

Minutes of the December 21, 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 by Commissioner Conder.

1. Consideration for Presentation:

A. Treasurer's Report for November 2023.

County Treasurer Johnson: As of November 30, 2023, the total cash balance is \$67,420,604 for all funds. General Fund balance is \$29,010,250 minus operating reserve and restricted funds, cash for General Fund operations is \$20,213,171. All variances are normal, expected, and explainable.

2. Consideration for Approval:

A. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Minutes of the December 7, 2023, Daviess County Fiscal Court Meeting.**
The vote was called and with all present members voting in favor, **said motion passed.**

B. By a motion of Commissioner Conder, 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.**

C. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Lease Agreement with the Kentucky Administrative Office of the Courts for Judicial Center Employee Parking - First Baptist Church.**

County Treasurer Johnson: Historically, Daviess County Fiscal Court has been reimbursed the cost of renting spaces for employees of the Administrative Office of the Courts (AOC) through the Annual Court Facilities Local Government Reimbursement Process. Johnson and Legal reviewed the agreement, found that it was in order, and recommended approval.

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

D. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Lease Agreement with the Kentucky Administrative Office of the Courts for Judicial Center Employee Parking - Parking Garage.**

County Treasurer Johnson: Daviess County Fiscal Court has been reimbursed the cost of renting spaces for employees of the Administrative Office of the Courts (AOC) through the Annual Court Facilities Local Government Reimbursement Process. Johnson and Legal reviewed the agreement, found that it was in order, and recommended approval.

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

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

Recreation Outreach Ross Leigh: Since 2015, Daviess County Fiscal Court has entered into a bicycle share lease agreement with Boro Bikes LLC providing space for a public bicycle rental station off of Fairview Drive at Horse Fork Creek Park. The terms of the new agreement shall begin on January 1, 2024 and extend through December 31, 2026, and allow the court to extend the existing agreement for up to two additional one year terms if so desired. The agreement allows for a payment of \$300 annually to Daviess County Fiscal Court, which is due on or before the first business day of January each year. This was reviewed by the County Park staff and the County Attorney. He recommended approval.

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

F. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Playground Lease Agreement with Board of Education of Daviess County, Kentucky.**

Recreation Outreach Ross Leigh: The lease agreement is for the term of one year commencing on January 1, 2024. The property is located at various county-owned school properties and provides for the recreational use of nine ball diamonds and five football fields for the Daviess County Playground Association and the Kentucky Football League. Terms of the annual agreement include a field lighting policy during the traditionally recognized school year as well as outdoor heat and safety rules, thunderstorm and lightning safety rules, and background check disqualifiers for those who have volunteer responsibilities associated with the teams. This was reviewed by the County Park staff and the County Attorney. He recommended approval.

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

G. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Playground Lease Agreement with Diocese of Owensboro.**

Recreation Outreach Ross Leigh: The lease agreement is between Daviess County Fiscal Court and the Diocese of Owensboro for two ball diamonds, concession stands, restrooms, and a parking lot at Saint Williams Catholic Church in Knottsville, Kentucky, for the use of organized recreational teams registered through the Daviess County Playground Association. The lease is from March 15, 2024 through August 15, 2024. This was reviewed by the County Park staff and the County Attorney. He recommended approval.

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

H. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Playground Lease Agreement with Stanley Playground Association.**

Recreation Outreach Ross Leigh: The lease agreement is between Daviess County Fiscal Court and the Stanley Playground Association Board under the leadership of volunteer president Robin Tucker. This one-year lease agreement shall include the recreational use of two ball diamonds, concession stand, storage building, bleacher seating, and adjacent parking lots. The term of the lease begins January 1, 2024 and ends December 31, 2024. This was reviewed by the County Park staff and the County Attorney. 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 Marksberry, the court considered for approval; **Playground Lease Agreement with Whitesville Playground Associations.**

Recreation Outreach Ross Leigh: The lease agreement is between the Daviess County Fiscal Court and the Whitesville Playground Association Board under the volunteer leadership of John DeJarnett. The

leased premises shall include the use of three ballfields, concession stands, bleacher seating, parking facilities, and the picnic pavilion. The term of the lease begins January 1, 2024 and ends December 31, 2024, and is only for the recreational use of youth baseball and softball through the Daviess County Playground Association during the term of the lease. This was reviewed by the County Park staff and the County Attorney. He recommended approval.

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 Conder, the court considered for approval; **Concessions Contract with Owensboro-Daviess County Babe Ruth League.**

Recreation Outreach Ross Leigh: The concessions contract is between the Daviess County Fiscal Court and the Owensboro Daviess County Babe Ruth league Concession's chair. The purpose of the contract is to allow the Babe Ruth League Concession's chair to offer products, including but not limited to soft drinks, sandwiches, and hotdogs as concessions during all organized ballfield events between April 1 and October 31, 2024. This was reviewed by the County Park staff and the County Attorney. He recommended approval.

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

K. By a motion of Commissioner Conder, seconded by Judge/Executive Castlen, the court considered for approval; **KYEM Emergency Management Assistance Program Non-Supplanting Certification.**

County Treasurer Johnson: This certification states that Daviess County Fiscal Court will not pursue grants through this particular program for items that are already budgeted. The Court will only request assistance for items we would not otherwise pursue without grant funding. We approve this annually, and it is a standard certification required by the State EMA. He recommended approval.

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 Marksberry, the court considered for approval; **MOA Between the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management, and 120 Local Jurisdictions of the Commonwealth to Establish an Agreement for an Emergency Management Assistance Program.**

County Treasurer Johnson: The agreement is for the Emergency Management Assistance Program, which is the pool of funds that we tap in order to recover a percentage of Emergency Management employee salaries. We participate annually, and it is a program available to all 120 counties in the Commonwealth. He recommended approval.

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

M. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Purchase One (1) New John Deere 6110M Cab Tractor and One (1) New Tiger Bengal Boom Mower from SMA 758 PUNC C2000000691.**

County Treasurer Johnson: The items are to replace two totaled units resulting from an incident in October of 2023. The Road Department is recommending to purchase a new John Deere 6110M tractor and Tiger Bengal sidearm mower from State Master Agreement 758 PUNC2-691 in the amount of \$192,692.88 which would be offset by the insurance reimbursement of the totaled units. Sufficient funds remain in the Road Fund to cover the differential. The expected delivery should be within three months, the replacement units are the same make and model that were operating before. He recommended approval.

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; **Purchase One (1) 2012 Ford F550 Bucket Truck from Owensboro Municipal Utilities.**

County Treasurer Johnson: Purchase a used 2012 Ford F550 bucket truck from Owensboro Municipal Utilities in the amount of \$46,000.00. The amount is within budget and there are no exceptions to the criteria. Fleet maintenance has inspected the unit and found it to be in good condition. He recommended approval.

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

O. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Reject Bid No. 2324-33: One (1) Used Surface Soil Compactor (Landfill).**

County Treasurer Johnson: Recommended a rejection of all bids received. The bid was for one used surface soil compactor for the West Daviess County Landfill to be utilized in the land farming operation. This was an attempted re-bid for a used unit, as Landfill management anticipates infrequent use that will not justify the expense of a new unit. After review, the used units that were identified at the time of re-bid have since been sold, and the only bid received was for a new unit, so he recommended rejection. Landfill management will revisit this item at a later date based on availability of desired units.

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

P. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Award Bid No. 2324-35: One (1) New Class A Fire Engine (Fire Rescue-Stanley).**

County Treasurer Johnson: The bid was for the replacement of a 1997 International 4900 series pumper that is in its 26th year of service. Award to the best evaluated bid submitted by Atlantic Emergency Solutions for the 2024 Pierce Freightliner BX Pumper in the amount of \$419,108.00. A trade-in was offered but the vendor chose not to exercise the option. We will retain the trade-in to be dealt with at a later date, either by transfer or surplus auction. Atlantic Emergency Solutions is being recommended due to the delivery date of March 15, 2024. The other bid received is estimated to be delivered 900 days after receipt of order. Daviess County Fiscal Court will contribute \$325,000.00 towards the purchase of this unit, with the Stanley Volunteer Fire Department paying the balance per our typical replacement procedure. Atlantic Emergency Solutions is a known vendor, the exceptions were ruled as minor, and Fire Chief Smith and Stanley Volunteer Fire command staff see no issues. He recommended approval.

Commissioner Conder: Asked Treasurer Johnson what the cost of a new engine was three years ago.

County Treasurer Johnson: About \$300,000.

Commissioner Conder: A new engine today is about \$420,000

Judge/Executive Castlen: Fiscal Court has increased the amount given to the fire station from \$200,000 to \$325,000.

Stanley's Assistant Chief Luke Cecil: In 2011, the same piece of equipment was about \$170,000. The Equipment cost has gone up about \$100,000 in a few short years. Now that the funding has changed, the Volunteer Fire Service can make this purchase. Thanked the Court.

Judge/Executive Castlen: Thanked the firefighters for everything they do for our community.

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

Q. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Award Bid No. 2324-36: Mowing of County Right-of-Ways (Annual).**

County Treasurer Johnson: Recommended award to the best evaluated bid submitted by BJ Ward in the amount of \$62,854.30 per mowing for all sections. There are three mowing cycles per year, totaling \$188,562.90 annually for approximately 478 miles of mowing each cycle. The price increase has been ruled as reasonable by Road Department management in comparison with other municipal entities that contract this service, and the amount is below the estimated cost of performing this service in-house. BJ

Ward is a known vendor, we have been satisfied with his performance for many years and there were no exceptions to the specifications.

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

R. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Renew Bid No. 03-2020.4: Mosquito Control Services (Annual).**

County Treasurer Johnson: Recommended the fourth renewal of the Mosquito Control Services contract with Action Pest Control. The 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 have been minimal. Treatment locations are updated by County Engineer Brasher as complaints are registered per the contract.

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

S. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Renew Bid No. 2223-29.1: Elevator Maintenance Services (Annual)**

County Treasurer Johnson: Recommended the first renewal of the Elevator Maintenance Services contract with DC Elevator. The bid contract is for routine elevator maintenance/compliance inspections/repairs for the elevators located in the Courthouse, Kirtley Annex, and Judicial Center. Maintenance is highly satisfied with their service.

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

T. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Renew Bid No. 2223-30.1: Property Maintenance Services (Annual).**

County Treasurer Johnson: Recommended the first renewal of the Property Maintenance Services contract with U.S. Lawns. The bid contract is for property maintenance services directed by the Solid Waste Coordinator for properties that are in violation of Daviess County Ordinance KOC 1-2016. Solid Waste management has been satisfied with their performance and reported no issues to date.

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

U. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Appoint Dirk Dooper (Mark Brasher S3T+) to the Storm Water Quality Advisory Committee (SWQAC) Board (4-year term.) effective 1/1/2024 through 12/31/2027.**

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

V. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Appoint Keith Stiff to the Owensboro Metropolitan Planning Commission (OMPC) Board to complete the unexpired term of Jason Strode effective 12/21/2023 through 12/31/2024.**

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

W. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Appoint Vernon Wathen to the Owensboro Metropolitan Planning Commission (OMPC) Board to complete the unexpired term of Teresa Boarman effective 12/21/2023 through 12/31/2024.**

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

X. By a motion of Commissioner Conder, seconded by Judge/Executive Castlen, the court considered for approval; **Appoint Olivia Schilke (Jan Goldman S3T) to the OASIS Board of Directors (4-year term.) effective 1/1/2024 through 12/31/2027.**

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

Y. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Appoint Ryan Trunnell (Chris Pantle S2T) to the Daviess County Cooperative Extension District Board (3-year term.) effective 1/1/2024 through 12/31/2026.**

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

Z. By a motion of Commissioner Conder, seconded by Judge/Executive Castlen, the court considered for approval; **Appoint Gerri Small (Amy Lilly S1T) to the Green River Area Aging Council (3-year term.) effective 1/1/2024 through 12/31/2026.**

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

AA. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Reappoint Susan Zoglmann (S1T) to the Daviess County Cooperative Extension District Board (3-year term.) effective 1/1/2024 through 12/31/2026.**

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

BB. By a motion of Judge/Executive Castlen, seconded by Commissioner Conder, the court considered for approval; **Reappoint John Bell (S3T) to the Daviess County Water District Board (4-year term.) effective 1/1/2024 through 12/31/2027.**

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

CC. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Reappoint Christina O'Bryan (S2T) to the Daviess County Water District (4-year term.) effective 1/1/2024 through 12/31/2027.**

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

DD. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Reappoint Chris Castlen (S1T) to the Greater Owensboro Chamber of Commerce Board (1-year term) effective 1/1/2024 through 12/31/2024.**

The vote was called (Commissioner Castlen abstained) and with all other present members voting in favor, **said motion passed.**

EE. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Reappoint David Smith (S1T) to the Development Review Board (Mid America Air Park) (3-year term.) effective 1/1/2024 through 12/31/2026.**

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

FF. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Reappoint Lauren Osowicz (S1T) to the Green River Area Development (GRADD) Board of Directors (3-year term.) effective 1/1/2024 through 12/31/2026.**

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

GG. By a motion of Commissioner Marksberry, seconded by Judge/Executive Castlen, the court considered for approval; **Reappoint Bill Glenn (S3T) to the Owensboro Metropolitan Planning Commission (OMPC) Board of Adjustments (4-year term.) effective 1/1/2024 through 12/31/2027.**

Judge/Executive Castlen: Informed the public that if you wish to serve on a board, you may sign up at the Daviess County Fiscal Court website.

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 Daviess County Fiscal Court.

B. No public comments were made.

C. Comments by Daviess County Fiscal Court.

Commissioner Castlen: Congratulated Bruce Kuegel on his Retirement. He thanked the Daviess County Fiscal Court staff and the public for making the community a better place.

Commissioner Marksberry: Wished everyone a Merry Christmas and a peace filled holiday.

Commissioner Conder: God bless everyone.

Judge Executive Castlen: Congratulated Bruce Kuegel on his retirement. Thanked everyone for the Christmas cards and tokens of appreciation that were given to the office. Wished everyone a Merry Christmas and a Happy New Year. Reminded everyone to drink responsibly and to have a plan for getting home safely.

4. Adjournment

Without objection, Judge/Executive Castlen adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.



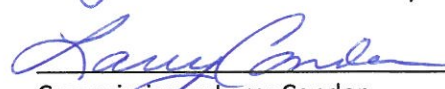
Judge-Executive Charlie Castlen



Commissioner Christopher Castlen

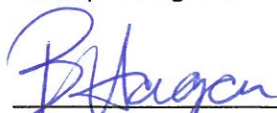


Commissioner Janie Marksberry



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 January 9, 2024.



Brooke M. Hagan
Daviess County Fiscal Court Clerk