, upon completion of 40-hours of training, the court is required to pay a specified incentive payment. This is a request for such payment.

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

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By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Resolution 04-2023** – Designation of Applicant's Agent.

Treasurer Johnson: Each term, FEMA and KYEMA requires the court to name an applicant agent that will sign and submit applications for any grant funding from federal disaster assistance through FEMA and the Disaster Relief Act. I have completed the required training, served as the applicant agent for the last two terms, and can continue to do so on behalf of the court. It should be noted, this is for funding applications only, and nothing I would sign would encumber the court in any way. All grant awards pursued by EMA would come through the court for 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 Conder, seconded by Commissioner Marksberry, the court considered for approval; Contract with Summerill Law Firm, PLLC for Federal Per Diem Rate Application and Negotiation Services for the Daviess County Detention Center.

Treasurer Johnson: The current contract term with the United States Marshals (USM) ends December 2024, which is the point we would normally attempt to renegotiate our federal per diem rate. Recently, the USM announced that they would entertain renegotiations for reimbursement rates "out of cycle" in light of COVID-19's impact on correction facility expenses. Jailer Maglinger made contact with Summerill Law Firm, PLLC who specialize in negotiating per diem rates and guard pay for Detention Centers. This is the resulting contract where Summerill Law Firm will prepare our application and conduct negotiations with the USM on behalf of the Daviess County Detention Center. They have been successful in negotiating higher federal per diem rates for jails across the state, and after our internal review and feedback from Jailers across the state who have utilized them, we believe these services will be of long-term benefit. Currently, our federally housed inmates are reimbursed at \$55/day. Through Summerill's analysis, they think a renegotiated rate could increase the daily rate to \$70, which is an annual estimated increase of \$410,000.

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

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By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Professional Services Contract Amendment #2 with Trott Communications for Post Final System Acceptance Services.

Treasurer Johnson: Our current agreement with Trott Communications ends once we take final acceptance of the P25 Digital Radio System. Cutover has already been established and we are now in the no-error trial period with the system, with final acceptance occurring after 30-days with zero errors. This amendment would provide fixed pricing for their services following final acceptance with a not-to-exceed total of \$25,000. We have been extremely impressed with Trott's knowledgebase and service as our consultant firm throughout this project and would like to retain those services for the remaining and potentially unknown items after system acceptance.

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

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By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; MOA with River Valley Behavioral Health and Daviess County Mental Health Court and to Rescind any and all prior Mental Health Court Agreements.

Judge Castlen: Over the past few weeks, I have had a number of conversations with the Daviess County Attorney and Judge Lisa Jones about the future of our Mental Health Court program and how concerned I was about its future. I was very pleased to learn that Judge Jones had reached out to Dr. Figueroa at River Valley and through numerous follow up conversations, we are where we are tonight, entering into an agreement, now securing its future. I'm pleased that we have this on the agenda tonight.

Judge Lisa Jones: I thank you, River Valley, the community, and all of our community partners here tonight showing their support for Mental Health Court. Mental health is at the forefront of the medical field right now. The State Judicial Commission on Mental Health is at the forefront of the judiciary right now. As River Valley will tell you, mental health is at the forefront of their concerns. I've talked to Jailer Maglinger

and he has said that over half of the inmates suffer from mental illness, so it's a concern across the board. It affects all of our lives and our loved ones. It affects our community, our safety, our health, and our spending. We are happy to partner with the county, our community partners and River Valley in trying to expand early identification and early access to mental health services through the courts and community by utilizing the evidence-based sequential intercept model.

Dr Figueroa: On behalf of our River Valley team, thank you for the opportunity to collaborate to further expand the Mental Health Court. We are very fortunate to have a local Mental Health Court as a resource. There are less than five state Mental Health Courts and we commonly receive calls from other counties wanting to know how we are doing it because the results are so positive. They want to use our model. The model we built in Daviess County to advance progress in their own communities. Mental Health Court is a great asset that helps build safe and healthier communities. Owensboro Health talked about their expansion plans. We are also working with them in order to integrate physical, mental, and behavioral health into their services. River Valley is thrilled to be a part of this program and honored by your confidence and trust.

Commissioner Castlen: Thank you, Judge Jones, Dr. Phelps, Dr. Figueroa, and River Valley staff. You have changed what it looks like for our community to help assist those suffering from or dealing with mental health crises.

Judge Castlen: Additionally, the programs River Valley has created and implemented outside of this program are very good for our community. I appreciate that you've had the foresight to do it and commend you.

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

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By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; Office Space Lease Agreement with the Daviess County Attorney's Child Support Division.

Treasurer Johnson: Fiscal Court is reimbursed the costs of the Child Support Division of the County Attorney's Office through a state contract consisting of Title IV-D funds and other agency funding at the state and federal level. An applicable expense for reimbursement is leased space to accommodate Child Support Services in the Robert M. Kirtley Judicial Annex. The state has agreed to reimburse up to \$14/per square foot, per annum resulting in annual rental revenue of \$40,152.

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

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By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; Declare a Police Interceptor Unit as Surplus Inventory and Transfer it to the Daviess County Public Schools.

Treasurer Johnson: Police Interceptor Unit #415 had transmission issues and was removed from the fleet pending estimated repair costs, some time ago. In light of the estimates Sheriff Youngman received, he elected not to repair the unit, and instead set it aside for the next auction (likely mid-late 2024). Daviess

County Public Schools has since shown interest in the unit, approached Sheriff Youngman, and asked that we transfer it to them so they can repair it and put it in light use. This requires the court to declare it surplus and transfer it to them, in accordance with KRS 67.0802(4).

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

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By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; Award Bid Nos. **2223-41**, **2223-45**, and **2223-48** as recommended.

Treasurer Johnson recommended as follows:

**Bid No. 2223-41: Electronic Poll Book System (Clerk)**

Historically, the State Board of Elections has purchased e-poll books and distributed them to all Clerk's offices in the Commonwealth for elections. Late 2022, the state made the decision that all Fiscal Courts are now responsible for purchasing an electronic poll book system for their Clerk's office. This bid, as the result of that decision, is to purchase the necessary items while also contracting ongoing maintenance and support with the successful bidder to control ongoing costs. We received two bids, and recommend the lowest and best evaluated bid of Tenex Software Solutions for \$120,420 for the equipment, and the respective schedules for support services and maintenance, which have a contract period extending from the date of award to December 31, 2028. I recommend approval.

Judge Castlen: I understand the state intends to reimbursement counties for these up to a certain amount.

Treasurer Johnson: The state is reimbursing \$1,700 per unit. Our bid came in at roughly \$1,300 per unit.

**Bid No. 2223-45: One (1) New 6X6 Utility Vehicle (Fire Rescue)**

We received two (2) bids for the provision of one (1) new 6X6 utility vehicle for the Daviess County Fire Department, and recommend award to the lowest and best evaluated bid submitted by Cave Run Motorsports for the 2023 Can-Am Defender 6X6 DPS HD10 unit for \$22,567.18. This is a budgeted replacement and there were no exceptions to our specifications. I recommend approval.

**Bid No. 2223-48: One (1) Single Axle Dump Truck (Road Department)**

We received one (1) bid for the provision of one (1) new single axle dump truck for the Daviess County Road Department, and recommend award to the only bid submitted by Sternberg Chrysler for the 2023 Ram 5500 unit for \$79,900. This is a budgeted item and there were no exceptions to our specifications. 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 Marksberry, the court considered for approval; Reject Bid Nos. **2223-43** and **2223-47**.

Treasurer Johnson recommended the following:

**Bid No. 2223-43: Two (2) New Community Notification Sirens (EMA)**

This bid was for the provision of two (2) new community notification sirens for the Emergency Management Agency. The items, prices, and/or exceptions of the bid results were outside the range that management deems acceptable, and we recommend rejecting all bids and re-bidding this item at a later date. EMA Director Andy Ball has stated that this does not jeopardize the project timeline. I recommend rejection.

**Bid No. 2223-47: One (1) New or Used Chassis Cab (Transfer Station)**

This bid was for the provision of one (1) new or used chassis cab unit for the Grimes Avenue Transfer Station. The items, prices, and/or exceptions of the bid results were outside the range that management deems acceptable, and we recommend rejecting all bids and re-bidding this item at a later date with altered requirements and/or specifications. Transfer Station management have stated they can continue utilizing Fleet Maintenance's unit in the interim. I recommend rejection.

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

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By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; Surety Bond and Damage Deposit Release for Aull Road Excess Weight Permit.

**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 Conder, the court considered for approval; Surety Bond and Damage Deposit Release for Free Silver Road Excess Weight Permit.

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

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By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; Personnel Reclassification - Kelly Wathen to Public Works Office Manager.

**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 Conder, the court considered for approval; Personnel Reclassification - Kandace Sturgeon to Staff Accountant.

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

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By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; Promote Kevin Payne to Road Dept. Service Technician Eff. 3/6/2023.

**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 Marksberry, the court considered for approval; Hire Joseph Fulkerson as Road Dpt. Service Technician Eff. 2/27/2023.

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

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By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; Appoint Sonny Renfrow (McLean Co. Rep.) and Brandon Ferguson (Muhlenberg Co. Rep.) to the Green River Regional Industrial Development Authority Board (4-Yr. Term) Eff. 12/31/2022.

The Green River Regional Industrial Development Authority manages the Ohio Co. Bluegrass Crossings Business Centre and this item approves and confirms the respective Fiscal Courts' appointments.

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

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By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; Appoint Tom Lilly (New) to the Owensboro Regional Hospital Board Eff. 2/23/2023 – 10/31/2023.

**The vote was called and with all present members voting in favor, except for Commissioner Castlen as he abstained, said motion passed.**

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By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; Appoint Teresa Boarman to the OMPC Board (FUET of Angela Hardaway S3.5T) Eff. Immediately – 12/31/2024.

**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 Conder, the court considered for approval; Appoint Doug Hoyt (S2T) to the Owensboro-Daviess County Regional Airport Board (4-Yr. Term) Eff. 3/1/2023.

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

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By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; Appoint Mickey Bowman (S2T) to the Owensboro-Daviess County Regional Airport Board (4-Yr. Term) Eff. 3/1/2023.

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

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By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Second Reading KOC 621.22 (2023) #01-2023** – An Ordinance Relating to the Daviess County Road, Bridge and Street System.

**Comments:**

County Engineer Mark Brasher: Annually, the Road, Bridge, and Street System is updated by ordinance. This update includes a road name change and new subdivision street names.

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**No Other Business considered.**

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**Public Comments:**

Jerry Chapman stated, “We are here to ask you to withhold our tax dollars from the RiverPark Center until they stop hosting drag shows.” He spoke for about 5 minutes concerning drag shows and asked the court to also refuse to commit local tax dollars to any other organization that chooses to host these shows.

Mike Hamlet shared that when he was growing up, Smothers Park was called River Front Park, and it was, just as it is today, the community’s storefront. He noted that we need to be careful about what we put in our community’s storefront windows.

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**Comments by Daviess County Fiscal Court:**

Commissioner Castlen announced, on March 31 from 10:00 AM to 1:00 PM, there will be a free (100 pound limit) paper shredding event at the Sportscenter.

Commissioner Marksberry thanked the speakers who spoke.

Commissioner Marksberry, in celebration, announced that the Animal Shelter recently surpassed their 5,000 spay/neuter surgery, which contributes to the reduction of unwanted animals.

Commissioner Conder would like to see improved advocacy for local and regional economic development by both public and private sectors to ensure a strong financial future. He suggested both legislative bodies come together to discuss this critically important issue.

Judge-Executive Castlen mentioned the passing of Levi Baker, Jr. Mr. Baker was a 44-year veteran of the Stanley Volunteer Fire Department, and he thanked all for their volunteer service. He mentioned this weekend’s celebration of native-born and Pulitzer Prize winning Moneta Sleet, Jr. during the Moneta Sleet, Jr. Festival. He also congratulated Burns Middle School for their Junior High Cheer Team taking 5<sup>th</sup> place at Nationals and Daviess County High School’s Cheer Team for winning 4<sup>th</sup> at Nationals in the Super Varsity Game Day Division I Non-Tumbling Division.

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Without objection, Judge/Executive Castlen adjourned the meeting.  
**SO ORDERED THAT COURT STAND ADJOURNED.**

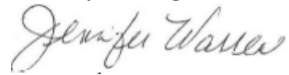
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Judge-Executive Charlie Castlen

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Commissioner Janie Marksberry

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Commissioner Christopher Castlen

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Commissioner Larry Conder

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 March 9, 2023.



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Jennifer Warren, Daviess County Fiscal Court Clerk