

**Minutes of the January 25, 2024, 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 by Commissioner Janie Marksberry.

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**1. Consideration for Presentation:**

**A. 2023 Christmas at Panther Creek Park Checks:**

Recreation Outreach - Ross Leigh: 2023 was the 21<sup>st</sup> year for Christmas at Panther Creek Park. There were five non-profit agencies that collected money for eight nights each. This year was the third highest amount of money ever collected for Christmas at Panther Creek Park with a little over \$30,800 collected. The total collected is divided in half, with Daviess County Fiscal Court keeping half to continue this tradition. The other half is divided up between each non-profit totaling a check in the amount of \$3,080 per agency.

- 1. Aubrey's Song Foundation for Eating Disorders**  
*Carolyn Ferber* accepted the check and thanked the Court for the opportunity to participate.
- 2. Dust Bowl, Inc**  
*Byron Owen* accepted the check and thanked the Court for the opportunity to participate.
- 3. Moseleyville Volunteer Fire Department**  
*Chief Scott Smith* accepted the check and thanked the Court for the opportunity to participate.
- 4. Stanley Community Playground**  
*Robin Tucker (President)* accepted the check and thanked the Court for the opportunity to participate.
- 5. Help Office of Owensboro, Inc.**  
*Angela Settle* accepted the check and thanked the Court for the opportunity to participate. The Help Office has been around for over 50 years because of events like this and the help from our community.

**B. Executive Order No. 01-2024: Local Emergency Operations Plan (LEOP)**

County Treasurer Johnson: The Judge/Executive is required by KYEMA to annually provide an executive order stating the Daviess County Local Emergency Operations Plan (LEOP) is still active and maintained as part of the annual LEOP review process. Executive orders that do not require action by the Legislative body, but appear under the consideration for presentation as an update to the Commission on Executive actions.

**2. Consideration for Approval:**

A. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Minutes of the January 9, 2024, 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 Marksberry, seconded by Commissioner Conder, 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 Conder, seconded by Commissioner Marksberry, the court considered for approval; **Schafer Camp Road – Excess Weight Permit – Damage Deposit and Surety Bond Release.**

Assistant County Engineer Dirk Dooper: This was for a logging company that had large vehicles on the road. They no longer have a need for this excess weigh permit. The road did not have any significant damage so he recommended that the damage deposit and bond release go back to the company.

Commissioner Conder: Requested an up-to-date list of companies that have damage deposits and surety bonds to be provided.

Treasurer Johnson: The engineering department plans to go through the list to initiate the release process if warranted.

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 Conder, the court considered for approval; **Amendment to the Salary Schedule for FY 23/24 Effective 1/25/2024.**

Treasurer Johnson: The amendment to the salary schedule contains a single change, whereby Grade P1 (Seasonal Park Attendant) starting pay is increased from \$13.85 per hour to \$15.00 per hour. Director of Parks and Public Information, Jordan Rowe, requested this change such that seasonal pay would be more competitive as the hiring process begins for the seasonal park attendants. He 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 Marksberry, the court considered for approval; **Resolution No. 01-2024 - Resolution of Support for Inclusion in the Delta Regional Authority.**

GRADD – Tom Lovett: The resolution requests to include Daviess County, Hancock County, and Ohio County into the Delta Regional Authority.

Commissioner Conder: Asked how important it is for Daviess, Hancock and Ohio counties to be included in the Authority.

Tom Lovett: The Delta Regional Authority has grant money that can only be given to communities in the delta region. Adding these counties into the region qualifies them to receive grant money from the Delta Regional Authority.

Judge/Executive Castlen: Due to his position as Judge/Executive, he noted that he serves on the GRADD Board and the Executive Board. At a board meeting, the board asked Congressman Brett Guthrie to support this.

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 Conder, the court considered for approval; **Resolution No. 02-2024: KY Office of Homeland Security (KOHS) LEPP Duty Weapons & Ammunition Grant Application.**

Treasurer Johnson: This is a grant application through the Law Enforcement Protection Program (LEPP) for law enforcement standard firearms and ammunition for the peace officers of the Daviess County



Detention Center. Grant funds requested total \$29,275. Additional related expenses are expected to be minor per Jailer Maglinger. The resolution is a requirement of the grant application process and summarizes the Court's approval of submitting the request. Should the grant be approved by the Kentucky Office of Homeland Security, they will issue a Memorandum of Agreement to Court for final approval. He will include the proper amounts in the fiscal year 24/25 budget. Jailer Maglinger, Legal, and Johnson reviewed it and recommended approval.

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

G. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Resolution No. 03-2024: Jail Video Arraignment Equipment Phase II Grant Application.**

Treasurer Johnson: Fiscal Court approved a Memorandum of Agreement with the Department for Local Government (DLG) on 6/22/2023 that funded jail video arraignment equipment through House Bill 1 State funds. This is for the additional equipment, software, and related expenses for that project. The requested amount is \$44,018 and if approved, DLG will issue a Memorandum of Agreement that will come back to the Court for final approval. After approval, Johnson will introduce a budget amendment since the grant revenues were not a part of the original budget document for this Fiscal year. He recommend 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 Conder, the court considered for approval; **Memorandum of Agreement between the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management and DR-4497 sub recipients for the Hazard Mitigation Grant Program (HMGP).**

Treasurer Johnson: Fiscal Court approved a grant application on 2/7/2023 for HMGP funds to purchase and install a 48-KW natural gas-powered backup generator at the Masonville Fire Department #1. The project was eligible for FEMA funds because Masonville Fire Department #1 serves as a backup Emergency Response Center for EMA. Both FEMA and the State have now approved the project. The grant structure is 75% Federal, 13% Local, and 12% State, totaling the project estimate of \$30,346, which Fiscal Court would pay \$3,945 or less (depending on in-kind work consideration). 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; **Memorandum of Agreement between the Daviess County Fiscal Court and Legacy Owensboro for Emergency Shelter Site.**

Treasurer Johnson: This is an agreement whereby Legacy Church can be utilized as an emergency shelter under proper conditions. The only liability Fiscal Court has would be to repair any damage to the physical facility directly caused by activities during the use as an emergency shelter. He recommended approval.

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

J. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Contract with the Green River Area Development District for Administrative Services for the FEMA Hazard Mitigation Grant Program (HMGP).**

Treasurer Johnson: This is an administrative services contract with GRADD for the Masonville Volunteer Fire Department generator project. GRADD will administer the grant in accordance with all Hazard Mitigation Assistance regulations, FEMA, and State requirements for the contract amount of \$1,517. This expense will be reimbursed in full as part of the sub recipient management costs program. 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 Commissioner Marksberry, the court considered for approval; **Production Services Contract with The Eric Group for July 5<sup>th</sup> Fireworks.**

Ross Leigh: This is a contract for the fireworks event at Yellow Creek Park for Friday 7/5/24. The total package includes a hydraulic stage, stage sounds and lights, a live band, labor and technicians, and a generator if needed. He recommended approval.

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

L. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Kentucky Infrastructure Authority Conditional Commitment Letter for the Daviess County Fiscal Court Hydrants Project.**

Director of Legislative Services - David Smith: This conditional commitment letter will initiate the grant assistance agreement with the Kentucky Infrastructure Authority Grant Funds in the amount of \$1,174,154 for Daviess County Fiscal Court hydrants project. The Daviess County Fire Department will use the Strand Associates Fire Flow Master Plan to determine where additional hydrants need to be installed in the Daviess County Water District and the East Daviess County Water Association systems to improve fire protection across the county.

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; **Community Development Block Grant Agreement between the Commonwealth of Kentucky, Department for Local Government and Daviess County for the Daviess County Habitat for Humanity Neighborhood Development Project.**

Treasurer Johnson: The Community Development Block Grant (CDBG) funds in the amount of \$1,000,000 for the Daviess County Habitat for Humanity Neighborhood Development Project. Habitat for Humanity will use this funding to acquire approximately three acres of land, and ensure the development of the public infrastructure (water, wastewater, storm water, streets, and sidewalks) necessary to support the construction of ten new homes for low to moderate income (LMI) households. GRADD, Legal, and he reviewed the grant agreement and recommended approval.

Commissioner Conder: Asked Tom Lovett to explain the requirements of the use of funds and what those funds will do for future projects.

Tom Lovett: Stated that the money will not be tied up for an extended amount of time. The funds will provide sewer lines, water lines, pave the road, create a cul-de-sac and purchase housing materials. Once eighty percent of the funds are expended, Daviess County Fiscal Court will be eligible to apply for another CDBG grant. Habitat for Humanity hopes to have people in houses as soon as possible.

Commissioner Marksberry: Asked why the plan to have twelve houses was taken down to ten houses.

Tom Lovett: Due to possible drainage issues, they need to have space to create a pond or some green space to help the drainage issue.

Commissioner Marksberry: Asked about the creation of a tiny house neighborhoods to house more people.

Tom Lovett: Recommended she speak with Jeremy Stevens, Executive Director of Habitat for Humanity, as that could be a possibility in the future.

Judge/Executive Castlen: Thanked Tom, Jeremy, and Habitat for Humanity for all of the hard work they have put into this project.

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



N. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Habitat for Humanity CDBG Grant Evidentiary Documents as follows:**

- Fair Housing Written Assurance Letter
- Fair Housing/EEO Responsible Official Designation
- Legally Binding Agreement between the Daviess County Fiscal Court and Habitat for Humanity of Owensboro/Daviess County

Treasurer Johnson: These are required evidentiary documents for us to receive the CDBG funds for the prior item. The Fair Housing Letter states that the County recognizes and observes the requirements of Title VIII of the Civil Rights Act (the Federal Fair Housing Law). The Fair Housing/EEO Responsible Official Designation designates himself as a point of contact. The Legally Binding Agreement is proof that there is a contract between Daviess County Fiscal Court and Habitat for Humanity of Owensboro/Daviess County detailing the responsibilities of all parties. GRADD will be verifying all responsibilities of Habitat on our behalf. GRADD, Legal, and himself reviewed the evidentiary documents and recommended approval.

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

O. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Service Contract with Shoot Technology Solutions for Registration and Scorekeeping Services for the 2024 Kentucky State Sporting Clays Championship.**

Treasurer Johnson: Daviess County's Gun Club (the Mattingly Target Range) was awarded the opportunity to host the 2024 Kentucky State Sporting Clays Championship Shoot scheduled for August 23-25, 2024. It is anticipated to have approximately two hundred shooters to attend. He recommended award to the lowest and best evaluated quote by Shoot Technology Solutions in the amount of \$6,500. 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. 2324-34: Course Setting Services for 2024 Kentucky State Sporting Clays Championship (Gun Club).**

Treasurer Johnson: In conjunction with the prior item, the Kentucky Sporting Clays Association guidelines require an outside, unrelated entity, actually set the targets for the State championship shooting event. The RFQ is for those course setting services. He recommended award to the lowest and best evaluated quote submitted by High Brass Outfitters in the amount of \$16,000.

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

Q. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Award RFQ No. 2324-40: One (1) Hydraulic Crane for Sign Truck (Road).**

Treasurer Johnson: Recommended award to the lowest and best evaluated quote submitted by Maxlift Cranes USA for the Maxlift ML110S.2 E unit in the amount of \$10,069. This unbudgeted replacement is for an aging unit currently in our inventory. The replacement would allow for the new unit to be installed in the bed of the sign technician's truck as opposed to having it mounted on a trailer. Judge Executive Castlen reviewed and at County Engineer Brasher's request, approved it for consideration by the Court.

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

R. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Award RFQ No. 2324-41: One (1) Final Drive Guard (Landfill).**

Treasurer Johnson: Recommended award to the only responsive quote submitted by HJ Industries for the HJ Final Drive Guard Kit in the amount of \$15,950. This item will be installed on the CAT D8T dozer

located at the West Daviess County Landfill. Since April of 2023, three final drives have gone down due to debris cutting the hubs. The HJ Final Drive Guard is an aftermarket system that prevents debris from damaging the final drives. This unit has proven successful in preventing this type of damage. Solid Waste Management recommended this purchase to prevent further downtime. There are sufficient funds in the Solid Waste Operating Fund to cover the expense.

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; **Appoint David Smith (Jordan Johnson S1T) to the Ambulance Contracting Authority (ACA) 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.**

### **3. Consideration for Discussion:**

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

**B. No Public Comments.**

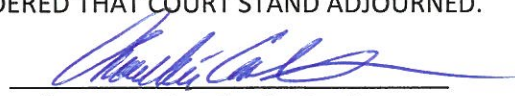
### **C. Comments by Daviess County Fiscal Court**

Commissioner Conder: Informed the public of two retirement celebrations that night. John Wright from Owensboro Grain (now called Cargill) and Keith Sanders with the Hager Foundation (previously served with United Way). He thanked them for all of their support to our community.


Judge/Executive Castlen: Thanked John Wright and Keith Sanders for their service to the community. He informed the public that Ward Pedley recently passed away and expressed his sympathies to his family and friends. Ward served on the Board of Adjustment for twenty-four years and the Planning Commission for six years. He helped several construction businesses get their start in the community. **The next Fiscal Court Meeting has been moved to February 6, 2024 at 5 p.m.**

### **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 February 6, 2024.

  
Brooke M. Hagan  
Daviess County Fiscal Court Clerk