

**Minutes of the July 23, 2020  
Daviness County Fiscal Court Meeting  
Held at the Daviness County, Kentucky Courthouse**

**Present elected court officials included  
Judge/Executive Al Mattingly, County Commissioners Mike Koger and George Wathen,  
And Commissioner Charlie Castlen attended via live remote  
(as legally authorized due to efforts to fight COVID-19)**

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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.

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By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Minutes of the July 9, 2020, Court Meeting.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Amended Minutes of the June 30, 2020, Court Meeting.

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

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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.**

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By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Fund Transfers.

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

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By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; **Resolution 19-2020** Daviness County Fiscal Court Road Index.

This follows a recent county & state roads inventory by GRADD, as requested by the State Highway Department, clarifying roads maintained by the state and those by the county.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Interlocal Agreement with McLean County regarding Oost Road.

McLean County is preparing to have their portion of Oost Road resurfaced. This agreement allows them to resurface the entire road, which includes a 600-foot portion of Oost Road in Daviess County, which is in need of maintenance. Interlocal agreements between adjoining counties are normal and customary. The county will reimburse McLean County following improvements.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Lease Agreement with Commonwealth of Kentucky for Regional Real ID Office.

The Transportation Cabinet and Division of Real Properties with the State of Kentucky requested that the Fiscal Court offer options for housing a regional real ID office in Daviess County. The county proposed several potential locations. The state selected the Daviess County Operations Center for their regional service site. This agreement is to lease to the state 2,315 square feet and eighteen reserved parking spaces at the Operations Center to the Commonwealth for the real ID office. Fiscal Court will renovate the area per their desired layout and recoup the cost over the life of the lease. The lease is for an initial eight year period. Jordan Johnson and the county's legal department reviewed this agreement and approval was recommended.

Commissioner Wathen stated, "This is a big win for Daviess County." He noted that with Daviess County being selected as our region's regional office, this prevents local citizen from having to travel to another county to use the Real ID services. He stated, "Nice job."

Commissioner Castlen echoed Commissioner Wathen's comments.

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

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By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; AmeriCorps Host Agency Agreement for EMA.

This annual agreement allows the county to participate in the AmeriCorps program, which provides an AmeriCorps employee that works 1,700 hours, annually. This agreement reflects a \$500 increase over last year's participating cost, totaling \$5,750.

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

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

- **RFQ 06-2020:** Irrigation System Control Replacement at HFCP to Mower Medic, Inc. for \$17,393.25  
This replaces the failing 2001 system’s mechanism controller and decoders for the irrigation zones.
- **RFQ 07-2020:** One (1) New 14-foot Auger Spreader to IMPCO, Inc. for \$15,164.11
- **RFQ 08-2020:** (19 pallets) Trap & Skeet Targets to Mack's Prairie Wings for \$12,708.80

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

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By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Bond Release for Wynthrop Ridge, Unit 1.

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

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By a motion of Commissioner Castlen, seconded by Commissioner Wathen, the court considered for approval; **Second Reading of Ordinance #8-2020; KOC 530.14 (2020)** An Ordinance Amending KOC 530.13 (2015) Establishing Official Speed Limits for Roads Located within Daviess County, Kentucky.

**Comments:**

No comments received.

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

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The **First Reading of Ordinance #09-2020; KOC 621.19 (2020)** was presented to the court relating to the Daviess County Road, Bridge and Street System.

**Comments:**

County Engineer Mark Brasher reminded the court that annually, this ordinance serves to officially update and account for all county maintained roads, bridges and streets.

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**Public Comments:**

David Smith reported having 2 non-specific Facebook Live posts regarding roads.

Judge Mattingly noted that most roads in the county needing repairs or maintenance don’t belong to the county. Likely, they are state roads as he said the county does a good job keeping county roads maintained. However, he encouraged citizens to call their elected officials if they have questions or concerns pertaining to this or to other county issues or concerns.

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### **Comments by the Daviess County Fiscal Court:**

Commissioner Castlen thanked the staff for accommodating his need to remotely attend this meeting.

Commissioner Wathen gave an update on the local COVID-19 Relief Fund noting that 35 agencies have received aid totaling \$605,000. He stated, "We have (received) a total of \$740,000."

At the next DC Parks Board meeting, Commissioner Wathen anticipates there to be a vote on whether the upcoming firework celebration at Panther Creek Park, due to COVID-19, should or shouldn't proceed. At the next court meeting, their vote will be shared.

Judge Mattingly was hopeful that next month's court meetings could see the return of in-person, public participation during court meetings. However, with the rise in local COVID-19 confirmed cases, along with new state restrictions, he will not be recommending this return. Hopes are that September meetings will allow for this return.

Judge Mattingly noted receipt of emails and letters talking about retaining or removing the Confederate Soldier Statue located on the Courthouse lawn. He remarked positively to a recent newspaper article by Owensboro Diocese Priest Ray Clark where he addressed forgiveness and reconciliation, which was in stark contrast to the letter he received from the Bishop. Bishop Medley's letter said he thought it "appalling that we would even consider placing the statue in a Catholic Cemetery." Judge Mattingly thanked him for his letter and added, "What I found appalling was the lack of knowledge of western Daviess County and where most of those farmers, (back in the 1860s), which side they came down on." He noted, there to be 2 boys who were executed without civil or military trials buried at St. Alphonsus Cemetery. Their families asked that their remains be returned home for burial at their (Catholic) Cemetery. Judge Mattingly added, "I don't believe it was an act mercy, as you (Bishop Medley) characterize it. I think it was just an act of love from a community for 2 sons who were killed."

Addressing the article in the paper regarding the ownership of this statue, Judge Mattingly stated, "I found it kind of interesting that we had a citizen in Daviess County who has come up with a 99-year lease with a group, who in my opinion, don't own the statue. Somebody said, well, you were going to return it to the owner. No, we were going to return it to the Daughters of the Confederacy for relocation at a Battlefield. That did not mean they owned it." He noted, the National Historic Registry defines its owner as the public. He stated, "I take umbrage somewhat with the Daughters of the Confederacy when they blew smoke and mirrors at everybody over that." Regarding the Military Veterans, Judge Mattingly noted that they would say that the monument was put there to honor soldiers in all wars. He reminded all that this monument was installed in the 1900's, before WWI and the number of wars that followed. He stated, "Again, that statue was put there for nothing other than to honor their confederate heroes." He noted that **Resolution 18-2020** will appear on the next meeting's agenda but may be changed slightly from the prior version. He stated, "The key, in my opinion, is whether or not we remove the statue from public property." He added, other particulars are ancillary. To the Daughters of the Confederacy, he said, "In 2016, there was a lawsuit filed against the University of Louisville (U of L) and the City Louisville (City) over a statue that was moved. In that lawsuit, the President of the Daughters of the Confederacy, with whom we are now talking, and the, I guess, he is the President of the Sons of the Confederate Veterans filed a lawsuit claiming ownership to a statue that had been in the possession of U of L and the City for 100 years or better and they lost. And the very citing of the National Historic record that those folks did, they said, hey, it's clear, it's owned by the public. Nobody has disputed that for 100 years." Judge Mattingly further stated, "I ask the community to allow this thing play out. I think the side that doesn't want us to move the statue is going

to have a meeting the first, first Saturday, the first. Let's let them have their meeting. It's going to be here on the courthouse lawn. Let's not have any shenanigans. Let's not have counter protesters. Somebody asked why in the world would fiscal court allow a group like that to have a meeting on public property. Well, fiscal court has let just about everybody and anybody have a meeting on public property as long as they meet certain rights and regulations. So they have as much right to meet out on the courthouse lawn." He encouraged the public to continue taking the high road and not to be like other communities where people are rioting and burning properties.

Commissioner Wathen stated, "I feel like when we postpone that vote, we really had two goals. One of them wasn't, one of them, the first one was articulated and everybody knows that we wanted it and that was that we wanted to give the citizens a chance to say what they wanted to say about, and we have done that, and that's part of what's going to happen August 1. But the second is, we wanted to make sure that all of the alternatives were discovered and explored and we want to make sure we, all the stones were turned over and all of the options were discovered and available to us and so I think we are moving along on that and both of those goals and I think based on that we will make a good decision on August the 6th. So, but anyway, that other wasn't brought out very well by me about seeing what the different alternatives are."

Judge Mattingly believes that the Highway 81 Bridge will reopen soon.

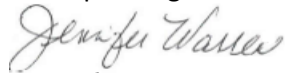
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Without objection, Judge/Executive Mattingly adjourned the meeting.  
**SO ORDERED THAT COURT STAND ADJOURNED.**

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 August 6, 2020.



Jennifer Warren  
Daviess County Fiscal Court Clerk