

## Digest

### Daviess Fiscal Court

Daviess County Fiscal Court took the following actions during its meeting Thursday at the Daviess County Courthouse:

- Proclaimed the week of May 10-16, 2026 as National Police Week
- Proclaimed the week of May 17-23, 2026 as Emergency Medical Services (EMS) Week
- Heard treasurer's report for April, 2026
- Approved minutes of April 30, 2026, Daviess County Fiscal Court meeting
- Approved all claims for all departments
- Approved fund transfers
- Approved annual standing order to pre-approve certain recurring expenses for Fiscal Year 2026/2027
- Approved county clerk's claim for calculation of motor vehicle and boat bills for 2026
- Approved KYEM Emergency Management Assistance Program Non-Supplanting Certification

- Approved memorandum of agreement between the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management, and 119 Local Jurisdictions of the Commonwealth to establish an agreement for an Emergency Management Assistance Program (EMPG 2025 cycle)
- Approved court facilities reimbursement agreement with the Administrative Office of the Courts for Fiscal Year 2026/2027
- Approved joint funding agreement between the U.S. Geological Survey, OKI Water Science Center, the U.S. Department of the Interior and Daviess County Fiscal Court for water resource investigations
- Approved parking lot rental agreement with First Baptist Church
- Approved security services agreement through the Daviess County Sheriff's Office: 07-2026 effective April 30, 2026
- Approved parks facility/special event rental agreement with the Bluegrass

- Music Hall of Fame and Museum for the Annual ROMP Festival at Yellow Creek Park
- Approved grant agreement for Kentucky Pride Fund Household Hazardous Waste Management for Fiscal Year 2026/2027
- Approved grant agreement for Kentucky Pride Fund Recycling for Fiscal Year 2026/2027
- Approved waste tire grant agreement for Fiscal Year 2026/2027
- Approved YMCA CDBG grant evidentiary documents
- Approved Owensboro Regional Recovery CDBG grant evidentiary documents
- Approved Resolution 09-2026: Accept and Adopt Ridge Brook Cove
- Approved Resolution 10-2026: Accept and Adopt Northwood Drive
- Approved roadway resurfacing list for Fiscal Year 2026/2027
- Approved release of surety: Woodland Ridge — Unit 9 — Public Improvements

- Surety
- Renewed the following bids Bid No. 2223-58.3: Coated corrugated culvert pipe (annual); Bid No. 2324-61.2: Bulk delivered fuels (annual)
- Awarded Bid No. 2526-65: Fire rescue uniforms (annual)
- Awarded Bid No. 2526-66: Fire inspection services (annual)
- Awarded RFQ No. 2526-75: Water line relocation project (Engineering)
- Promoted Ron Whitworth to transfer station manager (Henderson) effective May 10, 2026
- Reclassified Robert Askins from seasonal to full time effective May 10, 2026
- Heard first reading of KOC A.110 (2026) 02-2026: Fiscal Year 2026/2027 annual budget
- Heard first reading of KOC 921.690 (2026) 03-2026: An ordinance imposing a temporary moratorium on the acceptance and processing of applications related to I.T. infrastructure facilities (including data centers)

## READING

FROM PAGE A1

“Commissioner Chris Castlen and myself attended the Kentucky Judge-Executive Association Conference in early February, and one of the topics they had on the agenda for training purposes — they spent better than 90 minutes, which was longer than they normally do on a topic — was talking about data centers. At the time, Mason County, which is outside of Cincinnati, was the only county in the commonwealth that had a data center that they knew about that was coming, and while we were at the conference is when they broke they news that the old Century Aluminum site in Hancock County was going to be used for a data center. “Before we headed home, Commissioner Castlen said he

would support a moratorium before one lands in Daviess County and we don't know anything about it and we don't have any rules in place.”

The ordinance reads: the Daviess Fiscal Court suspension is intended to include this moratorium to provide it adequate time to review and update the Owensboro Metropolitan Zoning Ordinances to ensure future development aligns with the county's goals and sustainable growth and community welfare.

“I told the judge this looks like something we need to get more information about before we have a data center in Daviess County and we have to stop something that's already in progress, like what happened with (the solar farm), so that we know what we're getting before it happens,” Commissioner Chris Castlen said. “Let's go ahead and look into it before something occurs that we have to go backwards with.”

Commissioner Janie Marksberry said she is against data centers in the county.

“I believe that we have a lot of changes that are trying to come to our county, and it's happening very fast,” she said. “I feel like we need to do this to get ahead of it.”

Should Daviess Fiscal Court approve the ordinance at its next meeting, it still would not prevent the city from moving forward with data centers.

“I talked to (Greater Owensboro Economic Development Corporation President and CEO) Claude Bacon and asked him pointedly, ‘If we include the City of Owensboro, will this block them from doing one if they want to do one?’” Charlie Castlen said. “He said, ‘Absolutely not.’”

Commissioner Larry Conder said he was “fine” with the moratorium, and that what “really needs to happen is we need to have a little bit of education going on.”

While the Massie property has been mentioned as a possible location for a data center, that thought seemed to get dashed by the Owensboro Metropolitan Planning Commission on Thursday, which denied a rezoning request. Conder, however, doesn't believe a data center would ever be built on that property, regardless if zoning was approved.

“That would require a substantial amount of infrastructure for a data center,” he said. “I personally — and this is myself only, without any other information — but I don't believe that would be the location that the city would look at for a data center. The power infrastructure is not there, none. Water? There's none, zero. So you have a significant infrastructure issue on that property.”

Conder believes the location in the city that would be best suited to accommodate a data center is the site of Owensboro Municipal Utilities' former Elmer Smith Sta-

tion on the eastern edge of the city.

“That's only me thinking of what's available here,” he said. “You'd have to remediate it in some way because of the coal and ash, mercury, and all of the other chemicals in the ground, but you also have a significant amount of infrastructure there. That's the only place I can think of.”

“But then you think, where is the power going to come from? OMU doesn't have it. We produce no power in Daviess County (for public consumption). And power is regional, it's not just Daviess County, Hancock, Ohio, McLean. It's the Midcontinent Independent System Operator (MISO), which OMU recently joined, which extends from western Kentucky, over to Indiana, Illinois, Ohio and into Canada. So whenever somebody comes into a certain area and needs power, and it's an abating county, you might say it doesn't affect me, but yes it does.”

## RACE

FROM PAGE A1

attorney at Fort Knox. He later served as a staff attorney for the Workers' Compensation Board before going into private practice. Duty also works as a public defender in U.S. District Court.

Duty said he has handled criminal defense cases, juvenile court, small claims, bankruptcies, and guardianships, with many of those cases heard in District Court. “I have a very diverse career,” Duty said. “I've had very general practice of law, and I don't think any candidate has as diverse of a background.”

Duty said courtroom efficiency would be a focus, and he would work with the sheriff's office, the detention center, and the clerk to improve the District Court system for handling incarcerated defendants who must appear in person for hearings. He said he would also work with County Attorney John Burlew to help move cases efficiently. “Another concern for me is making sure everyone is treated fairly” in court, and when bond is being considered, Duty said.

A District judge needs an understanding of the law and must be adept at working with people, he said. “Everyone needs to be heard,” he said.

Duty said defendants in criminal cases deserve a fair trial but also need to face consequences if found guilty. A judge also must treat both sides of an issue equitably and fairly, and determine whether to allow or suppress evidence the parties wish to intro-

duce, he said.

If the judge does his job fairly, along with the attorneys, “nine times out of 10, the jury makes the right decision,” Duty said.

Duty said: “I have a vast amount of experience I can apply to the bench, so when someone comes in, they will have a positive outlook of the judicial system” regardless of the outcome of the case.”

### WILLIAM C. MATTINGLY

Mattingly's legal experience includes working as a public defender in Louisville, having a private practice, and serving as a staff attorney for both Daviess Circuit Court and the Kentucky Court of Appeals.

Mattingly said serving as the Circuit Court attorney allowed him to research legal issues and write opinions for the judges.

“I was working directly with the judges here in Daviess County, and looking at cases the same way they do,” Mattingly said. “Most attorneys are advocates, and that's what we want, but as a judge, and staff attorney, you're not an advocate; you're looking at (the legal issue) neutrally.”

Of writing rulings as staff attorney, Mattingly said, “I want to make sure any decision of mine is right the first time. It's almost like math: You have to show your work.”

Mattingly is an adjunct professor at Kentucky Wesleyan College and said explaining complex legal issues in class would help him as District judge.

“You need to be able to explain your decisions in a way (the participants) understand,” Mattingly said.

A District judge needs to understand the law and

explain it, he said.

“There are going to be times when someone is going to be upset. But they have the right to understand why I came to the decision I did.”

Also, a District judge “needs to be able to listen impartially to both sides, and let both sides know you did listen,” Mattingly said.

Mattingly said he would work with court staff and attorneys to handle the large District Court caseload and would work to resolve cases in a timely manner.

“People waiting for a decision from the court, they put their lives on hold,” Mattingly said. He added, “It can't always be done super quickly” but said he would work to render decisions “as efficiently as possible.”

### J. NICK PAYNE

Payne has worked as an assistant prosecutor in the Daviess Commonwealth's Attorney's office for years, first with Jay Wethington, then Bruce Kuegel, and now Mike Van Meter.

“I have spent my entire career as a public servant,” Payne said, adding that most of his 27-year career has been in Daviess County courtrooms.

Prosecutors in the Commonwealth's Attorney's office have a strict obligation to make sure the defendant in a criminal case receives a fair trial.

“No one, except the judge, is under a stricter obligation,” Payne said. “That's what I've been doing my whole career ... making sure everyone gets a fair trial, and following the law, not what I think the law is.”

In addition to knowing the law, the District judge will “need to relate to the

people in front of them,” Payne said. The judge also needs to move quickly while being transparent in rulings.

“They need to explain to both sides, so they know why the court has ruled the way it has,” he said.

His experience working with crime victims, including reluctant ones, would help him with people coming before the District bench.

“If someone is going to be in front of a judge in their lifetime, it's going to be in front of a District judge 98% of the time,” Payne said. When people come to court, “everyone up there is nervous, and do not understand the system.”

Payne said his experience working with crime victims includes helping them feel comfortable and explaining the court process.

Regarding the full District caseload, Payne said he already carries a large volume of cases in the Commonwealth's Attorney's office.

“(I) am not going to get flustered by that,” he said. Regarding heavy caseloads, Payne said, “I want

to work with people, and with the clerk ... to find an efficient system and keep it moving.”

### LELAH ROGERS

Rogers has been a public defender in the Department of Public Advocacy's Owensboro office since 2005, shortly after she graduated law school.

Public defenders represent defendants in misdemeanor and felony criminal cases when the defendant cannot afford an attorney.

Public defenders start their careers in District Court. In District Court, Rogers said she has been working as a defense attorney in juvenile court for 20 years.

“It's litigation in the courtroom, and it's every type of (criminal) case,” Rogers said. “... In juvenile court, you're going to cover everything from juveniles missing school to committing murder.”

Rogers said her experience has prepared her and said she would be “a fair, prepared and impartial judge.”

“Over the last two decades, I have seen just about every type of situation imaginable, and that

experience has prepared me to make thoughtful (and) balanced decisions from the bench,” Rogers said in a text message Thursday.

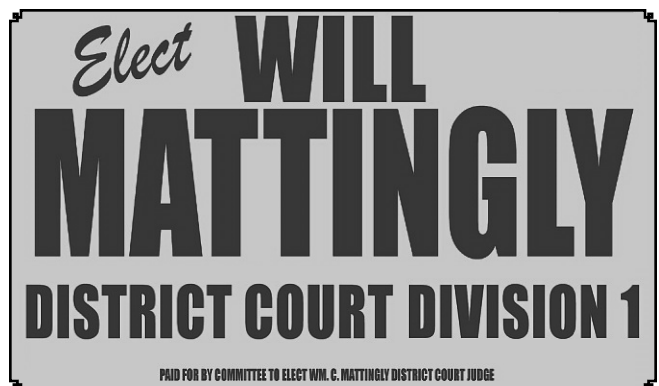
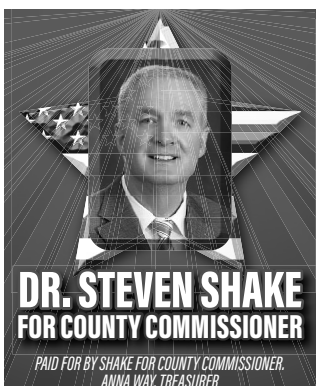
Rogers said a District judge “should apply the law fairly, protect public safety and treat everyone with dignity and respect.”

“I also believe accountability matters,” Rogers said. “In my experience, taking accountability for your actions is often one of the first and most important steps toward truly changing your life.”

Rogers said she has “walked (clients) through the process, and would work to make sure people before the District Court bench understand the proceedings.”

Rogers said people's questions should be answered if possible, “so no one leaves the court not understanding what happened.”

Rogers said: “As a public defender, I try to put (clients) at ease and let them know I'm there for them. ...It's very different for a judge, but showing (people) you're there to hear them and listen to them makes a difference.”



# Money Market

## RATE INCREASES

<b>2.00%</b> <small>APY</small> \$50,000 - \$99,999 tier	<b>2.50%</b> <small>APY</small> \$100,000 - \$499,999 tier	<b>3.00%</b> <small>APY</small> \$500,000 or more tier
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**libertyfcu.org/moneymarket**

Rate accurate as of May 6, 2026. Requires a minimum balance to open. Annual Percentage Yield. Minimum balance to obtain APY disclosed. Dividend rates may change after the account has been opened. Dividends on share accounts are established monthly at a rate determined by the Liberty FCU Board of Directors. Dividends are computed on the daily balance and paid monthly for those days in which the minimum balance is on deposit. Fees may reduce earnings. Federally Insured by NCUA.