

Minutes of the February 22, 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

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 Larry Conder.

1. Consideration for Presentation:

A. Treasurer's Report for January 2024

County Treasurer Jordan Johnson: As of January 31, 2024, the total cash balance is \$75,067,169 for all funds – General Fund balance is \$37,999,991 (minus operating reserve and restricted funds, cash for general fund operations is \$29,226,412).

B. Executive Order No. 03-2024 – Wet/Dry Special Election

2. Consideration for Approval:

A. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Minutes of the February 6, 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 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; **Statement of Affiliation for Daviess County Search and Rescue.**

County Treasurer Johnson: Annual agreement between Daviess County and Daviess County Search and Rescue detailing the responsibilities of each party as well as the order of operations and points of contact for events and deployment. Legal, EMA management and the Treasurer reviewed it 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; **Judge/Executive's Annual Incentive Payment for calendar year 2024.**

County Treasurer Johnson: 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 DLG.

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

E. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Memorandum of Agreement between the Commonwealth of Kentucky, Office of the Governor, Department for Local Government, Office of State Grants and Daviess County Fiscal Court for Jail Arraignment Equipment Phase II.**

County Treasurer Johnson: The memorandum of agreement (MOA) was from the grant application approved in Fiscal Court session 1/25/2024 via Resolution 03-2024. The grant is to cover additional equipment, software, and related expenses for the jail video arraignment equipment project for the Detention Center in the amount of \$44,018. Jailer Maglinger, Legal, and the Treasurer reviewed it and 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; **Request for Military Aerial Support – Touch-A-Truck Event.**

Director of Parks & Public Information Jordan Rowe: Daviess County Fiscal Court will be hosting a new event at Panther Creek Park on Saturday, April 20, 2024 from 11:00 a.m. to 2:00 p.m. called Touch-A-Truck. There will be vehicles and equipment of all shapes and sizes for kids to see and sit in with about two dozen different agencies and businesses participating. There will be food vendors, inflatables, and a petting zoo. Before the court is a request for military aerial support with the Kentucky Air National Guard out of Frankfort. They requested to bring up to two Blackhawk helicopters for the event with the Landing Zone being in the large field at Panther Creek Park as you approach the park on Wayne Bridge Road across from the Kuegel shelter. This is a formal request for their support with a hold harmless agreement. He requested 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; **Kentucky Pride Fund Composting Grant Application.**

Director of Legislative Services David Smith: The application is to cover the expense of a compact wheel loader for the composting program to replace the current unreliable piece of equipment. The grant amount of \$80,000 which is the cost of the replacement equipment. 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 Conder, the court considered for approval; **Kentucky Pride Fund Household Hazardous Waste Management Grant Application.**

Director of Legislative Services Smith: Part of the same Kentucky Pride fund previously discussed, this is for the household hazardous waste day called Tox-Away Day where County residents bring their unwanted household hazardous wastes to be disposed of. The grant is for a maximum of \$30,000 as there is no guarantee of how much the program will cost. He recommended approval.

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

I. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Contract Modification for FEMA DR4540 Hazard Mitigation Grant Program (HMPG).**

County Treasurer Johnson: Kentucky Emergency Management is asking all counties with projects funded through this agreement to approve and sign the contract modification which extends the contract's end date. The memorandum of agreement are funds available for projects eligible for the Hazard Mitigation Grant Program (HMPG). GRADD is working to complete the only project we have currently under this memorandum of agreement, which is the generator for the Emergency Operations Center (EOC) at the Schertzing Facility. The modification is necessary to finalize the project and to be able to pursue

additional HMPG eligible projects through these funds. Legal and the Treasurer reviewed it and recommended approval.

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

J. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **2024 Kentucky Waste Tire Management Program Grant.**

Director of Legislative Services Smith: The agreement is for the Waste Tire Management Program by the state of Kentucky, Division of Waste Management. The program will be returning back to the State Highway Garage which is a concrete facility with an unloading area that is further away from the road which will cause slightly less opportunity for traffic to back up to the street. 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; **Knottsville Playground Association, LLC Funding Request.**

County Treasurer Johnson: The Knottsville Playground Association is remodeling the concession stand building at the Knottsville ball field and has requested that Fiscal Court consider funding the construction of a handicap ramp/public walkway from the lower level ball diamond to the upper level ball diamond. The funded request is in the amount of \$12,000. 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 Conder, the court considered for approval; **Award Bid No. 2324-43: Two (2) New 5th Wheel Road Tractors (Transfer Station).**

Staff Accountant Kandace Sturgeon: Recommended award to the best evaluated bid submitted by VoMac Truck Sales in the net amount of \$312,390.00. VoMac did submit a second bid that was \$300.00 lower than the recommendation, however, those units would not arrive until mid-January 2025, whereas the recommended units will arrive in August 2024.

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. 2324-44: Horse Fork Creek Park Handrail Project (Parks).**

Staff Accountant Sturgeon: Recommended award to the lowest and best evaluated bid submitted by On Time Fab, Inc. in the amount of \$13,000.00. The Daviess County Road Department has been assisting the Parks Department in updating some aging infrastructure including ramps at Horse Fork Creek Park. The budgeted project ensures the recently constructed ramp is ADA compliant.

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 Castlen, the court considered for approval; **Award RFQ No. 2324-51: Sign Posts and Anchor Sleeves (Road).**

Staff Accountant Sturgeon: Recommended award to the lowest and best evaluated quote submitted by Eastern Metal Signs & Safety for sign posts and anchor sleeves in the amount of \$13,993.50. It was a budgeted restock of the sign shop inventory.

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; **Award RFQ No. 2324-52: Disc Golf Course Signage (Parks).**

Staff Accountant Sturgeon: Recommended award to the best evaluated quote submitted by The HBC Group for disc golf course signage at Yellow Creek and Panther Creek Parks in the amount of \$14,760.00. This was an unbudgeted replacement of aging and damaged disc golf signage across the park system as

well as additional signage for 9 new baskets at Yellow Creek Park. The lowest quote was not recommended because The HBC Group quote included site visits prior to design and installation unlike the lower quotes. Dutch Napier: He thanked the Court on behalf of the Daviess County Disc Golf Association stating that this project would make the parks look better and would make the courses more appealing for the people to come to bigger tournaments.

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 Castlen, the court considered for approval; **Award RFP No. 02-2324: Payroll Processing, Timekeeping, and Human Resource Information System (HRIS).**

County Treasurer Johnson: Recommended award to Paylocity in the annual amount of \$39,948.04. The request for proposal is for a comprehensive system to replace the current timeclock, payroll processing, and required quarterly/annual employee/payroll/tax filing and reporting, employee data management, disciplinary management, training, and other human resource related systems that are all currently separate across multiple platforms. The Court currently spends approximately \$28,000 annually for these services, meaning that once existing services are ultimately replaced, the anticipated net impact to Fiscal Court would be approximately \$13,000 per year. He did not recommend the low proposal, due to the recommended proposer's impressive demonstration and implementation plan, municipal references and additional modules. He believed that justified the \$6,000 annual differential in price.

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; **Award RFP No. 03-2324: Food Services (Detention Center).**

County Treasurer Johnson: Recommended award to the lowest and best evaluated proposal received submitted by Kellwell Food Management. Kellwell is the current vendor and the contract has reached its term limit, triggering the competitive process to secure a new agreement. The current average rate of \$1.0897 per meal will increase to an average rate of \$1.2813 per meal. The Jailer and his management staff believe this increase to be reasonable and in agreement with what other detention centers are seeing. Legal, Jailer Maglinger and the Treasurer reviewed the proposal and recommended approval.

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 Ryan Trunnell as Firefighter effective 2/19/2024.**

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

S. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Appoint Russ Duty (Cheryl Cureton-Spalding S1T) to the Ethics Board (3-year term.) effective 3/2/2024 through 3/1/2027.**

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

T. By a motion of Commissioner Conder, seconded by Commissioner Castlen, the court considered for approval; **Appoint Vernon Wathen (Teresa Boarman SPT) to the Daviess County Property Maintenance Code Board of Appeals (3-year term.) effective 3/1/2024 through 2/28/2027.**

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

U. By a motion of Commissioner Marksberry, seconded by Commissioner Castlen, the court considered for approval; **Appoint John Bell (Wally Taylor S3T) to the Daviess County Property Maintenance Code Board of Appeals (3-year term.) effective 3/1/2024 through 2/28/2027.**

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

3. Consideration for Discussion:

A. There was no other business that was brought before the Daviess County Fiscal Court

B. Public Comments

Chair of the Daviess County Republicans Darin Tapp: Announced that on April 11, 2024, Rand Paul plans to be the keynote speaker at the Lincoln Dinner at 6:00 p.m. at the National Guard Armory. Also announced the second annual Nicky & Earl Hayden Memorial Race for the Nicky Hayden Memorial Foundation will be June 1, 2024 at Windy Hollow Speedway for an all-day event beginning at 8:00 a.m. with practice. The actual race begins at 4:00 p.m. Requested the Court to look at Kenton County in Northern Kentucky as they opened elections to the public to give public transparency in their elections allowing them to examine the machines and the ballots. He believes there has been a loss of faith in the election system and thought this would be a good move to get faith back into the system.

Maryanne Steele: Spoke on behalf of the Coalition for and Inclusive Daviess County. She stated that in 1817 the phrase "Progress" was written on Owensboro's flag. She believes the phrase for today would be "Regression". She reported that between 1990 and 2020 the population of Daviess County grew by 18.5% while the population of the United States grew by 31.7%. During that same period, the population of Warren County Kentucky grew 73%. She claims that if they are looking for progress, that it does not seem to be here in Daviess County. The ongoing saga between the Public Library and the Daviess County Citizens for Decency has made local, state, and regional news. She thought the Court should ask themselves the following questions: Does the community stuck in the past look attractive to companies scouting locations for new facilities or headquarters? Does a community in a book audit look attractive to the music lovers, barbecue fans, and sports tournament organizers who bring tax and tourism dollars to our community? She stated that children and young adults should have access to materials within the Public Library that represents who they are regardless of religion, race, gender, sexual orientation, come from a loving home or an abusive one, from wealth or from poverty, or whether they come from a long line of Daviess County citizens or immigrants pursuing the American dream. She informed the Court that between 1909 and 1912, Mayor Stinson Lambert, sabotaged the opening of the library by continually vetoing the funding for its maintenance. He cited reasons as personal and ridiculous as it being poorly located and a center for spreading of disease. She does not want history to repeat itself but she believed that it might repeat itself. She stated that during a forum on October 6, 2022, Judge/Executive candidate Charlie Castlen stated that he would not appoint an activist candidate to the Library Board. She believes that by failing to bring vote on for either of the two highly qualified board candidates presented to him, he is siding with activists. She stated that the activists have wasted \$35,000 of taxpayer money on a book audit. The activists have bullied Library employees and board members and have spread bigotry and division within the community. She addressed the Judge/Executive and told him he should ask himself how history will remember him.

Mike Hamlet: He informed the Court the he has been a taxpayer of Daviess County for over 40 years. He thanked the Court for being diligent about our County affairs and about what is going on. He wanted to remind everyone about the fragility of digital content stored. He believes that information such as ordinances and codes should be written down with a hard copy in case technology crashes. He believes we need to be able to survive as a society and told the Court that they were doing a wonderful job.

Pastor of Asbury United Methodist Church Demarcus Curry: Introduced himself as a member of the Leadership Owensboro, Class of 2024. He informed the Court about Teen Week in March at the Library. Tuesday, March, 12, 2024, there will be a financial workshop for teens with Fifth Third Bank where they will conduct financial literacy for the teenagers to help them be better prepared for life. Wednesday,

March 13, 2024, there will be a Resume/Interview Workshop to help teens prepare themselves as they enter the workforce. Thursday, March 14, 2024, there will be a job fair inviting companies to come and interview the teens and hopefully get them hired and prepared for the spring and summer months. Friday, March 15, 2024 at the Neblett Center from 5:00 p.m. to 7:00 p.m. there will be a "Stop the BS" Bullying and Suicide for the teens in the community. He did this event back in 2019 and invited the students to be the speakers instead of having motivational speakers and the youth hearing those other youths speaking about their personal experiences opened up the floor for them to tell their stories as well. He thanked the City of Owensboro for spreading the word for the events and asked the County officials to do the same.

Andy Gamblin: Thanked the Court for doing a good job. He praised the Daviess County Sheriff's Department for their hard work. Thanked all law enforcement officers.

C. Comments by Daviess County Fiscal Court

Commissioner Castlen: Thanked everyone for appearing at the meeting and having their voices heard. Thanked the Donahue family for picking up a lot of trash on the West end. Also thanked Jailer Maglinger for having the trustees and staff pick up trash in the West County and thanked the community for their efforts to clean up the community.

Commissioner Conder: Announced that he and Commissioner Castlen spent the day before in Frankfort with our Leader Suzanne Miles, Representative DJ Johnson, and Senator Gary Boswell. He spoke with the Governor and asked the Governor to mention Owensboro Daviess County when he talks about economic development. Commissioner Conder also mentioned a bill about the decision for early voting and believed it was one of the best ways for individuals to exercise the biggest right they have as citizens. He thanked Property Maintenance Supervisors, Mike Hamilton with the County and Joe Sublett with the City of Owensboro, for doing a very good job. He informed the public that those individuals investigate property maintenance issues and try their best to work with the property owners. However, if a resolution is not met, they will issue a citation. Lastly, he informed the public about his involvement in the upcoming Reality Fair at Burns Middle School. They give eighth graders pretend jobs and the students have to pay their bills, house payment, utility payments, food, and car and then figure out whether or not they have enough money left to pay for a cell phone and other items. This will allow the students to see how important it is to manage their money.

Judge/Executive Castlen: Thanked Commissioner Castlen for bringing up the trash issue. He stated that he is passionate about the issue of trash in our community. There have been several complaints about trash, mostly focusing on the route going to the landfill. He challenged the public to drive the Highways of Kentucky, the Interstates, and the Parkways as he thinks they are an embarrassment. He informed the public that he picks up trash around his block and made a pledge to himself to pick up the trash every week or every other week. He usually picks up at least a Kroger bag full of trash just walking around the alley he lives on which is not even a full city block. He mentioned a time when one of his kids were little. The window was down and his youngest threw his sucker stick out the window. He pretty much slammed on the brakes and pulled over to give a sermon to him right there. He told his children that they are to never throw another piece of trash out as that is littering. Also, he informed the public that the next Fiscal Court meeting will be on Tuesday, March 5, 2024 at 5:00 p.m. He also announced that Yellow Creek Park will have extended hours for March beginning Friday, March 1, 2024. Yellow Creek Park will be open daily from 8:00 a.m. to 7:00 p.m. The pickleball courts are equipped with lights that will operate on a timer and shut off automatically when the park closes. Panther Creek Park and Horse Fork Creek Park remain on winter hours of 8:00 a.m. to 5:00 p.m. until the start of the summer park season which begins on April 1st.

4. Adjournment

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



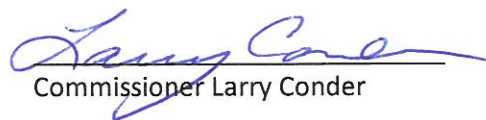
Judge-Executive Charlie Castlen



Commissioner Janie Marksberry

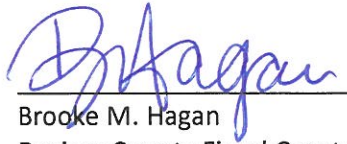


Commissioner Christopher Castlen



Commissioner Larry Conder

I, duly appointed Daviess County Fiscal Court Clerk Brooke M. Hagan, hereby certify that the above corresponding Order Book minutes were approved by the court on March 5, 2024.



Brooke M. Hagan
Daviess County Fiscal Court Clerk