

**Minutes of the January 26, 2021  
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**

***Today's meeting was limited to essential personnel, but made publically available via the Daviness Co. Fiscal Court's Facebook live page, where public questions/comments could be posted, or by contacting 270-929-1010 (voice/text).***

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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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Judge Mattingly encouraged live stream viewers with question and/or comments to submit those on the Facebook live page.

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Judge Mattingly proclaimed Feb. 17-13, 2021 as Food Check-Out Week. He thanked the hard working farmers and agribusinesses for their hard work.

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County Treasurer presented the Treasurer's Report ending Dec. 31, 2020.

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By a motion of Commissioner Wathen, seconded by Commissioner Castlen, the court considered for approval; Minutes of the January 14, 2021 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 Koger, seconded by Commissioner Wathen, 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 Castlen, seconded by Commissioner Koger, the court considered for approval; Fund Transfers.

County Treasurer Jim Hendrix: This request is to transfers \$1 million from the general fund (GF) to the bond fund for the convention center, \$1,170,000 from the GF to the road fund, and \$291,000 from the GF to the jail fund. These are all normal budgeted transfers.

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

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Judge Mattingly noted that the MOA with the Department for Local Government (DLG) regarding the Horse Fork Creek Park Inclusive Accessible Playground is being pulled from today's agenda.

Assistant County Treasurer Jordan Johnson: We received this agreement last Friday and thought that it had been modified and would require the court's approval. However, it had not changed so having received the court's approval on November 5, 2020, the need to approve this agreement again is unnecessary. The National Environment Protection Act and National Historic Preservation Act have been reviewed and are now complete. We have received notice from DLG that we can proceed with the bidding process. I expect the project to be fully completed before the end of this fiscal year.

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By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Playground Leases and Babe Ruth Concessions Contract.

**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 Koger, the court considered for approval; **Award** RFQ 01-2021: Trap & Skeet Targets (Gun Club) to CAC Associates, Inc. for \$15,156.24.

Mr. Johnson: The court received three (3) quotes for the provision of 504 cases of green top targets, 315 cases of all orange targets, 252 cases of orange top targets, 162 cases of orange/black rabbit targets, and 108 cases of green top rabbit targets for the Daviess County Gun Club. CAC Associates Inc. is the lowest and best evaluated quote received, having no exceptions to the specifications. It is our recommendation to pursue the lowest and best evaluated quote submitted by CAC Associates Inc. for \$15,156.24.

Judge Mattingly noted that cost for these targets are paid for using a portion of the collected \$35 per round shooter fee.

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

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**AFTER MEETING NOTE:**

*See the February 18, 2021 meeting minutes for correction relating to the following Surety Bond Release:*

By a motion of Commissioner Koger, seconded by Commissioner Wathen, the court considered for approval; Surety Bond Release for Whispering Meadows, Unit 8.

County Engineer Mark Brasher: The developer requested the final release for asphalt streets and the maintenance bonds. The work has been reviewed and approval is recommended.

**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 Castlen, the court considered for approval; Reappoint Wally Taylor [#2.1.2021](#) to the DC Property Maint. Board - Term: 2/25/21 – 2/25/24.

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

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Treasurer Hendrix presented the **First Reading of KOC 220.34 (01-2021)** – An Ordinance Relating To Imposing And Collecting An Insurance Premium License Fee On Insurance Companies For The Privilege Of Doing Business In The County Of Daviess Outside Of The City Of Owensboro Effective July 1, 2009, As Amended by KOC 220.22 (2009).

**Comments:**

Treasurer Hendrix: The current insurance premium rate for Daviess County is 8.9%. It consists of two increments, the original piece that was passed, which was amended in the mid 1970's of 4.9%. Then the 4% piece that went into effect July 1, 2009, in two increments, which was added to fund \$20 million for the new convention center. The 2% went into effect July 1, 2009 and 2% effective July 1, 2010. This ordinance today only amends that second 4% piece. The original 1970's 4.9% stays intact. When we put the 4% on, Daviess County put a sunset clause in the ordinance that said once we have recovered enough funds to service the bond obligation, we must remove that tax. Following a debt refinance to lower the interest rate and paired with a \$500,000 over collection that was used to pay down the note, we have reduced the anticipated debt payoff date by 6-years. The anticipated expiration date was estimated as 2024 instead of in 2030 but better than expected revenue has moved that to FY 2022 . The Kentucky Department of Insurance only allows us to modify this tax once a year and requires a 100-day notice. This ordinance modification will reduce the 4% rate down to 2.3%, beginning July 1, 2021. At the end of fiscal year 2022, we should be close enough then to remove the 2.3%. This time next year, we should be able to bring an ordinance to remove that 4% (amended as 2.3%) piece in total – that piece should be gone. So this ordinance modifies the 4% down to a level that we can apply it for the full year without grossly over collecting and this should be the last year. The Department of Insurance has been consulted and is aware of this plan.

Judge Mattingly: Keith Lawrence recently wrote an article in the paper where he talked about the original 4.9% as being placed on there for the volunteer fire departments. That's not quite correct.

Mr. Hendrix: That part of the ordinance is a bit misleading, but means all fire services, inclusive of paid and volunteer departments, for such things as equipment and salaries. The ordinance does not have the word "volunteer".

Judge Mattingly: We actually spend much more than that 4.9% on fire service. This ordinance applies to those living outside of the corporate limits of the Cities of Owensboro and Whitesville. To more clearly understand, for \$1,000 in insurance premiums, the tax is currently \$89. This ordinance will reduce that amount to \$72 for both fiscal years 2021/2022 and 2022/2023. As planned for fiscal year 2023/2024, that amount should be further reduced to \$49.

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**Comments:**

Commissioner Wathen: The Regional Real ID office at the Operation Center is now open and we are grateful to have this regional office located in Daviess County.

Judge Mattingly: Informative website videos have been posted to our YouTube and Facebook pages. One shows the step-by-step process for obtaining a Real ID at the Operation Center. Future videos will host discussions with a local restaurant owner regarding the impact the virus has had on small businesses and their employees, and with local college professors talking about the virus's impact on higher education.

Judge Mattingly: Information regarding COVID-19 vaccines will be available on our Facebook page. Currently, residents and staff in nursing homes and assisted living health care facilities, medical personnel, and educators are being vaccinated. Next will be for those 70 years old and over and first responders, followed by food service essential workers and those 60 years old and over. We will post to our website related information which the governor will prove to the Kentucky County Judge/Executives regarding virus and vaccination information. Kentucky receives between 53,000 and 54,000 doses per week and divided between the 1,400 authorized vaccination sites, that doesn't really amount much. Please be patient, eventually, all will have the opportunity to receive the vaccine. Although a public mandate to get vaccinated does not exist, it is highly recommended.

Judge Mattingly: Since Daviess County Fiscal Court subsidizes the Sheriff's Department and the Detention Center, I asked the Sheriff and Jailer for monthly office updates.

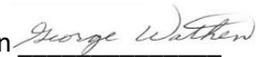
Judge Mattingly announced that there will only be a single court meeting next month on February 18.

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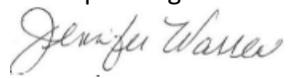
Without objection, Judge/Executive Mattingly adjourned the meeting.

**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 February 18, 2021.



Jennifer Warren  
Daviess County Fiscal Court Clerk