

**Minutes of the August 6, 2020
Daviness County Fiscal Court Meeting
Held at the Daviness 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**

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

By a motion of Commissioner Castlen, seconded by Commissioner Koger, the court considered for approval; Minutes of the July 23, 2020 Daviness 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 Wathen, seconded by Commissioner Castlen, the court considered for approval; Treasurer's Report and Settlement for the fiscal year ended June 30, 2020.

County Treasurer Jim Hendrix: Normally, the presentation of the financials for court is just a presentation. The final one for the year is what you have in your packets along with the Treasurer's Settlement that I am required to create and that must be approved. I have a letter at the beginning of the Treasurer's Settlement where I'm attesting to the fact that the financial statements were prepared on the regulatory basis that we are required to do by the State of Kentucky. That I have reviewed all funds all cash accounts have been accounted for. All revenues and expenses and liabilities have been reported accurately and they comprise the list of the financials that you have. The preliminary report has been sent to DLG and its cleared their initial approval and it has been posted on their website. At this point, we will await the annual audit which will begin sometime this fall but as I was closing the books, there was nothing caught or seen that was unexpected. There was nothing to apprise the court of. We had made the court aware of everything that ultimately is reflected in these statements. The cash position is still good. We had projected last year, that if we didn't raise the tax, that we would have been a couple of million short the analysis. At this point, reflects that that was accurate. We don't have a deficit because of that tax increase but neither do we have an increase in the reserve. It basically came in very close to what we had anticipated so all that's good.

Although not regularly posted on the DCFC website, Judge requested this be made publically available online.

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; Budget Transfers for the fiscal year ended June 30, 2020.

Treasurer Hendrix: Normally, we don't do budget transfers for the prior year this late. However, when I was closing the books, a unique situation occurred that I haven't seen since I've been here. Basically, you know that July was a three payroll month, so we got paid very early in July. In fact, payday was July 2. We have to make the deposit 3 days prior so the same day of our meeting the payroll was deposited. On June 30, in what we call the payroll suspense accounts, that creates an issue. Normally in a month, it's incurred and then when the payments are made it pretty much washes so the account balance is very small. We have a huge account balance, one that is absolutely, certainly going to get auditors attention but the reason is we had to make the deposit for the July payment in June so it throws June off. It also throws July out for the next year. If you take it together it's fine but it just creates a distortion so these entries that I'm presenting you need to be made so we don't have big negative balances showing the difference between actual and budget just like we did all other budget transfers, I just didn't know about these until I saw it late in July. Budget transfers do not increase the budget, they just move the money around within the budget.

Commissioner Castlen: I'm curious, Jim, would you anticipate that even though we're doing this after the fact, that the auditors are going to make any comment about it or do you think they don't anticipate anything.

Mr. Hendrix: I do not anticipate anything.

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; DC Detention Center's Policy and Procedure Manuals.

Detention Center Jailer Art Maglinger noted, the biggest change for this year is with regard to video visitation technology. With COVID-19 hitting when it did, it helped the jail to go ahead with what was already being considered.

Judge Mattingly asked the Jailer to report on prisoner numbers.

Jailer Art Maglinger noted, today, we are about 530 inmates. Of those, about 85 are federal inmates, about 150 are county inmates, and about 12 McLean County inmates. The remaining are state inmates. So, a little under 300 state inmates. The lowest seen for Daviess County inmates has been around 128.

Judge Mattingly recognized the work of Jailer Maglinger and his staff for actively advocating to increase the number of federal prisoners. Federal inmate numbers were as low as 10, to the current 85 inmates. As the daily reimbursement allocation rate for housing federal inmates is vastly higher than what is received to house state inmates.

Commissioner Castlen asked if any of the current inmates were from Vanderburgh County.

In anticipation of receiving additional federal inmates, Jailer Maglinger said, there are no inmates currently from Vanderburgh County.

Judge Mattingly added, there may be some changes going forward with us taking prisoners from adjacent counties because of the good job that Art is doing with the federal prisoners.

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

For context, listed below in a blue font, occurred during the June 30, 2020, fiscal court meeting:

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

The resolution as 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.

- By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval: Postponement of **Resolution 18-2020** until the August 6, 2020 fiscal court meeting. **The vote was called and with Commissioners Wathen, Castlen, and Koger voting in favor and Judge Mattingly voting in opposition, the motion to postpone was passed.**

Today, the court considered for approval the aforementioned postponed **Resolution 18-2020** regarding the Confederate Monument.

The vote was called and with all present members voting in opposition, said motion failed.

By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; **Resolution #20-2020** Regarding the Confederate Monument.

Judge Mattingly read aloud this resolution as follows:

RESOLUTION 20-2020 REGARDING THE CONFEDERATE MEMORIAL MONUMENT

WHEREAS, Daviess County Fiscal Court believes it is in the community's best interest to relocate the Confederate Memorial Monument currently displayed on the courthouse lawn; and

NOW BE IT RESOLVED:

1. Daviess County Fiscal Court will remove the Confederate Memorial Monument from the courthouse lawn.
2. Daviess County Fiscal Court will establish a committee consisting of community members, within six (6) weeks of this date, to recommend where to locate the Confederate Memorial Monument.
3. The committee may consult with other groups and the community before making the decision on where to locate the Confederate Memorial Monument.
4. The committee shall provide a recommended location to the Daviess County Fiscal Court within six (6) months.

Judge Mattingly clarified that although item #1 of this resolution states that the county will remove the monument from the courthouse lawn, it shall not precede item #4, which talks about the committee's recommendation for the monument's relocation. Judge Mattingly stated, "We don't want to tie their (the committee) hands... They may come back and recommend that some other things be done on the courthouse lawn."

Judge Mattingly added, "I hope that people will understand and I hope all of you, commissioners have gotten calls, emails, I know we had several petitions dropped off. I had one lady who had wanted me to read into the record her letter regarding the removal. If we did that, we would have to read everybody who had asked and we would be here until 8:00 in the morning. Logistically, we just couldn't do that. I think we have the gist of what the community was saying. There has been a lot of support from both sides. Some of it nice and some of it not so nice. Some of it was threatening... Unfortunately a lot of them believe that this is something we should put on the ballot and let everybody vote. As one gentleman said, "In a fair and legitimate election". I thought they were all fair and legitimate. We can't do that. Claud, as county attorney, I'm going to ask you, can we put items on the ballot for people to vote?"

Agreeing with the Judge, County Attorney Claud Porter stated, "No, we cannot."

Judge Mattingly stated, "Commissioner Wathen, thank you for postponing that first one and giving us an opportunity to hear more from the community. I think that was absolutely the right thing to do now as I look back on it... I think that each and every one of these commissioners up here would have said yes, let's put it on the ballot so that we weren't placed in a position of having to make a decision but folks you absolutely elected these four men up here or as some of those who get mad at us called us "four gray-haired old white men" to make these decisions. That is what we were elected to do. We are a Representative Republic. If you don't like what we do, four years from now, you can vote us out. It's pretty simple isn't it Claud? That's probably the best recall of them all isn't it? So, you know I can tell you that each commissioner and myself, we've taken and responded, and on occasion have had some folks who were not so nice but for the most part I'm extremely proud of my community. I'm proud of the way that you've conducted yourself I'm proud of the way that you respected the other side if you didn't agree with them, and I'm proud of the way that you interfaced with us. Somebody wrote me an email or called me and said you have to do what the majority wants you to do and it seems like the person is telling me that always believes they're in the majority and that's both sides believe they're in the majority that's right you know. I had one that told me that I should pray to God and God would tell me what to do well I prayed to God so we're going to find out what he told me to do."

Commissioner Castlen stated, "I'll just echo what you said as far as that we've heard from both sides... Tremendous volume of it's kind of interesting something inanimate that carries can generate so much passion in an individual and it's been interesting an interesting process for that matter, the next six months as we wait for the committee to make their recommendation, will be an interesting process."

Judge Mattingly noted the makeup of this 5 member committee as follows:

- One appointee per Commissioner (preferably one person from each district)
- Two appointees from the Judge/Executive, one in which he will appoint as Chair.

Commissioner Wathen stated, "I have a statement um I guess it starts out with a question of how did we get here? You know our community is known to be a peaceful hard-working community that loves and accepts each other no matter where we come from. We work together we play together and we pray together. And God has truly blessed this community, and I'm very proud to be part of it. In the last month, I have received and read at least 400 emails plus many phone calls texts letters and personal conversations. There's a few points that I have decided that I want to make that I think summarizes some of those some of that communication I had and then I'll tell you how I'm going to vote. It seems like there's a group of citizens who want the statue to stay right where it is. They believe that the statue was put there by a group of people in 1900 simply to honor and remember the fallen members of their family that did not come home from a war. Many soldiers on both sides died in battles and oftentimes were buried right there at the battle site. And it was extremely hard on those families. They didn't, they didn't have grave sites and nothing to help them remember their family members. So they raised money and erected a monument honoring those missing family members. I'm told that 30, less than 30 years after the war in 1893 the Daviess County government at the time, I'm not sure what they call them but they voted 21 to 1. I'm giving y'all a history lesson because I've gotten one myself but they voted 21-1 to allow people to put a statue on the southwest corner for the confederate soldier which they did and then they also said they could put one on the southeast corner for the union soldier. The union, the group they didn't they did not ever put their statue there obviously. We also have a group of citizens that believe the statue represents slavery, pain, suffering, racism, and white supremacy and in their communications they have requested that we remove the monument because to them it's very hurtful. It represents too many negative things. Then there's another group that I believe started out being the largest group and that's a group of people who really in Daviess County that never gave the statue much of a thought. In fact, if they even knew it was there they never considered it a good thing or a bad thing. To them, it was just a historical south statue; one of those neat looking things that you see on a courthouse lawn. And I can tell you ten years ago, I was in that group. I never gave that statue of thought. But now, obviously it's become a huge issue and some of these folks that didn't care now are beginning to take sides. Some of them see it as an important piece of history that should not be removed. They believe good or bad it should be preserved. It should be used as a point of reference demonstrating where we came from and where we don't want to go back to. We should not try to undo our history, that's what they've told me. And if some, and some of the people from that group have moved to the side where they believe that historical or not, it is so negative that it needs to be removed. It has been recommended that we had a statue of union soldier or Josiah Henson, Abraham Lincoln, Martin Luther King and two three other different people. And we actually looked into that, and the problem with that is that the new statue could cost anywhere from \$180,000 to \$240,000 dollars, and I just can't imagine this community wanting to spend that much money on a statue. So here we are. I believe that we're here because a lot of what I just described is actually true. It is a monument to the soldiers who died in a war. And it also, to a lot of people, it represents many, many negative things like racism, white supremacy. That's real. That represents that to them. And finally, it is a historical statue that has been there 120 years and I believe it must be preserved. As an elected official I believe it's my duty to make decisions that I believe are best for our community. And I also know that no matter which way we vote tonight, we're going to make a whole lot of people mad, and that disappoints me. I hate, I don't think any of us want to be in this position. So I implore all of our citizens to look at the other person's view. Think about what it is that they think. Think about why they think it. Try to put yourself in their shoes, and then as a community we'll get back to

working together. I firmly believe the best way for us to handle this issue is to accept this resolution as it is written. It does two important things. It moves the statue and it provides us with a means on how to preserve it. So that's why I will be voting yes to moving the statue."

Commissioner Koger stated, "Outstanding job you just presented to us and I appreciate that. Its not a lot of other words that I can add to that, but my decision, you know, a lot of my decision was based on the community response that voted me in this office to represent them and like Commissioner Wathen I probably got over 400 emails, texts, phone calls, and individual interviews. And you're not going to make everybody happy but based on everything that I've read into this I, I'm voting yes to have it relocated."

Judge Mattingly stated, "One of the things that I didn't say was, I would like commissioners if you would come back, now I said six weeks, and you can certainly take that long but I think we need to get the committee working as quickly as possible. If you could bring me the names back at our next meeting in August, that would be good. At the latest, maybe the first meeting in September, because I would like to get them together. You might remind the committee that they will be a committee that's subject to open records and open meetings. And even if you would get together with a zoom meeting, you have to provide an address and a password for people to come in and observe. You don't necessarily have to have a comment but they have to be able to observe what you're doing. So we need to do that. I think one of the instructions and if any of you disagree with me and Commissioner Wathen, I think you alluded to this, we want the statue preserved. We don't want the memorial destroyed. That's above all. And we want to keep it in Daviess County. We do not want to see this statue shipped out kind of like Louisville sent one to Meade County. I had a call yesterday, from a gentleman in Union County and he wanted the statue. He was willing to buy it. I had a call from a gentleman in Hawesville, and he was willing to provide land on his farm to put it. It's not what this commission wants. This commission wants it to be preserved because of its historical perspective and to keep it in Daviess County. I think what we are looking at is it's a statue that brings heartache to those folks that you talked about commissioner. It's on public property, and that public property is where they have to come and do their county business. So with that, I'm going to call for a vote unless somebody has anything else they want to say."

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; MOA with the City of Owensboro regarding the JAG award.

To prevent competing with one another, this grant is applied for by the City of Owensboro in even numbered years and by the county during odd numbered years. As this is city's year to apply, they have asked the court to approve this MOA. Application is to purchase 10 AR-15 rifles, 105 "Red Dot" optics, and 27 flip-up rear sights for patrol rifles.

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; Professional Design Services Contract with Axiom for the Operations Center Real ID Renovation.

Purchasing Agent Jordan Johnson: Late last week, we received the executed copy of our lease agreement with the Commonwealth of Kentucky for the Real ID Office to be located at our operations center with a notice to proceed with producing the bid documents and drawings for the project. This contract is for that project's design, and to produce all documentation necessary for the bid process. I have reviewed it. It is in order. I recommend approval for service items 1 through 6 in the amount of \$18,100."

Judge Mattingly stated, "If we approve this tonight, axiom will be back to us in how many weeks?"

Mr. Johnson replied, "Roughly 3 weeks."

Judge Mattingly stated, "And once they come back to us we will go into the bid process which will be another four, five weeks?"

Mr. Johnson replied, "Roughly, 4 weeks."

Judge Mattingly stated, "Once we have the bids back we can award the bid and they can get started. So we're still looking first of January but I understand that you think we can go a little quicker than that?"

Mr. Johnson replied, "Yes, sir."

Judge Mattingly added, "All I can say is thanks to everybody that worked on this and it's going to provide a Regional Real ID Office in Daviess County instead of us having to travel to Madisonville."

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; AmeriCorps Host Agency Agreement benefitting the Homeless Council of the Ohio Valley.

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; Award the following:

- RFQ 09-2020: 1 New 11' Flex Mower to Rudolph Brothers Implement for \$7,400, with trade-in
- Bid No. 24-2020: North Jacksonville Rd. Bridge Replacement to Scott & Murphy, Inc. for \$282,452
- Bid No. 25-2020: Two New 2020/21 3/4 Ton 4WD Pickup Trucks to Crossroads Ford for \$69,990
- Bid No. 26-2020: 1 New 2020/21 1 Ton 4WD Pickup Truck to Crossroads Ford for \$36,445
- Bid No. 27-2020: 2 New 2020/21 3/4 Ton 4WD Pickup Trucks to Crossroads Ford for \$64,396
- Bid No. 28-2020: 1 New 2020/21 1/2 Ton 4WD Pickup Truck to Sternberg Chrysler for \$29,497.00
- Bid No. 29-2020: Leachate Trench & Grate Replacement Haire Construction for \$32,500

• **RFQ 09-2020: One (1) New 11' Flex Mower**

Mr. Johnson: This item will replace a 2004 Buhler YT450 Batwing Mower in the Parks Department and was offered as a trade-in to offset the purchase price. Bids ranged from a net \$7,400.00 to \$12,000.00.

The recommendation is to pursue the lowest and best evaluated quote of Rudolph Brothers Implement for a 2020 Land Pride AFM3011 in the net amount of \$7,400.00. He added, "To my knowledge, Rudolph Brothers Implement was the only vendor who opted to thoroughly examine our trade-in unit, which may offer explanation to their consideration."

- **Bid No. 24-2020: North Jacksonville Road Bridge Replacement**

Mr. Johnson: This bid is for the construction of a side-by-side box beam roadway bridge across Rhodes Creek on North Jackson Road. We received four bids ranging from \$276,500 to \$460,000, and recommend pursuing the best evaluated bid submitted by Scott & Murphy, Inc. in the amount of \$282,452.00. You will note that we are not recommending the lowest bid received. The low bid has an estimated completion date approximately 5 months beyond that of the next lowest bid and recommendation, moving the completion of this project into another fiscal year. Our consultant engineers agree that a more timely replacement of the bridge along with Scott & Murphy's satisfactory historical performance on such projects justifies the 2% differential in total project cost. This is a budgeted project, there are no exceptions, and I would recommend approval. I have found no explanation for the large spread in total bid price outside of the availability and competitiveness of work due to the COVID-19 conditions across the State. I would attribute this mostly to availability, in so much that some vendors may be evaluating and suspending other projects in order to pursue this one.

- **Bid No. 25-2020: Two New 2020/21 3/4 Ton 4WD Pickup Trucks**

Mr. Johnson: This bid is for the provision of two (2) new 2020/21 3/4 ton pickup trucks for the Daviess County Road Department. We received four bids, ranging from \$69,990 to \$87,744, and recommend the lowest and best evaluated bid submitted by Crossroads Ford for the two 2020 Ford F250 units in the amount of \$69,990. These are budgeted replacements, there are no exceptions, and I would recommend approval.

- **Bid No. 26-2020: One (1) New 2020/21 1 Ton 4WD Pickup Truck**

Mr. Johnson: This bid is for the provision of one (1) new 2020/21 1 ton pickup truck for the Daviess County Road Department. We received five bids, ranging from \$36,445 to \$43,940, and recommend the lowest and best evaluated bid of Crossroads Ford for the 2020 F350 unit in the amount of \$36,445. This is a budgeted replacement, there are no exceptions, and I would recommend approval.

- **Bid No. 27-2020: Two (2) New 2020/21 3/4 Ton 4WD Pickup Trucks**

Mr. Johnson: This bid is for the provision of two (2) new 2020/21 3/4 ton pickup trucks for the Daviess County Fire Department. We received four bids, ranging from \$62,796 to \$73,200, and recommend the best evaluated bid of Crossroads Ford for the two 2020 Ford F250 units in the amount of \$64,396. You will note we are not recommending the lowest bid received. The low bid has a delivery date more than two months beyond that of the next lowest bid and recommendation. The two units being replaced by this bid are two of the most utilized in Fire Rescue's fleet. One unit is experiencing serious deteriorating issues. Our fleet mechanics agree that a more timely delivery and replacement of a failing unit justify the 2.5% differential in total purchase price. These are budgeted replacements, there are no exceptions, and I would recommend approval.

- **Bid No. 28-2020: One (1) New 2020/21 1/2 Ton 4WD Pickup Truck**

Mr. Johnson: This bid is for the provision of one (1) new 2020/21 1/2 ton pickup truck for the Daviess County Engineering Department. We received four bids, ranging from \$29,497 to \$34,900, and recommend the lowest and best evaluated bid of Sternberg Chrysler for the 2020 Ram 1500 in the amount

of \$29,497.00. This is a budgeted replacement, the exception to our specified tires is minor, and I would recommend approval.

• **Bid No. 29-2020: Leachate Trench & Grate Replacement**

Mr. Johnson: This bid is for the removal and replacement of the leachate trench and grate at the Grimes Avenue Transfer Station tipping floor. We received two bids, ranging from \$32,500 to \$49,000, and recommend the lowest and best evaluated bid of Haire Construction in the amount of \$32,500. This is a budgeted project, there are no exceptions, and I would recommend approval.

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; **Second Reading of Ordinance #9-2020; KOC 621.19 (2020)** An Ordinance Relating to the Daviess County Road, Bridge and Street System (annual update).

Comments:

No comments.

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; Promote James Deke Havener to Road Dept. Heavy Equipment Operator effective 8/7/2020.

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; Promote William Daymon Nantz Road Dept. Heavy Equipment Operator effective 8/7/2020.

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; Hire Darrell Roberts as Seasonal Park Attendant upon successful completion of pre-employment screening.

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; Reappoint Morgan Baker [8.1.20](#) (S1T) to the DCACC Board: TERM 8/7/2020 – 8/7/2024.

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

Judge Mattingly stated, "Will Mattingly is my son so I'm going to recuse myself. Charlie, would you handle this?"

By a motion of Commissioner Wathen, seconded by Commissioner Koger, the court considered for approval; Appoint Will Mattingly [8.2.20](#) (Misty Miller S1T) to the DCACC Board: TERM 8/7/2020 – 8/7/2024.

The vote was called and with all present members voting in favor, except for Judge Mattingly as he abstained, said motion passed.

Treasurer Hendrix presented the **First Reading of 10-2020; KOC B.51 (2020)** - An Ordinance Authorizing the Issuance of Industrial Building Revenue Bonds, Series 2020 (Audubon Area Community Services, Inc. Project).

Comments:

County Treasurer Hendrix stated, "Basically, this bond is not Daviess County Fiscal Court's, it's Audubon Area's. There's an existing bond that was done several years ago and it was financed through the Daviess County Public Improvement Corporation (DCPIC) so there will have to be a public hearing on August 18, where you convene that organization (DCPIC) to approve what they're doing. First of all, they're going to pay off the existing bond, it's a mortgage revenue bond, and in order to accomplish that they actually transferred title from Audubon Area to the DCPIC. So, Daviess County holds the title to their building. They're going to pay that off and as soon as they pay that off, we will transfer title back to them and then simultaneously they're refinancing part of the outstanding debt, I think they're going to go. Now, I read today where there's going to be a little less than what they asked for maybe a million eight, and they're dropping the rate. They're cutting the rate almost in half of what they're paying. They'll find that because they have a reserve so they're going to borrow less money so they'll have cost savings there. Then they'll issue an industrial revenue bond which is different than the one they had. It's still going to be financed according to what I'm reading through the DCPIC, and I think that's because the tax advantage that they're seeking, they cannot do it on their own. They're a quasi and they don't qualify so that you have to do it through a tax exempt organization, which would be fiscal court since you all have been on the court since 2011, most of you, you've done several of these for different groups where Daviess County is the issuer and you have to do a lot of reading to understand what that means but you as the issuer means you attest to certain things that they qualify which the bond council is taking care of but it says in here very clearly in Section 11, the bonds do not constitute an indebtedness of the issuer so while Daviess County Fiscal Court is the issuer it's not your debt. It also says that no monies shall be raised by taxation nor any other general or special revenue of the issuer so there's your security that this bond does not apply to Daviess County Fiscal Court. In Section 8, you are also authorizing the Judge and the Fiscal Court Clerk and maybe even me to sign a lot of documents - the package is usually very thick. We'll have to sign a lot of documents to execute this. The only other question is the bond purchase agreement which, Claud and I just got today, but between now and the second reading we will review that to make sure that there's nothing in the bond purchase agreement that contradicts what I just said about our law obligation. So that in a nutshell is what this does."

Public Comments


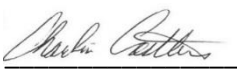
Judge Mattingly asked David Smith if anyone on Facebook asked about anything not on today's agenda. He's shook his head, no.

Comments by Daviess County Fiscal Court

Judge Mattingly explained, "For those folks, you're probably aware that Daviess County Fiscal Court and City of Owensboro, the Green River Health Department, Owensboro Health, and several other folks have stopped having our zoom meetings. We are going to have one zoom meeting next Thursday. It will be at 6:000 PM and will be attended by Congressman Brett Guthrie. And we're going to kind of update everyone on what's going on in our area as far as the COVID virus. And I would tell you that we have had an uptick in virus but as you look at the positivity rate it's actually going down to about five percent, maybe a little under five percent, which is a good thing. We have a lot of states that are considered hot spots where they've got 15 to 23 percent positivity rate. The (KY) Governor has asked folks to avoid those areas. Quarantine when you come home. Don't know how he can enforce that because he won't know they've gone and won't know their home. Today we had 10 new cases confirmed in Daviess County, one in Hancock, 8 in Henderson County, 3 in Ohio County, 3 in Union County and 4 in Webster County. Daviess County has had 724 cases, 644 of those cases have recovered. We have currently four in the hospital and that's very pleasing not that they're in a hospital but last week, we had as many as 16 folks in the hospital with the virus. Daviess County has had 8 deaths and we send along our condolences to those families. It seems to me, that the mask thing is working. I know it's an inconvenience but it's really important that we continue to wear the masks, that we social distance, and that we sanitize our hands and avoid touching our face. The average age of the folks with COVID now is at 43, and that's because, that's come down quite a bit, and that's because a lot of young folks have not been following the precautions the age range in Daviess County is from seven month to 95 (years old), and 49.6% are male and 50.4% are female."

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 18, 2020.



Jennifer Warren
Daviess County Fiscal Court Clerk