

**Minutes of the June 30, 2020, as amended on July 23, 2020
Daviess County Fiscal Court Meeting
Held at the Daviess County, Kentucky Courthouse**

**Present elected court officials included
Judge/Executive Al Mattingly and County Commissioners
Mike Koger, George Wathen and Charlie Castlen**

**DOCUMENTS RELATED TO TODAY'S DISCUSSIONS
ARE FILED IN THE CORRESPONDING FISCAL COURT FILE**

As tonight's meeting was limited to essential personnel only, Judge Mattingly announced that online participants, via Facebook Live, may submit questions or comments via Facebook post those comments or question would be addressed as necessary.

The meeting opened in Prayer and the Pledge of Allegiance to the Flag.

County Treasurer Jim Hendrix presented the Treasurer's Report for May 31, 2020.

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Minutes of the June 11, 2020, Daviess County Fiscal Court Meeting.

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

By a motion of Commissioner Wathen, 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.

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Daviess County Sheriff's Office 2019 Tax Settlement and Quietus.

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Budget Transfers for the Fiscal Year Ended June 30, 2020.

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

By a motion of Commissioner Koger, seconded by Commissioner Castlen, the court considered for approval; Apply for the 2020 Kentucky Department of Agriculture's Spay/Neuter Program Grant.

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

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Accept the 2020/2021 COPS Grant.

Major Barry Smith said, "This \$250,000 grant would provide the Sheriff's Department with funds to hire two new full-time deputies for two years but stipulates that the positions be kept for a minimum of 4 years. If approved, these positions would be the county's financial responsibility for a minimum of two of the four years."

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; AmeriCorps (KY READY Corps) Agency Agreement for the 2020/2021 Program Year.

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

By a motion of Judge Mattingly, seconded by Commissioner Castlen, the court considered for approval; **Resolution 18-2020** Regarding the Confederate Monument.

The resolution was read aloud by Judge Mattingly:

WHEREAS, Daviess County Fiscal Court (DCFC) believes it is in the community's best interest to relocate the Confederate Memorial Monument currently displayed on the courthouse lawn; and
WHEREAS, the memorial monument belongs to the Kentucky Division United Daughters of the Confederacy (KD-UDC); and
WHEREAS, the KD-UDC own a plot of land used as a memorial to the Battle of Panther Creek; and
WHEREAS, the KD-UDC desires to relocate the memorial to that site; and
WHEREAS, the Owensboro, Kentucky NAACP Branch 3107, by letter dated June 22, 2020, agrees with the placement of the memorial monument on private land owned and used as a memorial to the Battle of Panther Creek; and
NOW THEREFORE, DCFC agrees to return the Confederate Memorial Monument to the KD-UDC and agrees to relocate the memorial monument to said property.

Commissioner Wathen said that he takes issue with a number of things regarding this resolution and intends to make a motion to postpone this vote until the first meeting in August. He said this will give the public an opportunity, he feels they have not been given, to publicly speak about this issue. He further noted that the resolution should not state where the statue should be relocated.

Judge Mattingly stated that the resolution doesn't say where it's going to go. It just says, that we agree to return the monument to the KD-UDC and to relocate it to said property. Now, that is where they want it to be relocated but it doesn't have to go there.

County Attorney Claud Porter stated that it says the KD-UDC and this court agree that it can be relocated to that property which means property owned by the Kentucky Division of the United Daughters of the Confederacy.

Commissioner Wathen asked the County Attorney if this resolution does not state where the monument will go.

Judge Mattingly replied, "It says where it *could* go."

Attorney Porter added that if that is where they want it to go, we are agreeing to take it there.

Commissioner Wathen asked, "What if that is not where they want it to go?"

County Attorney Porter replied, "Then I think we can agree to move it somewhere else."

Commissioner Wathen asked if this resolution prevents us from accommodating their request.

Attorney Porter replied that what this resolution does is it allows the county to facilitate the monument's return to its owner.

Judge Mattingly explained that this is a resolution, not an ordinance. It can be changed or amended.

Attorney Porter explained that a resolution is more like the general intent of the court.

Commissioner Wathen stated, "I make a motion to postpone the vote on this resolution until August 6, 2020." Commissioner Castlen seconded this motion.

Commissioner Castlen stated, "Well, I would like to discuss and part of the reason I did the second is my understanding I had a couple of phone calls on my drive from my home to the courthouse here right before this meeting so not a lot of discussion time and a gentleman has said he is willing to donate funds not funds but property to the Daughters of the Confederacy for an alternate site that he thinks it would be preferable and I believe they would prefer it also. I don't know that."

Judge Mattingly added, "I have heard of that but have had no conversation from that gentleman or talked to him. As of this morning, I have not had contact with the KD-UDC who in the end will make that decision."

Commissioner Castlen stated, "And I spoke to them I called the lady that you spoke with on the way here and she is the one who told me that this gentleman had made the offer and I called him to confirm because I did not want to just take her word on it, and so anyway."

Judge Mattingly asked him what she said.

Commissioner Castlen stated, "That she thought his property would probably be more that they would prefer that location."

Judge Mattingly asked, "What was her function?"

Commissioner Castlen stated, "She is the president, Susan I believe."

Judge Mattingly commented, "I wonder how she could make that decision without her board because she required a meeting of the board to do that. But again, that is outside of the scope of this motion."

The vote was called and with Commissioners Wathen, Castlen, and Koger voting in favor and Judge Mattingly voting in opposition, the motion to postpone the vote passed.

Judge Mattingly added, "I think this decision is a mistake because we gain nothing by waiting. I don't know who will setup these forums these folks want to setup because it certainly won't be fiscal court unless one of you commissioners want to do it. We only setup forums and public discussion regarding ordinances or laws."

Commissioner Wathen added, "Well, we give them the opportunity to have a forum if they want to have it."

Judge Mattingly replied, "That is fine."

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Contract with Green River District Health Department Relating to Employee Vaccinations.

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Business Associate Agreement with Green River District Health Department.

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

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Contract with MML&K Government Solutions for FY 2020-2021.

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

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; MOA and Lease Agreement with Owensboro Community and Technical College (OCTC) for Property located at Fours Lane and Highway 231.

This contract renews the current agreements whereby OCTC takes care of the mowing and upkeep of the county-owned property along Fours Lane and in turn the county allows OCTC the use of said land for their Agricultural program.

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

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Renew the following Bids:

- 3060: Rock Salt to Compass Minerals (4th)
- 15-2019: Bulk Delivered Fuels to Valor Oil (1st)
- 16-2019: Recycling Services to Dahl Groezinger (1st)
- 26-2019: Concrete Crushing to Complete Demolition (1st)

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

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Award the following Bids:

- 21-2020: Wood Grinding Services to O’Bryan Grain Farms for \$24,290
- 22-2020: Polymer Coated Culvert Pipe to Hagan & Stone Wholesale per rate schedule
- 23-2020: Two (2) Mowers to Always Outdoors Lawn & Power for \$19,648.50

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

By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; Daviess County Fiscal Court Rate Schedule.

DAVIESS COUNTY FISCAL COURT
(Effective June 25, 2020)
RATE SCHEDULE

The Daviess County Fiscal Court offers a variety of services/goods to the public for recreation and public health/sanitation. The rates of these services are reviewed regularly and adjusted accordingly. Kentucky HB 366 has made several services offered by Daviess County Fiscal Court subject to Sales & Use tax. All services subject to the Kentucky State Sales & Use Tax have the tax built into the proposed rate.

Department	Service/Good	Rate	Frequency
<u>Parks & Recreation:</u>	Large Combination Shelter Rental	\$110.00	per day
	Medium Combination Shelter Rental	\$ 55.00	per day
	Single Shelter Rental	\$ 30.00	per day
	Ball Field Rental - Local Leagues	\$ 11.00	per team
	Ball Field Rental - Tournaments	\$ 85.00	per day
<u>Daviess County Gun Club:</u>	Shooting Clay Event	\$ 42.00	per event
	Sporting Clays (Ages above 16)	\$ 35.00	per round
	Sporting Clays (Ages 16 and below)	\$ 30.00	per round
	Sporting Clay Punch Card (20 Rounds)	\$600.00	per card
	Sporting Clay Punch Card (10 Rounds)	\$300.00	per card
	Sporting Clay Incentive	\$ 25.00	per round
	Skeet/Trap Shooting (Ages above 16)	\$ 6.00	per round
	Skeet/Trap Shooting (Ages 16 and below)	\$ 5.00	per round
	Skeet/Trap Incentive	\$ 4.50	per round
	Golf Cart Rental	\$ 15.00	per day
Ammunition	Cost + \$1.00	per box	
<u>Animal Control:</u>	Dog Adoption - Unaltered	\$100.00	per animal
	Dog Adoption - Altered	\$ 75.00	per animal
	Adult Cat Adoption	\$ 30.00	per animal
	Kitten Adoption	\$ 60.00	per animal
	Boarding Fee	\$ 15.00	per day
	Reclaim Fee	\$ 22.00	per offense
	Dog Reclaim Package	\$100.00	per animal
	Microchip Insertion	\$ 11.00	per animal
	Rabies Vaccination	\$ 11.00	per animal

	SNAP Program - Female Dog	\$ 75.00	per animal
	SNAP Program - Male Dog	\$ 55.00	per animal
	SNAP Program - Female Cat	\$ 30.00	per animal
	SNAP Program - Male Cat	\$ 30.00	per animal
<u>Solid Waste: Landfill:</u>	Compost	\$ 17.00	per cubic
	Hay	\$ 27.00	per bale

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

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Appoint Tim Allen #7.2.20 (George Stuart S6T) to the RWRA Board - TERM: 7/1/20 – 7/1/24.

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

Public Comments:

No comments presented.

Comments by Daviess County Fiscal Court:

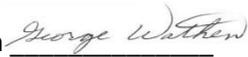
Judge Mattingly recognized election workers for their unwavering commitment during this difficult and different election process.

Due to Daviess County experiencing an increase in COVID-19 cases, Judge Mattingly stated, “At least through the end of July, I am going to recommend not re-opening the courtroom to the public for court meetings rather, we continue to make available live court meetings via Facebook.”

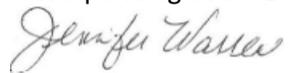
Without objection, Judge/Executive Mattingly adjourned the meeting.

SO ORDERED THAT COURT STAND ADJOURNED.

Judge-Executive Al Mattingly  Commissioner Charlie Castlen 

Commissioner Mike Koger  Commissioner George Wathen 

I, duly appointed Daviess County Fiscal Court Clerk Jennifer Warren, hereby certify that the above corresponding Order Book minutes were approved by the court on July 23, 2020.



Jennifer Warren
Daviess County Fiscal Court Clerk