

**Minutes of the March 9, 2023 Daviess County Fiscal Court Meeting
Held at the Daviess County, Kentucky Courthouse
Present elected court officials: Judge-Executive Charlie Castlen,
Commissioner Janie Marksberry, Commissioner Christopher Castlen, and
Commissioner Larry Conder attended via Zoom**

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

The meeting opened in Prayer by Judge-Executive Castlen and the Pledge of Allegiance to the Flag.

Judge Castlen proclaimed March 2023 as American Red Cross Month and Executive Director of the American Red Cross, Owensboro Chapter Misty Thomas received and thanked the court for the proclamation.

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Minutes of the February 23, 2023 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 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.

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; Sheriff's Office Quietus and Settlement for Nov. 1 – Dec. 31, 2022.

County Treasurer Jordan Johnson: We have received a copy of Sheriff Barry Smith's Tax Settlement and Quietus. The data has been reviewed and it is consistent with our records.

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

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; Contract with JKS Architecture for a DC Detention Center Comprehensive Facility Report.

Treasurer Johnson: This contract is for JKS to provide a comprehensive report of the buildings at the Detention Center for \$21,000. The report will include the facilities conditions, probable costs of renovations, repairs, and other capital projects, and operational efficiency assessments. Jailer Maglinger and buildings maintenance believe having this information is essential to weighing future capital projects and identifying the most critical items. JKS Architecture has performed similar studies for eleven other Detention Centers in the Commonwealth, and those respective Jailers have provided positive feedback.

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

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Resolution 06-2023** - House Bill 1 County Clerk Election Equipment Grant.

Treasurer Johnson: This resolution relates to the county's reimbursement by the State Board of Elections for the recent court-awarded Electronic Poll Book System for the County Clerk's Office.

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

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Resolution 07-2023** - Clean Water Act Grant Project.

Treasurer Johnson: This is for the Jack Hinton Road Water Main Kentucky Infrastructure Authority (KIA) Grant Project. KIA is requesting this resolution be passed under the current Fiscal Court, which will reaffirm the court's approval and designate Judge Castlen as the authorized official for the project.

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

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Owensboro Regional Recovery (ORR) Center CDBG Project #22-014.

Treasurer Johnson: Annually, ORR applies for \$200,000 through the Community Development Block Grant (CDBG) funds (\$190,000 for salaries and \$10,000 to GRADD to administer the grant). This letter is preliminary approval that requires the Court to accept the outlined conditions. GRADD handles all monitoring and assurances as they are administering the grant, and we simply act as the fiscal agent passing these funds along after receipt, and appropriate draw applications are completed.

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

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; KY Pride Fund 2023-2024 Composting Grant.

David Smith: This grant will be used to purchase a new landfill wheel loader for our composting operation, primarily to load the mulch into the power screen. It will replace a 2013 loader. The grant is for \$330,000 with a county cash match of \$54,000 and \$30,000 in asphalt expansion where we would take the current compost pad and extend it out to load vehicles. If this grant does not receive approval, we will not purchase the equipment.

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

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Award **Bid Nos. 2223-39.2, 2223-42, 2223-46, 2223-49, and 2223-51** as recommended:

Treasurer Johnson:

Award Bid No. 2223-39.2: Electrical Upgrade Project (Courthouse)

This project is to expand the electrical capacity of the Courthouse to allow for future growth and options whenever we ultimately address the Courthouse's HVAC system. We received one bid, and recommend award to Mills Electrical Services, LLC for \$209,700. This cost was within the expected range, there were no exceptions to our specifications, and I recommend approval.

Award Bid No. 2223-42: One (1) New Manure Spreader (Landfill)

This bid is for one (1) new 20-ton manure spreader for the land farming operation at the Landfill. We received four bids, and recommend award to the best evaluated bid submitted by Hopf Equipment for the 2023 BBI 45345C 20-ton unit for \$92,010. You will notice we included a bid alternate for a smaller 14-ton unit to compare costs. However, after evaluation, it was found the differential is too small to account for the additional trips and labor resulting from the unit carrying less material. The recommendation is the lowest bid without exceptions to our specifications, and I recommend approval.

Award Bid No. 2223-46: Office Flooring Project (Judicial Center)

This project is to provide and install new flooring in all of the Judge's offices in the Morton J. Holbrook Judicial Center. We received three bids, and recommend award to the lowest and best evaluated bid submitted by Carpets Unlimited for \$37,895. The Administrative Office of the Courts has reviewed the project and agreed to reimburse it in full. I have included their Non-recurring project letter of approval with the evaluation. There were no exceptions to our specifications, and I recommend approval.

Award Bid No. 2223-49: Bulk 12 Gauge Shotgun Ammunition (Gun Club)

This bid is a standard budgeted restock of ammunition for the Mattingly Shooting Range. We received four bids, and recommend award to the lowest and best evaluated bid submitted by TXAT, LLC for the Aguila brand ammunition for \$45,500. There were no exceptions to our specifications, the full cost will be recouped by sales at the gun range, and I recommend approval.

Award Bid No. 2223-51: CAT D6T Equivalent Dozer Rental (Landfill)

This bid is for the rental of a D6T equivalent-sized low ground pressure dozer equipped with a GPS system and standard blades for cell construction at the Landfill. We received three bids, and recommend award to the lowest and best evaluated bid of R.A. Alexander & Sons for the 2021 Komatsu D61 unit for \$178.40 per hour, with operator. At an estimated total use of 320 hours, that results in an estimated total cost of

\$57,088. This is a budgeted expense of the cell construction. There were no exceptions to our specifications, and I recommend approval.

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

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; Hire Jasmine Ross, Roy Miller, Eric Bickett, Rickey Roberts, Blake Kimball, Lori Cecil, Conrad Kimball, and Alfred McPherson as Seasonal Park Attendants Eff. upon successful completion of pre-employment screenings.

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

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Promote Brian Cecil to Lieutenant Eff. 3/10/2023

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

By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; Hire Hayden Bullis as Firefighter/EMT Eff. 3/20/2023

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

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; Hire Lee Blanton as Firefighter/EMT Eff. 3/27/2023

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

By a motion of Commissioner Conder, seconded by Judge Castlen, the court considered for approval; Appoint Russell Lynn Wilkey (Sean Land S3T) to the Ethics Board (3-Yr. Term) Eff. 3/1/2023

Judge Castlen: The makeup of the Ethics Board includes a single Daviess County Bar Association recommendation and joint city/county appointment position. Mr. Wilkey is the Daviess County Bar Association's recommendation to the city and county for the Ethics Board.

Commissioner Marksberry read a statement. She said, "Because Mr. Wilkey chose to print a scathing letter in the media during the past election regarding a candidate along with posting a photo and the address of where that candidate lived. I found that conduct to be unbecoming for a professional, especially an attorney. Therefore, I will vote no on this person for the Ethics Board.

The vote was called and passed with Judge Castlen and Commissioners Conder and Castlen voting yes and Commissioner Marksberry voting no.

By a motion of Judge Castlen, seconded by Commissioner Marksberry, the court considered for approval; Amend the (2/23/2023 Approved) Appointment Term of Tom Lilly to the Owensboro Regional Hospital Board from the Partial Term Eff. 2/23/2023 – 10/31/2023 to a Full 3-Year Term Effective 2/23/2023.

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

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

Public Comments:

Representing a community group called Citizens for Decency, Jerry Chapman presented a petition, which he said contained 1,685 community signatures. He read the petition and stated, “The undersigned respectfully request that the Board of the RiverPark Center cease all future endeavors involving drag queen shows and any other such events being planned at the RiverPark Center and/or GhostLight Lounge. Failing that, we further request Owensboro City Commission and Daviess County Commission withhold all future funding of the RiverPark until they cease all drag shows. The RiverPark Center and GhostLight Lounge lease a building owned by the City of Owensboro - meaning the citizens of Owensboro. Further the RiverPark Center relies upon city and county tax dollars to keep its doors open. The undersigned citizens reject the progressive gender ideology behind these drag shows as well as all attempts to access, groom, and isolate our children.” He further stated, “I hope you understand the incredible disappointment and even the anger some of us feel when we see an outsider come into our Christian community and destroy what we all took so much pride in.” Mr. Chapman places blame on the RiverPark’s board, the RiverPark Center’s Executive Director Mr. Jorn and Mr. Jorn’s daughter for pushing an, as Mr. Chapman stated, “evil agenda intent on normalizing obscene behavior among adults so that they can more easily reach our children.” He also stated, “They (the drag queens) are just steps from one of the most unique (children’s) parks in the country. Now that the RiverPark is providing a “safe space” for kids to have fun with their peers through their improv classes. I ask you, what kind of fun requires a safe space?” Mr. Chapman asserted that the GhostLight Lounge, as three reports have claimed, is losing money. He stated, “If that is the case, sound business practices would have dictated its closure months ago. It would appear they’ve placed this destructive gender ideology agenda ahead of their fiscal responsibilities. We’ve requested their financial records and been denied, which only leads us to believe the claims are true.” He continued, “Mr. Jorn insists that he has a First Amendment right to these obscenities. What he fails to acknowledge is obscenity is not protected by the First Amendment. While they may not be violating any local ordinances, they fail to meet the standards set by the United States Supreme Court. In our view, and according to the United States Supreme Court, what’s happening at the RiverPark is obscenity and at the very least, the very least, they should not get a dime of our tax dollars. We continue to urge this body to withhold any funding from the RiverPark.”

Mike Hamlet talked about the importance of having physical documents in addition to digital storage as digital files can be hacked and destroyed.

Comments by Daviess County Fiscal Court

Commissioner Marksberry stated, "I'd like to have a copy of that petition so I could sign it tonight."

Mr. Chapman said he would provide her an opportunity.

Judge Castlen announced the following:

- March 31st from 10:00 AM to 1:00 PM, there will be a free paper shredding event (100 pound limit) at the Sportscenter.
- March 10th from 5:00 PM to 7:00 PM at Blandford Lecture Hall in the Humanities Building at the Owensboro Community and Technical College, the Division of Water is hosting an Open House to provide the public an opportunity to review FEMA Floodplain Maps, preliminary version of the recently completed flood insurance study reports, and accompanying flood insurance rate maps. Information about this meeting will be available on our website and Facebook page.
- The next Fiscal Court meeting will be March 23 at 5:00 PM.
- Congratulations to DCHS Dance Team for last week's 4th place in both Game Day and Hip-Hop at Nationals.

Without objection, Judge/Executive Castlen adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

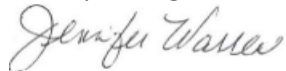
Judge-Executive Charlie Castlen

Commissioner Janie Marksberry

Commissioner Christopher Castlen

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 23, 2023.



Jennifer Warren

Daviess County Fiscal Court Clerk