

Minutes of the July 27, 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

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 led by
Commissioner Janie Marksberry

1. Consideration for Presentation:

A. Judge Executive Castlen presented Owensboro Off Road Jeeps with a **Certificate of Award for Establishing the Kentucky State Record of Longest Jeep Convoy**. Mark Calitri presented a short video of the 2023 Jeep convoy. Mark, and several other Jeeps, received and thanked the court for the award. Jenny Smith reported the total number of Jeeps in the 2023 convoy was 556.

B. Judge Executive Castlen proclaimed July 21-29, 2023 as **Dust Bowl Basketball Tournament Week**.

2. Consideration for Approval:

A. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Minutes of the July 11, 2023, Court Meeting**.

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

B. 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**.

C. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Treasurer's Report for June 2023 and Final Settlement**.

County Treasurer Johnson: In accordance with KRS 68.030 the final report and settlement for any fiscal year must be approved by Fiscal Court. Total cash balance as of June 30, 2023 is \$69,140,615.00 for all funds; General Fund balance is \$35,110,968.00 minus operating reserve and restricted funds and cash for general fund operations is \$26,371,675.00. Fiscal Court is in a strong financial position for fiscal year 23/24. He recommended approval.

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

D. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Fund Transfers.**

County Treasurer Johnson: Requests the following transfers; \$2,832,800.00 from General Fund to the Road Fund; \$3,822,037 from General Fund to Jail Fund; \$117,200.00 from General Fund to the Bond Fund for the Operations Center Complex Debt Service; \$375,000.00 from the Jail Fund to the Bond Fund for the Daviess County Detention Center Facility Debt Service; \$593,000.00 from the General Fund to the Bond Fund for the Public Safety Radio System Debt Service. These transfers are budgeted and are standard practice. He recommended approval.

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

E. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **OASIS Relocation Funding Request.**

County Treasurer Johnson: The OASIS Domestic Violence Shelter was relocated in FY 22/23, with the majority of the related capital expenses covered by a CDBG grant. OASIS has submitted a request for funding for additional relocation expenses that were not covered by the initial grant. This amount is not to exceed \$82,866.00. He recommended approval.

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

F. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **County Judge/Executive's Annual Incentive Payment for CY 2023.**

County Treasurer Johnson: For certain elected officials, upon completion of 40 hours of training, per KRS 64.5275(6), Fiscal Court is required to pay the incentive payment directed by a letter from the Department for Local Government (DLG). Attached is a letter for Judge/Executive Castlen. He recommended approval.

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

G. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Intergovernmental Agreement with the U.S. Department of Justice for Housing Federal Prisoners.**

County Treasurer Johnson: During Fiscal Court session 2/23/2023, Fiscal Court contracted with Summerill Law Firm, PLLC to negotiate our per diem rate with the United States Marshals (USM) with the assistance of Daviess County Detention Center Administration. They have negotiated the rate of \$70.00 per prisoner per day (up from \$55.00 per prisoner per day), which will result in an estimated \$400,000.00 in additional revenue per year. The new per diem rate is retroactive to 7/1/2023. He recommended approval.

Commissioner Conder: Federal government pays \$70.00 per day per diem for federal inmates. State government pays \$35-\$36 per day per diem for state prisoners which is half of what federal government is paying per day.

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

H. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Extension of Bicycle Share Lease Agreement with Boro Bikes, LLC.**

County Treasurer Johnson: Since 2018 the Fiscal Court has had a bicycle share lease agreement with Boro Bikes, LLC, whereby the Court provided space at Horse Fork Creek Park for Boro Bikes, LLC to install a bike rental station for the public, primarily to accommodate activity on the Greenbelt. He recommended approval.

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

I. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Second Addendum to the Interlocal Agreement with the City of Henderson for Solid Waste Disposal.**

David Smith: Henderson County requested to use our landfill for sludge. Therefore, Fiscal Court is amending the contract to include their sludge and adjust the CPI rate applied to trash and CD&D.

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

J. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Business Card Management Services Agreement with German American Bank.**

County Treasurer Johnson: This agreement is for all purchasing cards or credit cards for County offices and departments that operate within Fiscal Court's budget. He recommended approval.

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

K. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Award Bid No. 2324-06: One (1) New Wheel Loader (Landfill)**

County Treasurer Johnson: Recommended award to the best evaluated bid submitted by **McCoy Construction and Forestry** in the amount of \$307,735.00 for the 2023 John Deere 644P unit.

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

L. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Award Bid No. 2324-07: One (1) New D6 Dozer with GPS (Landfill)**

County Treasurer Johnson: Recommended award to the best evaluated bid submitted by **Boyd Caterpillar** in the amount of \$594,988.00 for 2023 Caterpillar D6-20 LGP VPAT unit.

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

M. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Award Bid No. 2324-12: One (1) New Walking Floor Trailer (Transfer Station)**

County Treasurer Johnson: Recommended award to the lowest and best evaluated bid submitted by **VoMac Truck Sales & Service** in the total net amount of \$105,196.00 for 2024 East Unloader unit.

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

N. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Award Bid No. 2324-13: One (1) New 1/2 Ton 4WD Crew Cab Pickup Truck (Fire Rescue)**

County Treasurer Johnson: Recommended award to the lowest and best evaluated bid submitted by **Don Moore Automotive** in the amount of \$51,385.00 for 2024 Chevrolet Silverado 1500 unit. The vote was called and with all present members voting in favor, **said motion passed.**

O. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Award Bid No. 2324-14: One (1) New 6X6 Utility Vehicle (Fire Rescue)**
County Treasurer Johnson: Recommended award to the lowest and best evaluated bid submitted by **Cave Run Motorsports** in the amount of \$22,891.42 for 2023 Can-Am Defender 6x6 DPS unit. The vote was called and with all present members voting in favor, **said motion passed.**

P. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Award RFQ No. 2324-15: Four (4) New Trap Machines (Parks)**
County Treasurer Johnson: Recommended award to the lowest and best evaluated quote submitted by **MCS Trap Sales & Service** in the amount of \$10,044.37 for the Four MEC Defender 400 units. The vote was called and with all present members voting in favor, **said motion passed.**

Q. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Declare the following as Surplus Inventory and Transfer as follows: John Deere 310SG Backhoe Loader to the City of Whitesville**
County Treasurer Johnson: Earlier this year, City of Whitesville Mayor Patsy Mayfield requested that Fiscal Court consider transferring surplus equipment to Whitesville before pursuing trade-in or auction options per their current fleet and equipment needs. Judge Castlen and County Engineer Brasher identified a dump truck, backhoe loader, and pickup truck that were scheduled to be replaced that would be eligible for transfer. This 2002 John Deere 310SG backhoe loader is the first unit in that listing that has come available. This would require the Court to declare the item surplus and transfer it to the City of Whitesville in accordance with KRS 67.0802(4). County Engineer Brasher is in agreement and he sees no issues. He recommended approval.
Mayor Patsy Mayfield: Thanked the court for the transfer. Frankie from the City of Whitesville, informed the court of a Car Show September 9, 2023 from 10 am to 2 pm at Whitesville's City Park. The vote was called and with all present members voting in favor, **said motion passed.**

R. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Hire Jade Garner as Administrative Assistant effective August 7, 2023.** The vote was called and with all present members voting in favor, **said motion passed.**

S. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Hire Warren Goetz as Firefighter/EMT effective July 19, 2023.** The vote was called and with all present members voting in favor, **said motion passed.**

T. By a motion of Commissioner Castlen, seconded by Judge Executive Castlen, the court considered for approval; **Retirement Resignation of Robbie Hocker, Solid Waste Manager, effective July 31, 2023 (27 years of service).**

David Smith: Spoke on the history of Robbie Hocker as a Fiscal Court employee.

Judge/Executive Castlen: Spoke about the love Robbie Hocker has always had for his job.

Commissioner Castlen: Thanked Robbie Hocker for training his new replacement.

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

3. Consideration for Discussion:

A. No other business was brought before the DCFC

B. First Reading of KOC 111.5 (2023) 08-2023 – An Ordinance Relating to the Establishment of Justice of the Peace and County Commissioner Districts in Daviess County, Kentucky

County Attorney Burlew: Spoke of the history of this ordinance.

C. Public Comments: Danny Atherton commented about Robbie Hocker's retirement. Danny made a complaint of how a Transfer Station employee treated one of his employees and requested clarification of what is considered CD&D materials.

D. Comments by Daviess County Fiscal Court:

Commissioner Conder: Thanked Hugh Bittel for bringing in corn for the courthouse. Reported that there was a great attendance at the Lions Club Fair this year. Informed the court of his journey to beating cancer. Thanked family, friends and citizens of Daviess County for all of the support.

Commissioner Castlen: Reminded everyone to attend the Dust Bowl as it is something that brings our community together.

Commissioner Marksberry: Congratulated Larry Conder on his battle with cancer.

Judge/Executive Castlen: Congratulated J. Todd Inman for his nomination to serve on the National Transportation Safety Board. Congratulated Larry Conder on his battle with cancer.

4. Consideration for Approval

A. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Enter into Closed Session per KRS 61.810 (1)(b):**

- KRS 61.810 (1)(b) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.
 - No action is expected to be taken on KRS 61.810 (1)(b)

By a motion of Commissioner Marksberry, seconded by Commissioner Castlen the Closed Session concluded with Fiscal Court members returning to the courtroom.

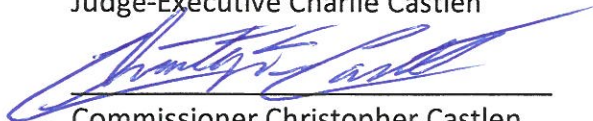
5. Adjournment

Without objection, Judge/Executive Castlen adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.



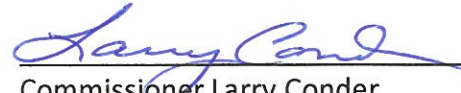
Judge-Executive Charlie Castlen



Commissioner Christopher Castlen

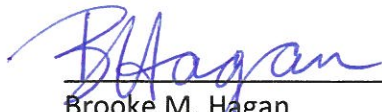


Commissioner Janie Marksberry



Commissioner Larry Conder

I, duly appointed Daviess County Fiscal Court Clerk Brooke M. Hagan, hereby certify that the above corresponding Order Book minutes were approved by the court on August 10, 2023.



Brooke M. Hagan
Daviess County Fiscal Court Clerk