

Minutes of February 4, 2025, 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 Conder.

1. Consideration for Presentation:

A. Presentation- Owensboro Museum of Fine Arts.

OMFA Executive Director Jason Hayden: Thanked the Court for allowing him to speak at the meeting. He announced that he was the new Executive Director of the Owensboro Museum of Fine Art (OMFA). He expressed how grateful he was for the support from the County. He gave a brief history of how OMFA first began. He noted that Dr. Medley and his late wife had made a one-million-dollar donation to help support OMFA. He announced that May 9th would be the 63rd Annual Owensboro Art Guild Exhibition that would display new pieces. He stated that Rebecca Stone had been hired as the Director of Education and would be reaching out to Daviess County Schools to see how the museum could help in the education of children. He stated that Colin Davis had been hired as the Development Coordinator and would help find the means to achieve more advanced goals in the art museum as an institution. They would all be working throughout the community to build relationships with new audiences.

Judge/Executive Castlen: Noted that he hoped to see the community get more involved with OMFA.

2. Consideration for Approval:

A. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Minutes of January 23, 2025, 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 Conder, seconded by Commissioner Castlen, the court considered for approval; **Commitment of Match Funds - I-165 Interchange Feasibility Study.**

County Treasurer Jordan Johnson: The Metropolitan Planning Organization (MPO) had received a \$200,000 Federal Transportation GRANT to study the feasibility of adding an interchange on I-165. The 80/20 grant stated that Daviess County Fiscal Court would be responsible for \$40,000 to satisfy the local match. If approved, they would seek funds from the State's GRANT program to reimburse the local match portion. However, if it was not successful, the budgeted funds should cover the cost. He recommended approval.

Commissioner Marksberry: Asked Mr. Johnson if the money was for the I-165 project only.

GRADD- Tom Lovett: He noted that there was planning money available for different studies, but the funds that were before the Court were requested specifically for the I-165 study.

Commissioner Marksberry: She mentioned that she was concerned about recent wrecks that had happened at a different location.

Judge/Executive Castlen: Stated that her answer could be answered in the public comment section of the meeting as they did not relate to the agenda item that was to be voted on.

Commissioner Conder: Asked Tom where the money had come from.

Tom Lovett: Stated that the Federal Highway Administration would give money from the Federal Government to the State. The State gives the money to operate MPO. Any remaining money would go to KYTC in a planning pool account for discretionary projects.

The vote was called, Commissioner Marksberry voted no, while all other present members voted in favor, **said motion passed 3 to 1.**

D. By a motion of Commissioner Castlen, seconded by Commissioner Conder, the court considered for approval; **Resolution No. 02-2025: Government Resources Accelerating Needed Transformation (GRANT) Program 2025 Project Application.**

County Treasurer Johnson: The GRANT Program (through the Cabinet for Economic Development) was established by HB723 that made State funding available to assist in meeting the non-federal share of Federal GRANT program applications and the I-165 Interchange Feasibility Study was eligible. Resolution 02-2025 was an application to the State's GRANT program to cover the County's \$40,000 match for the study. He recommended approval.

Judge/Executive Castlen: Informed the court that if a GRANT were approved, the money would cover the County's match.

The vote was called, Commissioner Marksberry voted no, while all other present members voted in favor, **said motion passed 3 to 1.**

E. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Right-of-Way Easement – Kenergy Electric Line.**

County Treasurer Johnson: The utility right-of-way easement with Kenergy was to bring a connection point to Owensboro-RNG's facility at the West Daviess County Landfill. The easement would accompany service orders that were standard whenever a pole, line, and meter installation were requested on County property. However, they required approval by the legislative body. He noted that Owensboro-RNG would be responsible for all line extension costs. He and Solid Waste Management recommended award.

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

F. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Annual Incentive Payment to West County Commissioner for Calendar Year 2025.**

County Treasurer Johnson: Upon the completion of 40 hours of training for certain elected officials, Fiscal Court was required to pay the incentive payment directed by a letter from the Department for Local Government (DLG) per KRS 64.5275(6). The letter from DLG was presented for Commissioner Castlen. He noted that the payment was required but still must be approved by Fiscal Court. He recommended approval.

Judge/Executive Castlen: Stated that a member of the public asked about the program. He asked the Treasurer how long the program had been in place.

County Treasurer Johnson: The program was established in 1999 and was mandated for all 120 counties. He stated Fiscal Court members, the Clerk, the Jailer, and the Sheriff were to comply.

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

G. By a motion of Commissioner Marksberry, seconded by Commissioner Conder, the court considered for approval; **Annual Incentive Payment to Judge/Executive for Calendar Year 2025.**

County Treasurer Johnson: Upon the completion of 40 hours of training for certain elected officials, Fiscal Court was required to pay the incentive payment directed by a letter from the Department for Local Government (DLG) per KRS 64.5275(6). The letter from DLG was presented for Judge/Executive Castlen. He noted that the payment was required but still must be approved by Fiscal Court. He recommended approval.

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

H. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Change Order 03 for Bid No. 2425-11: Purchase of (89) New Fire Hydrants.**

Purchasing Manager Kandace Sturgeon: During installation of the new fire hydrants, the contractor discovered that additional lines were buried deeper than anticipated. The change order was in the amount of \$10,075.98 and covered the cost of 8 additional fire hydrants extension kits and 1 tap sleeve. The cost would be fully reimbursed by the Kentucky Infrastructure Authority Grant Assistance Agreement that was approved in Fiscal Court session held February 6, 2024. She 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; **Declare Surplus Inventory.**

Purchasing Manager Sturgeon: Landfill management identified several units that were well past their useful life and of low value and holding the items for a surplus auction would not be beneficial. There was an attached schedule of items that were planned to be either scraped or disposed of as garbage. That action required the Court to declare the item surplus in accordance with KRS 67.0802(4) and the administrative code. She recommended approval.

Judge/Executive Castlen: Asked Mrs. Sturgeon if the items were going to Dahl & Groezinger for disposal.

Purchasing Manager Sturgeon: She confirmed they would go to Dahl & Groezinger.

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; **Award Bid No. 2425-48: Roadside Litter Collection Services (Fiscal Court).**

Purchasing Manager Sturgeon: She recommended award to the only responsive bid submitted by Gish Lawn & Landscape, LLC for the respective rate schedule. The bid was for the collection of roadside litter covering approximately 118 centerline miles across Daviess County, three times per calendar year, and would join with the Trash for Cash program to reduce litter in the community. The areas identified were in the high-traffic areas that volunteer groups would avoid. There were no exceptions to the specifications, and she recommended approval.

Commissioner Conder: Stated that the program was awesome, and he hoped that the City and CVB would become involved. He stated Jailer Maglinger's staff and inmates were doing a great job. He noted that the first impression of the community was what you saw while driving in. He stated it was a first step toward having some pride, joy, and care in the community for a lasting first impression of the community.

Judge/Executive Castlen: Stated that trash collection had been something they had been working on for a while. He expressed his frustration when he saw trash on the ground. It was his hope that everyone would participate.

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 Castlen, the court considered for approval; **Award Bid No. 2425-49: Horse Fork Creek Park Painting Project (Parks).**

Purchasing Manager Sturgeon: She recommended award to the lowest and best evaluated bid by Trident Commercial Coatings, LLC in the amount of \$17,500. The project was for surface repairs and repainting of the concessions building and restrooms at Horse Fork Creek Park. The buildings had not been painted for more than ten years and required some patching of the block work. There were sufficient maintenance funds available for the project. Trident Commercial Coatings, LLC was a well-known vendor, there were no exceptions to the specifications, and she recommended approval.

Commissioner Conder: Asked if there was a timeline on the work at the parks.

Purchasing Manager Sturgeon: She stated the vendor was available to work as soon as the item was awarded.

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

L. By a motion of Commissioner Conder, seconded by Commissioner Marksberry, the court considered for approval; **Award Bid No. 2425-50: One (1) New Class A Fire Engine (Fire Rescue-Sorgho).**

Purchasing Manager Sturgeon: She recommended award to the lowest and best evaluated bid submitted by High Tech Rescue in the amount of \$467,887.89 for the Sorgho Volunteer Fire Station. The item was bid early to maintain the current 25-year replacement schedule. The unit was a budgeted replacement for a 2000 International Pierce Pumper currently in inventory that was approaching its 27th year of service. Daviess County Fiscal Court would contribute \$325,000.00 towards the purchase of the unit and the Sorgho Volunteer Fire Department would pay the balance per the typical replacement procedures. High Tech Rescue was a well-known vendor, there were no exceptions to the bid, and she recommended approval.

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

M. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; **Award Bid No. 2425-51: Fleet Fuel System (Annual).**

Purchasing Manager Sturgeon: She recommended award to the only responsive bid submitted by Valor Oil for the respective rate schedule. She stated that historically, Fiscal Court would have participated in the cooperative bid performed by the City of Owensboro for the service. However, the City's selected vendor did not align with the needs of Daviess County Solid Waste, requiring Fiscal Court to bid separately. The bid was for fleet fuel services and refueling stations that were open 24 hours a day, 7 days of the week for EMA, Fire Department, IT Department, Parks Department, Solid Waste Department, Daviess County Sheriff's Office, and Daviess County Detention Center. Valor Oil was a well-known vendor, there were no exceptions to the specifications, and she recommended approval.

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; **Award RFQ 2425-60: One (1) New Commercial Grade 60" Mower (Detention Center).**

Purchasing Manager Sturgeon: She recommended award to the lowest and best evaluated quote submitted by Hagan's Outdoor Equipment for a 2024 Kubota Z781KWTIW-60 in the amount of \$12,500.00. The replacement was for an ageing unit that was in inventory. Hagan's Outdoor Equipment

was a well-known vendor, there were no exceptions to the specifications, and she recommended approval.

Sharon Castle: She asked why the bid price was so high.

Purchasing Manager Sturgeon: Informed Sharon that the mower was commercial grade, and the bid was the lowest amount offered.

Sharon Castle: Asked where the bids came from.

Judge/Executive Castlen: Asked Mr. Johnson or Mrs. Sturgeon to explain how vendors were informed of upcoming items to bid on.

Purchasing Manager Sturgeon: Stated the specifications were written and submitted to vendors and vendors who were interested in participating would provide information regarding the needs.

Judge/Executive Castlen: Stated that vendors often provide the Court with contact information.

Sharon Castle: Asked how many bids were received.

Judge/Executive Castlen: Stated that 3 bids were submitted.

Sharon Castle: She wanted to know who the 3 bids were from.

Judge/Executive Castlen: Informed her that bids came in from Hagan's Outdoor Equipment, H&R Agri Power, and Wright's Implement.

Sharon Castle: She asked about John Deere.

Judge/Executive Castlen: Informed her that Wright's Implement offered John Deere. Informed her that she could submit an open records request at the office for more details.

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; Professional Services Agreement with AEI regarding Ward Road Bridge over Deserter Creek Tributary 1.

County Engineer Dirk Dooper: Stated that the agreement with AEI was to redesign a failing bridge over Ward Road. He stated the bridge was less than 20 feet and was inspected by the Engineering Department. He noted that bridges over 20 feet would be inspected by the State. He expected the design to be completed within the fiscal year and recommended approval.

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

P. By a motion of Commissioner Castlen, seconded by Commissioner Marksberry, the court considered for approval; Memorandum of Understanding (MOU) between the Daviess County Detention Center and the United States Department of Veterans Affairs, Marion VA Medical Center for Parking Lot Utilization.

County Treasurer Johnson: The Disabled American Veterans (DAV) of Owensboro, KY had utilized the parking lot at the Detention Center for over 12 years to transport veterans to Marion VA Medical Center and Evansville Health Care Clinic for their appointments. The United States Department of Veterans Affairs requested the utilization of the County's parking lot to be formalized with the presented MOU. Jailer Maglinger saw no issues with continuing the practice. He recommended approval.

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; Hire Jay Fogle as Solid Waste Heavy Equipment Operator effective 2/3/2025.

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 Castlen, the court considered for approval; Accept the Resignation of Natalie Mayfield effective 2/1/2025.

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. Public Comments.

Steve Innes: Stated that he represented the Green River Community Food Warehouse. He stated that about 15,000 people in Daviess County were experiencing food insecurity. He gave examples of a senior citizen on a fixed income that could not leave the house or a single mom working two jobs to make ends meet. It was their mission to eliminate food insecurity. He stated there were about 30 soup kitchens and food pantries in Daviess County that did a great job with the resources that they had. Around 165,000 meals per month were being served to the community. The amount was still not enough for Daviess County. They wanted to provide healthy nutritious food such as fruits, vegetables, and protein. He stated there was a need for a temperature-controlled facility that could store healthy food. He stated that a storage place like that would cost around \$4.3 million to build. However, they had found a local contractor that would build it at cost. He noted that the annual cost of operations for specialized refrigeration equipment would be about \$250,000 per year and he hoped the facility would generate revenue to offset future costs. The board he was on would invest \$450,000 (which was 10% of the cost of the project) and they had raised over \$1.2 million in donations. He stated that Mayor Watson and the City Commissioners were considering pledging \$100,000. He requested the County to match the amount the City decided to offer.

Harold Wilson: He thanked the Court for their support of the parks and expressed his passion for t-ball. He believed t-ball was important for children as it would help them go through the processes of development of physical, mental, and social skills. He stated his son was on the very first T-ball team held in Maceo. He stated that it was a team effort to establish playgrounds, concession stands, teams, and coaches for the game. He announced that on Saturday there would be a 50th year celebration of t-ball. He invited all t-ball players and families to the Owensboro SportsCenter on Saturday, February 8, 2025 where KWC would be playing against Hillsdale College. There would be free admission at gate 4. The women's basketball game would start at noon and the men's game would start at 2:15 p.m. with a half-time t-ball celebration. He suggested everyone wear their t-ball colors and baseball hats.

Tom Lovett: Addressed Commissioner Marksberry's comment about the bad accidents near the intersection at US 60 (Wrights Landing and Hawes Boulevard). He stated that MPO planned to turn that intersection into an RCUT intersection. An RCUT would reroute the cross traffic into merging lanes, preventing semis from going across the road or people trying to jump across four lanes of traffic. National studies have shown that the RCUTs were significantly safer with a decrease in fatal accidents. He noted the project would happen that year with construction being completed by September 2025. Signage and line painting should be completed by November 2025.

Commissioner Marksberry: Asked for more details of the construction.

Tom Lovett: Stated that he was not an engineer and would not be able to answer her questions.

Sharon Castle: Stated that she owned Windy Hollow Campground and wanted more details about the solar farm that was being discussed. She stated she had owned Windy Hollow for the last 25 years and had seen a lot of people from all over the United States come to Windy Hollow. She stated that Windy Hollow was a historical site, and she would hate to see a solar farm wrapped around the campground. She believed the grounds needed to be preserved. Stated that she had called Lester Morales repeatedly and never had a return phone call. She wanted to know what was going to happen with the land as she was against solar farms.

Judge/Executive Castlen: Stated that his understanding was that the land would be leased between the property owner and NextEra. Noted that the solar issue was not a county project and that it would be voted on by the Board of Adjustments.

C. Comments by Daviess County Fiscal Court.

Commissioner Marksberry: She explained her no vote regarding the I-165 feasibility study. She stated that it had been talked about before there were plans to build a new Operations Center with a new Fire Station. She voted no because the emergency responders would go by DCHS, WKU, and OCTC using I-165 to get on the bypass. She also voted no because she was against an outer loop and felt like it would be the beginning of the outer loop as she thought they would not pay that amount of money just for an interchange ramp to pour out onto a 2 laned country road.

Commissioner Castlen: He acknowledged Commissioner Marksberry's comments. He stated that he voted yes because the Masonville Fire Department near Deer Valley would be able to use the extended diversion allowing them better access to very populated areas.

Commissioner Conder: Noted that it was budget time and requested the County Treasurer for a timeline for agency funding. He wanted to know when agencies would need to submit their information to be considered for agency funding.

County Treasurer Johnson: Stated the Volunteer Fire Stations would be submitting their documentation to Fire Chief Jeremy Smith and would follow the County's normal budget timeline. Any nonprofit or agency that would be seeking funding from the County would have until March 7th, 2025 to submit an agency funding application which could be found on the website at www.daviessky.org under the document center.

Commissioner Conder: He thanked Mr. Innes for speaking about the food bank. He stated that Mr. Innes had a lot of background in logistics and knew what he was talking about when it came to incoming food and how it was offloaded and onloaded. He stated that he hoped the footprint would be obtained and he stated that he believed the project was worthwhile as it could address hunger over an extended period.

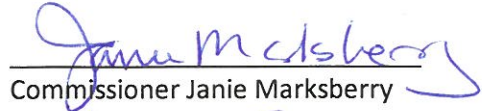
Judge/Executive Castlen: Stated that he wanted to share an email that he had received from the KYTC's Second District Highway Engineer, Deneatra Henderson, after he had spoken to her about the recent fatal wrecks. He read "Plans are in place to make improvements to the intersection of U.S. 60 at Hawes Blvd where Friday's tragic crash occurred. The same construction project also includes the intersection of US 60 with Wrights Landing Rd. A \$3.5 million project was led in December that will convert those intersections into a Restricted Crossing U-Turn, commonly referred to as an RCUT. The winning bid went to Scotty's Contracting and Stone LLC. The contract completion date is August 2026. In an RCUT, side street traffic uses right turns and median crossovers at a highway intersection. Rather than approaching motorists having to cross a highway with oncoming traffic in order to make a left turn, they will turn right and then utilize a U-turn lane. This design eliminates multiple points of conflict where vehicles cross paths, including at right angles, which reduces the risk of severe crashes to improve highway safety. RCUTs are being incorporated more often in highway projects today to promote a freer and safer flow of traffic. A review of a Trigg County RCUT on U.S. 68 recently showed a 64.5% decrease in total crashes since the RCUT was completed and a 71% decrease in injuries – exceeding benefits found in a national study, which showed RCUTs reduced crashes by 54% on average. For more information on RCUTs you could visit the KYTC's SAFERoads Solution Page at <https://transportation.ky.gov/saferoadsolutions/Pages/RCUT.aspx>."

4. Adjournment

Without objection, Judge-Executive Castlen adjourned the February 4, 2025 meeting.
SO ORDERED THAT COURT STAND ADJOURNED.



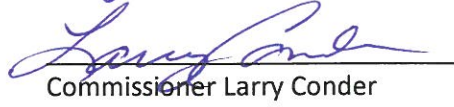
Judge/Executive Charlie Castlen



Commissioner Janie Marksberry

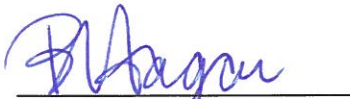


Commissioner Christopher Castlen



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 February 20, 2025.



Brooke M. Hagan
Daviess County Fiscal Court Clerk