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TVA board votes to close Paradise plant

BY AUSTIN RAMSEY
MESSENGER-INQUIRER

The Tennessee Valley Authority board of directors took a historic step on Thursday, voting 6-1 in favor of closing down the last remaining coal-fired unit at Paradise Fossil Plant in Muhlenberg County.

Following several tense moments of discussion at the TVA headquarters in Chattanooga, Tennessee, the board sided with a staff recommendation to

retire the unit over the next two to four years, citing economic concerns over its age, ability to adapt to changing market conditions and cost competitiveness against natural gas and nuclear power resources.

The decision effectively closes one of the nation's most recognizable coal-fired power plants and it threatens a legacy of coal in Muhlenberg County



Bill Johnson

that stretches back nearly a century. The community of Paradise, atop which the plant was built in 1963, was memorialized eight years later in John Prine's hit song of the same name. The first commercial load of coal ever hauled in Kentucky, in fact, came from a mine in Muhlenberg County just south of the McLean County border.

But despite the community's rich history, largely built in the shadow of age-old smokestacks near the Green River, the TVA board on Thursday said Paradise has outlived its design and now costs the federally-owned corporation more to operate than its worth in power generation. It will be retired alongside the Bull Run Fossil Plant in Clinton, Tennessee.

"Let me tell you what this decision is not about," said TVA President and CEO Bill John-

son. "It is not about coal. This decision is about economics. It's about adhering to the legal requirements under the TVA Act. It's about keeping rates as low as feasible. And it's about the fit of these plants inside TVA's portfolio to meet load. Continuing operation of these units well into the future would impose significant costs to our customers that can be entirely

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WADING THROUGH FLOODWATER



Photo by Alan Warren, Messenger-Inquirer | avarren@messenger-inquirer.com

Tanner Cowan of Groves Electrical Services of Madisonville wades through floodwater Thursday in a field off Theater Drive to retrieve a large wooden pallet the company uses to drive heavy equipment over to work on electrical lines in fields for Kentucky Utilities. A crew of workers from Groves was working to retrieve more than 30 of the large wooden pallets and equipment in the flooded area.

Jones files for Daviess Circuit judge seat

BY JAMES MAYSE
MESSENGER-INQUIRER

The first candidate has filed to run for the Daviess Circuit judge seat being vacated by retiring Judge Joe Castlen.

Daviess District Judge Lisa Payne Jones filed papers earlier this month with the Secretary of State's office, announcing her run for the office during this year's November election.

There's still time for candidates to file for the non-

partisan race, with the filing deadline not arriving until August. But it's possible a new judge will be appointed to the seat before then by a judicial nominating commission.

At least one other candidate is expected to apply for the position.

Daviess District Judge David Payne said last week he is also interested in

the Circuit Court judgeship, but has not filed to run in November.



Lisa Payne Jones

Castlen officially retired in late January, but is still serving as District II Circuit Judge until a replacement is either appointed or elected. There will be an election for the position in November, regardless of whether a judge is appointed by the governor.

Jones has been a district judge since late 2001.

Prior to that, Jones was a deputy commonwealth's attorney. In addition to hearing cases in District Court, Jones is the county's juvenile drug court judge.

Jones said, if elected, she would focus on creating a mental health court for the county and would be active in adult drug court.

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Dog park group now a nonprofit

Leaders report progress on 1st dog park at Legion

BY AUSTIN RAMSEY
MESSENGER-INQUIRER

The Owensboro Dog Park Association is now a nonprofit corporation, which has energized its members into a new phase of fundraising just months before the community's first public dog park is scheduled to open inside Legion Park this summer.

Dog park proponents won a major victory in October when the Owensboro City Commission unanimously passed a municipal order establishing the Castlen Dog Park as a fixture at Legion Park near Veach Road. Bids are expected to go out on that project soon. Officials say they recently hit a minor snag with the design of the park due to existing utility lines in the area.

According to Pattie Martin, an organizer and one of three new dog park directors, the city is in possession of the almost \$100,000 of donations that were collected before even the city commission had signed off on a public dog park in the city parks system. Now that it has and the association has nonprofit status, future funds will be set aside to help cover the costs of upkeep at that park, she said.

Steve Castlen, a local real estate agent and the park's namesake, said he is happy to see progress. "This process has taken longer than anyone ever expected," he said. "It's taken more people than anyone ever expected, and, honestly, it's more expensive than anyone ever expected."

The city is taking the lead on bidding the project out in increments, officials said. At least a dozen benches have been purchased so far and the

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Congress OKs border deal; Trump will sign, declare emergency

BY ALAN FRAM, CATHERINE LUCEY AND ANDREW TAYLOR
THE ASSOCIATED PRESS

WASHINGTON — Congress lopsidedly approved a border security compromise Thursday that would avert a second painful government shutdown, but a new confrontation was ignited — this time over President Donald Trump's plan to bypass lawmakers and declare a national emergency to siphon billions from other federal coffers for his wall

on the Mexican boundary.

Money in the bill for border barriers, about \$1.4 billion, is far below the \$5.7 billion Trump insisted he needed and would finance just a quarter of the 200-plus miles he wanted. The White House said he'd sign the legislation but act unilaterally to get more, prompting condemnations from Democrats and threats of law-

suits from states and others who might lose federal money or said Trump was abusing his authority.

The uproar over Trump's next move cast an uncertain shadow over what had been a rare display of bipartisanship to address the grinding battle between the White House and lawmakers over border security.

The Senate passed the legis-

lation 83-16, with both parties solidly aboard. The House followed with a 300-128 tally, with Trump's signature planned Friday. Trump will speak Friday morning in the Rose Garden about border security, the White House said.

House Democrats overwhelmingly backed the legislation, with only 19 — most of whom were Hispanic — opposed. Just over half of Republicans voted "no."

Should Trump change his

mind, both chambers' margins were above the two-thirds majorities needed to override presidential vetoes. Lawmakers, however, sometimes rally behind presidents of the same party in such battles.

Lawmakers exuded relief that the agreement had averted a fresh closure of federal agencies just three weeks after a record-setting 35-day partial shutdown

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Highlights of the \$330 billion-plus bill to avoid shutdown

BY ANDREW TAYLOR
THE ASSOCIATED PRESS

WASHINGTON

It's not just about President Donald Trump's border wall. The border security issues that sparked a 35-day government shutdown are but one element of a massive \$330 billion-plus spending measure that wraps seven bills into one, funding nine Cabinet agencies, including the departments of Justice, State, Agriculture and Commerce. End-stage fights over unrelated policy provisions produced a deadlock, so efforts to extend soon-to-expire laws like the federal flood insurance program were dropped.

Highlights of the measure, which runs 1,768 pages of legislative text

and explanation, include:

BORDER SECURITY, BUT NOT JUST BARRIERS

There's nearly \$1.4 billion for 55 miles of new barriers in Texas' Rio Grande Valley, well less than the \$5.7 billion Trump wanted but only slightly below Trump's original \$1.6 billion request for 65 miles. There would be curbs on where construction could occur to protect environmentally sensitive areas.

The bill funds an average of 45,000-plus detention spaces for immigrants entering and living in the U.S. illegally, with flexibility to house even more. There's more than \$1 billion for other forms of border security, including improvements in surveillance equipment, hiring 600 additional

customs officers, more immigration judges and \$414 million in humanitarian aid for unauthorized immigrants who are detained.

A BILLION HERE, A BILLION THERE

Most of the bill deals with spending minutia such as a \$1 billion increase to gear up for the 2020 census, an almost 4 percent budget increase for NASA and an \$11.3 billion budget for the IRS. Most agencies are kept relatively level compared to last year, and the measure rejects big spending cuts — such as a \$12 billion cut to foreign aid and the State Department — proposed by Trump.

It funds a new \$435 million Homeland Security Department office to

counter weapons of mass destruction, \$550 million for rural broadband service, \$468 million to combat the opioid epidemic above what was passed in legislation last year, \$6 billion to combat HIV/AIDS overseas, and Israel's annual \$3.3 billion military aid package. There's \$3 billion to help state and local law enforcement, money for the Coast Guard's first new icebreaker in four decades, increases for roads and mass transit, and money for clean air and water projects.

FEDERAL EMPLOYEE PAY

Trump has proposed a pay freeze for civilian federal employees, but the measure would guarantee those workers a 1.9 percent increase. The

military got a 2.6 percent increase in legislation that passed Congress last year.

'EXTENDERS'? NEVER MIND

Lawmakers in both parties eyed the measure to renew the government's troubled federal flood insurance program through Sept. 30, but it and a full menu of expiring laws collectively known as "extenders" went unaddressed in the end. That meant a host of miscellaneous provisions were dropped in the final stages.

A drive by Senate Republicans to extend the Violence Against Women Act was blocked by House Speaker Nancy Pelosi, D-Calif., who feared it would undercut efforts to update the law this spring. Meanwhile, an

extension of a Medicaid provision on home- and community-based nursing care, grants for the poor under the Temporary Assistance for Needy Families program and fixes to a trust fund that finances dredging and maintenance or ports and harbors will also have to advance later.

A bid by Pelosi to win back pay for federal contractors laid off during the recent shutdown was blocked by the White House.

BIG TRUCKS

For fans of the truly obscure, there's a provision to exempt sugar beet trucks in rural Oregon from length limits. It would also add exemptions to federal truck weight rules in the state of Kentucky.

DEAL FROM THE FRONT PAGE

that drew an unambiguous thumbs-down from the public. But in announcing that Trump would sign the accord, White House Press Secretary Sarah Sanders also said he'd take "other executive action, including a national emergency,"

In an unusual joint statement, House Speaker Nancy Pelosi, D-Calif., and Senate Minority Leader Chuck Schumer, D-N.Y., said such a declaration would be "a lawless act, a gross abuse of the power of the presidency and a desperate attempt to distract" from Trump's failure to force Mexico to pay for the wall, as he's promised for years.

"Congress will defend our constitutional authorities," they said. They declined to say whether that meant lawsuits or votes on resolutions to prevent Trump from unilaterally shifting money to wall-building, with aides saying they'd wait to see what he does.

Democratic state attorneys general said they'd consider legal action to block Trump. Puerto Rico Gov. Ricardo Rossello told the president on Twitter "we'll see you in court" if he makes the declaration.

Despite widespread opposition in Congress to proclaiming an emergency, including by some Republicans, Trump is under pressure to act unilaterally to soothe his conservative base and avoid looking like he's lost his wall battle.

The abrupt announcement of Trump's plans came late in an afternoon of rumblings that the volatile president — who'd strongly hinted he'd sign the agreement but wasn't definitive — was shifting toward rejecting it. That would have infused fresh chaos into a fight both parties are desperate to leave behind, a thought that drove some lawmakers to ask heavenly help.

"Let's all pray that the president will have wisdom to sign the bill so the government doesn't shut down," Sen. Charles Grassley, R-Iowa, said Thursday's Senate session opened.

Moments before Sanders spoke at the White House, Senate Majority Leader Mitch McConnell, R-Ky., took to the Senate floor to announce Trump's decisions to sign the bill and declare an emergency.

Sen. John Cornyn, R-Texas, told reporters there were two hours of phone calls between McConnell and the White House before there were assurances that Trump

would sign.

McConnell argued that the bill delivered victories for Trump over Pelosi. These included overcoming her pledge to not fund the wall at all and rejecting a Democratic proposal for numerical limits on detaining some immigrants, said a Republican speaking on condition of anonymity to describe private conversations.

In a surprising development, McConnell said he would support Trump's emergency declaration, a turnabout for the Kentucky Republican, who like many lawmakers had opposed such action.

Democrats say there is no border crisis and Trump would be using a declaration simply to sidestep Congress. Some Republicans warn that future Democratic presidents could use his precedent to force spending on their own priorities, like gun control. GOP critics included Maine Sen. Susan Collins, who said emergency declarations are for "major natural disasters or catastrophic events" and said its use would be of "dubious constitutionality."

White House staff and congressional Republicans have said that besides an emergency, Trump might assert other authorities that could conceivably put him within reach of billions of dollars. The money could come from funds

targeted for military construction, disaster relief and counterdrug efforts.

Congressional aides say there is \$21 billion for military construction that Trump could use if he declares a national emergency. By law, the money must be used to support U.S. armed forces, they say. The Defense Department declined to provide details on available money.

With many of the Democrats' liberal base voters adamantly against Trump's aggressive attempts to curb immigration, four declared presidential hopefuls opposed the bill in the Senate: Cory Booker of New Jersey, New York's Kirsten Gillibrand, Elizabeth Warren of Massachusetts and Kamala Harris of California. Amy Klobuchar of Minnesota voted for it, as did Vermont independent Bernie Sanders, who is expected to join the field soon.

Notably, the word "wall," the heart of many a chant at Trump campaign events and his rallies as president, is absent from the compromise's 1,768-page legislative and descriptive language. "Barriers" and "fencing" are the nouns of choice, a victory for Democrats eager to deny Trump even a rhetorical victory.

The agreement, which took bargainers three weeks to

strike, would also squeeze funding for Immigration and Customs Enforcement, or ICE, in an attempt to pressure the agency to detain fewer immigrants. To the dismay of Democrats, however, it would still leave an agency many of them consider abusive holding thousands more immigrants than last year.

The measure contains money for improved surveillance equipment, more customs agents and humanitarian aid for detained immigrants. The overall bill also provides \$330 billion to finance dozens of federal programs for the rest of the year, one-fourth of federal agency budgets.

Trump sparked the last shutdown before Christmas after Democrats snubbed his \$5.7 billion demand for the wall. The closure denied paychecks to 800,000 federal workers, hurt contractors and people reliant on government services and was loathed by the public.

With polls showing the public blamed him and GOP lawmakers, Trump folded on Jan. 25 without getting any of the wall funds. His capitulation was a political fiasco for Republicans and handed Pelosi a victory less than a month after Democrats took over the House and confronted Trump with a formidable rival for power.

JONES FROM THE FRONT PAGE

"I love being a district court judge. I love the variety," Jones said Thursday. "But when it comes down to (legal) research, it's very hard to find time" to research legal issues and write opinions, Jones said.

Jones said she would look forward to being able to work on complex legal issues in Circuit Court. The circuit courts handle felony trials and large civil lawsuits.

"I look forward to the opportunity to do that, to delve deeper into issues," Jones said.

Jones, who is already involved with the group working to create a mental health court in Daviess County, said she would be better poised to make that happen as a circuit judge.

"I was with the Commonwealth's Attorney's office, so I've tried criminal cases," Jones said. "I loved that experience. I love trials."

Jones said her experience on the district bench would serve her as a circuit judge.

"(As judge), my goal and obligation is to the law and the truth," Jones said.

Castlen said Thurs-

day he spoke with an official from the Administrative Office of the Courts, who said a judicial nominating commission has been formed to consider applicants for a potential appointment to the judgeship. The commission includes John Minton, chief justice of the state Supreme Court, two Owensboro attorneys and four other members.

After the state solicits resumes from people interested in being appointed circuit judge, the nominating commission will review the resumes and recommend three names to the governor.

If Gov. Matt Bevin does not appoint a judge to the post, Minton will have then have the authority to make the appointment.

"It will either be May or June before (a list of finalists) goes to the governor," Castlen said. "I would expect the governor to appoint someone immediately."

But whoever is appointed by the governor would have to compete in November for the office.

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PLANT FROM THE FRONT PAGE

avoided with no impact to reliability, no impact to resilience and no need to replace these plants."

Immediate savings on TVA customers is expected to be approximately \$320 million, but taking into account future capital investments, those savings could top \$1 billion, according to TVA Chief Financial Officer John Thomas III. The loss of nearly 1,500 megawatts worth of baseload through the U.S. Enrichment Corporation near Paducah plus an additional 1,500 megawatts of nuclear load capacity elsewhere in the system and several new natural gas combined cycle plants have rendered Paradise Unit 3 and the Bull Run plant obsolete, he said.

But the decision, whose only dissenter on the board was President Donald Trump-appointed and former Armstrong Coal executive Kenneth Allen, of Kentucky, did not come lightly, TVA officials said.

Unit 3 employs about 130 people alone in Muhlenberg County. Staff said about 40 percent of those employees are eligible for retirement and the remaining will be

given the option to join a corporate reassignment program. Still, the ripple impact on a community of slightly more than 30,000 people will be substantial, experts predict.

Any time you lose jobs in a community, it's a tough thing to swallow," said Muhlenberg Alliance for Progress Director of Business Development Gary Jones, "especially high-skilled, high-paying jobs like these. TVA has been a good corporate partner for many years; we don't want to knock them or question their intentions, but we are disappointed. It will have an effect on everything — on our school system, our county government and the coal miners, truck drivers and other jobs we have. It creates a lot of turmoil I wish we didn't have to go through."

Jones said he is currently negotiating with an industry who has shown interest in the Paradise Regional Business Park, which has sat empty for more than a decade.

Paradise Unit 3, in particular, had received 11th-hour support from high-profile advocates such as Kentucky Gov. Matt Bevin, U.S. Senate Majority Leader Mitch McConnell and even President Trump, but officials at TVA insisted that their responsibility was

to lower costs to all 10 million customers in the Tennessee Valley, despite small-scale socioeconomic drawbacks.

"Myself, my wife and my son all work in the mines," said John Stringer, an employee of Murray Energy Corp. which owns a mine that supports the Paradise plant. "It will affect our jobs, our hobbies, our livelihoods. It will affect our entire lives."

TVA officials said the Paradise footprint could be put to good economic development uses, perhaps even including a test site for advanced coal uses. Should a buyer express interest, the system would consider liquidating the property as well.

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NONPROFIT FROM THE FRONT PAGE

association is playing the lead role in finding sponsorships for name plaques, benches, permanent features and more. There are still plenty of sponsorships left, and organizers are urging interested individuals or businesses to take part in an Owensboro first.

The 2-acre park will be a divided, fenced-in enclosure featuring sections for large and small dogs. Outside the divided park areas will be an approximately 30-foot square area where dogs can be unleashed and washed, canines and humans alike can drink water and leashes can be hung for temporary storage, Martin said.

While the process of getting a park has been long and sometimes contentious, she said she's happy to know that community organizing

works as well as it has.

"If you want something, you can work together and get it for the benefit of all citizens," she said. "We didn't want a private park; it could have been simpler, cheaper ... everything if it was private. We wanted it available to all citizens of every age, with or without dogs and at no cost."

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