

KENTON COUNTY FISCAL COURT
Historic Kenton County Courthouse
5272 Madison Pike
Independence, KY 41051

MEETING MINUTES
December 13, 2022
5:30 P.M.

Call to Order

Judge/Executive Kris Knochelmann called to order the December 13, 2022, meeting of the Kenton County Fiscal Court. Judge/Executive Knochelmann led the invocation and the Pledge of Allegiance.

Present: Judge/Executive Kris Knochelmann
Commissioner Jon Draud, District 2
Commissioner Joe Nienaber, District 3
County Attorney, Stacy Tapke

Staff: Scott Gunning, County Administrator/Deputy Judge
Roy Cox, County Treasurer
Sue Kaiser, Fiscal Court Clerk

Approval of Minutes

A. Approval of the Minutes from the meeting of November 8, 2022.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Ashley Hawks honored Dispatcher Rebekah Carey following a letter of commendation from a resident after a recent emergency. Ms. Carey was praised for her professionalism, empathy and ability to remain calm. Ms. Hawks and Judge Knochelmann thanked Ms. Carey for her service to the citizens of Kenton County.

Commissioner Draud stated that he is glad we were able to recognize this young lady.

Citizens Address

Tyson Hermes stated that he wanted to address the Court was to express his distaste for the process and the timing of the tax rate increase. His first complaint was that the vote took place on election night. In Erlanger, they were having to spend two to three hours in line to vote so people wouldn't have had time to pay attention or show up to the Fiscal Court meeting. Secondly, he is noticing a trend as this isn't the first time the Court has done this. Everyone is running unopposed, and then essentially thanking the voters with a tax increase. It feels like, to him, that they are hoping that the voters will forget about that at the next election. Third, on election day the statement was made that this was probably the most consequential act that the Fiscal Court had taken to ensure the fiscal health of the County. His question would be, is the County's fiscal health in jeopardy? Almost tripling the amount that someone can be taxed seems obscene. He appreciates the time for him to voice his concerns.

Commissioner Draud stated that he would take exception to the a lot of what he just said. There was adequate notice, and the vote took place on the second reading of the Ordinance. It had been posted for over a month, which is beyond the legal requirement. The fact that people didn't have time to be aware of it is not true. It is really not a tax increase. We are trying to reduce the property taxes, and making it fairer for people in Kenton County. It is kind of like what is happening in Frankfort, where they are trying to lower the income tax to have more economic development. In are case, we don't fair well compared with Boone and Campbell on this payroll tax. We are too low, but too high on property tax. Our goal is to lower property taxes as time goes along, assuming we have an adequate revenue. He appreciates the comments, but in his opinion they are not exactly accurate.

Mr. Hermes stated that the tax rate increased, and there shouldn't be a reason for an increase in the tax rate, especially because of the growth that is happening in the County.

Judge Knochelmann stated that he appreciates the comments, and he is happy to go over everything that is behind this with him in the next few days.

Mark Hunter stated that he just learned about this around thirty minutes ago, so he isn't prepared. He is disappointed in the increase in taxes during this horrible recession. He is a small business owner, so a 30% tax increase is pretty stiff. He doesn't know how much property tax is going down, but the other taxes that are going up don't have a justification. Nobody likes taxes, and he knows that it takes taxes to run government, but he would like to see government shrink not grow. We have a government that is out of control. We are trying to keep our local government to a level where we are not spend crazy. The citizens don't have that kind of money. The cost of food has been going up. He doesn't believe there should be taxes on properties. He thinks it is unconstitutional.

Judge Knochelmann stated he will reach out to anyone who has any questions. It was never a good date to do those, but they try to make the meetings in the evenings and extended the time between the first and second reading purposely so that there can always be comments. We look at this as a rebalancing of the future, and taking some of the burden off of the rooftops. About 67% of our residents go outside Kenton County to work, and pay a higher payroll tax elsewhere. We want to reduce property taxes, and because we won't have a cap we may also make some adjustments to see how this change vets out. The County is in great financial shape, and this is the next step to modernize and get in line where everyone else is with property tax and payroll balancing. This will take the burden off of the resident, but it will take time to get there. Anyone who wants to discuss it can give him a call.

Commissioner Nienaber stated that he never really care politically about problem solving. It costs money to run the jail, the cities and this County. The unfortunate thing is the least flexible people around are the Kenton County Fiscal Court. We have nothing but the rooftops to hit. Unfortunately, it took an act in Frankfort to be able to give us the flex room to take this off of the rooftops. He didn't like when he voted on the Dispatch tax, as it put him in the highest payment with his business. He would like it to go away. He doesn't like constantly hitting himself with these taxes. He doesn't talk about the rates, he talks about the amounts. His whole intention of this is to have the flexibility to take the burden off of the rooftops of Kenton County, and we have never been able to offer anything meaningful for economic development. There will be rigorous discussion when it comes to property taxes in August. He would like a payroll and occupational tax structure in Kenton County that keeps us from stealing jobs from each other. He would like to find something that entices people to come to Kenton County no matter what city they land in.

Commissioner Draud stated that he has been very proud at how transparent the administration and Fiscal Court has been over the years. We do not try to do things behind the scenes or play

tricks with people. It was coincidental that we voted on Election night. He didn't know people were going to have trouble voting either, and they weren't trying to trick anyone.

Commissioner Nienaber stated that it didn't matter what night it was done, there are never many people at the Fiscal Court meetings.

Judge Knochelmann stated that we have had the ability to address really tough decisions, and the politics comes up about 4-5% of the time. We are looking to do the right thing for the community, that the bills get paid, services are available and that the people that come in behind us don't say why were they so weak that they couldn't make those tough calls. This group has consistently been able to show that the tough call can be made, and it is the right thing to do. It doesn't mean that they don't make adjustments or mistakes, but the good thing is that this group is willing to look at facts and make some tough decisions.

Mr. Hermes asked for a projection of what amount will be brought in from this tax. So many times what we see is that we think it is going to solve all the problems, and it never brings in what we think it will. Please keep that in mind if you are planning to do this again. In the spirit of all transparency, is this a tax increase that you plan on doing multiple years in a row?

Judge Knochelmann said he will speak for himself that he will never propose that, and it never has been the idea. They will look at it for a year and half to see how it trends. His guess is that the County will be really good, and it will fix things that have been festering for many years.

Commissioner Draud stated that his plan is to see how much revenue is generated, and if it allows the property taxes to be lowered they will be lowered every year.

Commissioner Nienaber stated that his purpose of this is to lower the property taxes. We need to find a way to make it easier for businesses to operate in Kenton County.

General Business

A. Approval of the Memorandum of Agreement with the Kentucky Cabinet for Economic Development for the Fiscal Court to serve as the Fiscal Agent for site development and infrastructure related work within Kenton County

Judge Knochelmann stated that this is our effort that we are working on with the Port Authority. We will act as the fiscal agent.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

B. Request approval of a beneficiary agreement between the Kenton County Fiscal Court and the Northern Kentucky Port Authority for an Economic Development Grant from the Cabinet for Economic Development

Judge Knochelmann said this is the beneficiary agreement for the same effort as above.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

C. Request approval of an Agreement in Lieu of Taxes between the City of Ludlow, Kenton County and Grand Communities, LLC.

Commissioner Draud asked if this is the development that is going up on the hill in Ludlow?

Judge Knochelmann answered that it is. This is essentially payment in lieu of taxes, and we typically follow the cities recommendation.

Rich Spoor from DBL Law stated that this is the development that will go up in the city view station in Ludlow. The city has been attempting to redevelop this for a while.

Commissioner Draud asked how many units are going in there?

Mr. Spoor answered that there is a mix of unit. There will be 32 single family, 213 condominium units and an additional 220 residential apartments.

Commissioner Draud asked how many are up there right now

Mr. Spoor answered that he doesn't know how many are there right now. It is part of a long term redevelopment plan.

Commissioner Draud stated that he wants to go on record as saying if Ludlow is for it, he is for it.

Commissioner Draud made the motion for approval; seconded by Judge Knochelmann. Judge Knochelmann called for a roll call vote with Commissioner Draud voting yes, Judge Knochelmann voting yes and Commissioner Nienaber present not voting. The motion passed 2-0.

D. Request approval of the Term Order for the Kenton County Sheriff 's Office.

Commissioner Draud told the Sheriff to keep up the good work.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

E. Request approval of the Term Order for the Kenton County Clerk 's Office

Judge Knochelmann thanked her for financially and operationally doing a great job.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

F. Update on the election from County Clerk Gabe Summe.

Commissioner Draud stated that Ms. Summe got involved in a lot of controversy, but she is the best Clerk in the history of Kenton County in his opinion.

Gabe Summe stated that she is taking the issues with the elections very seriously. There are a lot of moving pieces that still haven't been decided. Part of what is going on is that so much has changed since 2020. The pandemic brought around so many changes to the election. We went from a specific system to a more open system. 2021 had no elections, but there were even more changes to elections. In 2022 there was redistricting, and there have been a lot of changes that they are still trying to figure out how to implement them. She didn't like the long lines. In 2020 when they give them early voting, it was amazing how many people utilized that so they felt like that was something that was going to take a lot of pressure off of election day. That is how they structured, so the primary had a very low turn out of 12% for the first time to do early voting in Kentucky. Then the plan was already set for the general election, which can always evolve.

Ms. Summe then stated that the changes meant that the public might not necessarily know. In 2020 the State and this Fiscal Court spent a lot of money on getting the word out on how and when to vote. Can we always do better, yes. In analyzing what might have happened, she believes that some of the answers will come out later and she can share them with everyone. One of things that was very different from other elections in the past was the lines. There were lines throughout the whole Commonwealth. There were 12 Judge's races that only happen every eight years, there were a lot of spoiled ballots b/c the scanners were sensitive which isn't unique to Kenton County, they had over 585 people change their address on election day and they had 9,161 write-ins. The ballot was very long, and people stayed longer than usual and were on their cell phones looking up information on the items on the ballots. They are not done with their analysis, but they do endeavor to do better. They have gotten a lot of feedback, and they will continue to work on dealing with all of that. They will be coming back to the Fiscal Court if they need to modify or increase any numbers.

Commissioner Draud asked what some of the specific things are that they plan to do differently?

Ms. Summe answered that they will have to address the cell phones. They will have to find out the best way to reach the public to educate them about what is going on. They have been talking about creating a YouTube channel. She has over 8,000 people a day go to her website during election time. Maybe she needs to restructure her website. They will be addressing the cell phone issue though. The statute says that you have four minutes in a physical location, but that is not reality. If they do have to add locations, do they vet locations? How do they make sure everywhere is ADA compliant? They currently use nine schools, six churches, six City owned facilities and two independent facilities. Out of all the locations they used on election day, only one passed ADA compliance. That makes it hard to find a location. She has to look at other issues as well such as parking. Gyms are a great location, but the power is always along the perimeter which makes it hard. Every location is a struggle.

Commissioner Draud stated that one issue is that it was brand new, but if you ask people they will tell you that they didn't know they could go to another location and vote.

Ms. Summe stated that it was in newspaper and on the radio. She doesn't know how she could do to make sure this doesn't happen again. They spent \$40,000 in advertising this year outside of what the Fiscal Court paid for to try to get the message out.

Commissioner Nienaber stated that he only has comments on where he voted. We are going to find out from the DOJ, and the assessments of the sites where they can even vote. He is glad we are going above and beyond what is required. Ft. Wright was horrible, as it was a very narrow street with not enough parking. There is not much time to deal with the issue with DOJ before there is a primary. It is a really heavy lift to be ready for a primary, and some of it is beyond our control.

Judge Knochelmann thanked the Election Board for their hard work. He asked how one would get feedback to the board and when they meet.

Ms. Summe answered that they meet the first Monday of every month at 8:00 a.m., and it is on her website. People can email her, and she will share the information.

Commissioner Draud stated that 8:00 a.m. is hard for people to make.

Ms. Summe stated that her two board members have full time jobs, so that is the best time for them to meet. Some of the concerns that were shared with them were the separation of church and state. A lot of people went to other locations, because they didn't want to go to a facility that was a church. The voting centers give people a lot of freedom, particularly if they are running late. They can go somewhere closer to where they are, and she was able to change addresses

for people on location and they could go right in and vote. There were lines at other counties as well. The issues were not taken lightly.

Judge Knochelmann then asked what time she was finished counting votes in Kenton County?

Ms. Summe answered that it was 9:45 p.m.

Judge Knochelmann asked if there were any people that did not get a chance to vote?

Ms. Summe answered that she does not know. If people were in line by 6:00, they could vote.

Judge Knochelmann stated that if people have ideas on locations, please let Ms. Summe know. Also, she needs more poll workers.

Ms. Summe stated that education and training of not only the poll workers, but the public as to what is available. It needs to start in January. The poll workers are cross trained, as well as her staff. We are the third largest county, and we have to look at how we will rectify it in the future.

G. Request approval of a proposal from Prime AE for professional services related to ADA accessibility

Nick Hendrix stated that Ms. Summe mentioned some issues from the DOJ, and how that affects polling locations. This proposal is broken into two major parts: 25% of the proposal has to do with development of an ADA transition plan for Kenton County and all of its assets, 75% is to address the issues that have been presented to us by the DOJ in regard to ADA accessibility on election day at all of the locations.

Commissioner Draud stated that he feels very strongly about this issue, and he respects the fact that we should have accessibility for the handicapped. But he also is perturbed that the Department of Justice has some things on there that are pretty petty. One is with our new building, so somebody is responsible other than us for that. The Department of Justice, who he doesn't have much respect for because he thinks they are a bunch of liberal attorneys out of school writing a bunch of crazy regulations. They have gone overboard on this issue in his opinion. His strategy would be to stall and delay, but he will take Stacy's advice on this. He doesn't like wasting the taxpayers money on a consultant. Some of those things are ridiculous, like the grade from 5" to 2". Some of that stuff we will never be able to fix. We are using schools, so he knows they are all ADA compliant and he imagines churches are too. Where do we find a place? He is very frustrated, because he doesn't respect the Department of Justice or the FBI. They have a shady background, and here we are having to waste taxpayers money on some things that are somewhat minor. He does respect the fact that we should be cognizant of the fact that people are handicapped, and we need to make it as accessible as possible because voting is a sacred right.

Commissioner Nienaber is thankful for the conversation that he had with everybody about this. His first reaction was not good. It is political really, and is only important to them on Election Day. The reality is that it is the Department of Justice, and you can't do anything about it. If we are forced to spend the money on it, we have to do it. They don't care on a daily basis, they only care on Election Day. He does believe there will be some impossibilities in what they are asking us to do, and he thinks the good advice that he is taking will show that we care. We might as well have a plan to have the County be ADA compliant. We need to get ahead of it.

Commissioner Draud asked if this is up to a certain amount of money?

Nick Hendrix answered that the budget adjustment for this is for \$90,000, but the proposal is just shy of \$82,000. There is some contingency in there, but we have requested a not to exceed number. They would have to come back to the court if they go over \$90,000. Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

H. Claims Lists dated November 28, 2022 and December 9, 2022.

There were no questions on the Claims List.

Resolutions

A. Resolution No. 22-01Q A Resolution for the Kenton County Fiscal Court concerning Fiscal Year Budget Adjustments.

Treasurer Roy Cox stated that the budget adjustments are for the following: \$2,850 for testing and evaluations for the Police Department, \$23,000 for Ellen Richter's unused sick time, \$8,500 for additional surgeries for the Animal Services Department of which \$6,500 will be reimbursed from grant funds, \$4,000 for Animal Control Officer uniforms, \$11,000 for the purchase of a utility trailer for portable EOC and IMT equipment for Emergency Management of which 50% of the cost will be covered by grant funds, \$36,000 for the Animal Shelter parking lot repavement, \$90,000 for professional services related to ADA accessibility for the Kenton County Fiscal Court and the Board of Elections, \$360,000 for wiring and camera system upgrades for the Detention Center and \$200 to cover bank fees through the fiscal year.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

B. Resolution No. 22-23 A Resolution of the Kenton County Fiscal Court authorizing staff to review and report on the OneNKY Life Sciences Center proposal.

Judge Knochelmann stated that this is the next step to support the work that OneNKY is doing.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Ordinances

A. Ordinance No. 532.21 - Second Reading An Ordinance amending Kenton County 's Code of Ordinances placing Traffic Control Devices on streets located in unincorporated Kenton County.

Judge Knochelmann stated that this is for Williams Woods.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

B. Ordinance No. 226.09 - First Reading An Ordinance of the County of Kenton, Kentucky amending Ordinance 225.77 relating to the transient room tax to include all accommodations contained in House Bill 8 of the 2022 regular legislative session and repealing inconsistent ordinances.

Julie Kirkpatrick, the President and CEO, from MeetNKY stated that this is clean up language from the legislative session. Right now KRS 98.350 requires them to assess taxes on visitors that are staying in hotels. Those taxes go to their organization to pay for marketing and promotions to bring more visitors to Northern Kentucky. The new legislation requires taxes to be paid for campgrounds, rv's and addresses for the first time in the Commonwealth of Kentucky, short term rentals.

Judge Knochelmann stated that Ms. Kirkpatrick did a phenomenal job through a horrific time. He introduced Josh Quinn as well, and said what great work they are doing.

**C. Ordinance No. 226.10 - First Reading
An Ordinance of the Kenton County Fiscal Court, County of Kenton, Kentucky,
amending Ordinance 225.01, levying a license fee on the rental of motor vehicles
and the disbursement of such license fees collected to the Tri-County Economic
Development Corporation**

Lee Crume from Tri-Ed stated that the motor vehicle license fee was enacted by the Commonwealth in 1994. It was an innovative piece of legislation to front economic development work. Quite a bit has changed in the nearly 30 years since this started, so they had a really great opportunity this last Legislative Session to work with the Northern Kentucky Legislative pockets. All of the technology platforms agreed that the Motor Vehicle License Fees should be extended to all the platforms. It really creates an equal playing field and a pathway to future funding for economic development in Northern Kentucky.

Commissioner Nienaber asked if this is clean up language to make it consistent with KRS?

Judge Knochelmann answered that this is correct.

Consent Agenda

- A. Exhibit No. 22-157
Request approval to award the Animal Shelter Parking Lot Resurfacing bid to Riegler Blacktop for the Kenton County Animal Services Department.**
- B. Exhibit No. 22-158
Request approval of updated pricing for Crushed Aggregate for the Public Works Department.**
- C. Exhibit No 22-159
Request approval to surplus an Auto-Sham Oven and an Auto-Sham Warmer for the Kenton County Detention Center.**
- D. Exhibit No 22-160
Request approval to surplus a Fingerprint Developer/Fuming Cabinet for the Kenton County Police Department.**
- E. Exhibit No 22-161
Request approval to surplus a Bomag BW90 Roller and an EDCO SS-65 Concrete Saw for the Kenton County Fleet Department.**
- F. Exhibit No 22-162
Request approval to surplus Office Chairs & Training Tables for the Kenton County Public Works Department.**

- G. Exhibit No 22-163**
Request approval to surplus two (2) 2016 Dodge Chargers that will be transferred to the Kenton County School Board along with other equipment that will be sold on GovDeals.com or scrapped for the Kenton County Public Works Department.
- H. Exhibit No 22-164**
Request approval to award the joint bid between the Campbell County Fiscal Court and the Kenton County Fiscal Court for Tree Removal Services to Gerrein Green, LLC., for the Kenton County Public Works Department.
- I. Exhibit No. 22-165**
Request approval to award the Security Camera Wiring bid to Milesahead Technology for the Kenton County Detention Center.
- J. Exhibit No. 22-166**
Request approval to amend the current contract with Axon for body cameras for the Kenton County Police Department.

All items on the Consent Agenda were voted on together.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Executive Orders

- A. Executive Order 22- 155**
An Executive Order relating to the Fiscal Court approving the reappointment of Beth Sewell to the Telecommunications Board of Northern Kentucky (TBNK).

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

- B. Executive Order 22- 156**
An Executive Order relating to the Fiscal Court approving the reappointment of Kris Knochelmann to the OKI Board of Directors.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

- C. Executive Order 22-157**
An Executive Order relating to the Fiscal Court approving the reappointment of Cathy Kunkel-Mains to the Cooperative Extension District Board.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

- D. Executive Order 22-158**
An Executive Order relating to the Fiscal Court approving the resignation of Carl Thomas as a Public Services Technician II for the Kenton County Public Works Department.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

E. Executive Order 22-159

An Executive Order relating to the Fiscal Court approving the appointment of Jacob Slusher as a Fleet Services Co-Op for the Kenton County Fleet Department.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

F. Executive Order 22-160

An Executive Order relating to the Fiscal Court approving the retirement of Ellen Richter as the Administrative Assistant for the Kenton County Police Department.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

G. Executive Order 22-161

An Executive Order relating to the Fiscal Court approving the appointment of Amy Heeger to the Board of Adjustments.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

H. Executive Order 22-162

An Executive Order relating to the Fiscal Court approving the appointment of Lee Crume and Karen Finan to the Port Authority Board.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

I. Executive Order 22-163

An Executive Order relating to the Fiscal Court approving the appointment of Beth Germann to the Sanitation District No. 1 (SD1) Board.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

J. Executive Order 22-164

An Executive Order relating to the Fiscal Court approving the appointment and contract of Michael Whitford as a Police Officer I for the Kenton County Police Department.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

K. Executive Order 22-165

An Executive Order relating to the Fiscal Court approving the appointment of William Kelsay as a Public Services Technician I for the Kenton County Public Works Department.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

L. Executive Order 22-166

An Executive Order relating to the Fiscal Court approving the appointment of Carl Day as a Seasonal Public Services Technician for the Kenton County Public Works Department.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochemann called for a voice vote, and the motion passed unanimously 3-0.

K. Executive Order 22-167

An Executive Order relating to the Fiscal Court approving the resignation of Erin Graul as the Animal Control Sergeant for the Kenton County Animal Shelter.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochemann called for a voice vote, and the motion passed unanimously 3-0.

Administrative Reporting

Emergency Communications

Ashley Hawks stated that they have implemented a new program called Power FTO. This is an online program that is going to move their training program to completely digitized format. It will take all of the paper forms and make them digital. It will allow all of their training officers to complete their daily observation reports from a laptop anywhere in the Dispatch Center. It will allow them to print reports, and track the progress of all of the trainees, and share the feedback with them in a more timely manner.

Police Department

Chief Spike Jones stated that Ellen Richter has been with them since 1994, and she has been the backbone of the Police Department. She is the real Chief of Police. She has done so much for them, not only as a business manager but personally as well. She is an unsung hero that they appreciate so much.

Chief Jones then stated that on Saturday December 10th, they conducted a police recruit exam where they garnered 6 possible police recruit candidates after the testing process was complete. They are looking forward to conducting Merit Board interviews on Thursday the 15th, and establishing their eligibility list for 2023. Also, on Friday December the 16th, they will begin their “drive sober or get pulled over” campaign and he reminded everyone to have a plan for safe transportation during the holiday season. Consuming and driving kills 28 individuals a day within the U.S. – about one person each 52 minutes, in accordance with the NHTSA. That’s more than 10,000 lives lost each year to drunk driving. All it takes is a split-second delay in response, and the implications of driving drunk might be completely life-changing – and life-ending. Nearly 30% of all traffic-related deaths are alcohol related.

Emergency Management

Steve Hensley stated that this time of year they are starting to work on their training and preparation for early next year. One of the big events they have coming up January 11th is getting together with everyone in the region to work on a Hazardous Mitigation Plan. It is very important this year, because the funds that go into that provide for programs like the purchase of the floor prone properties and other things. As a result of the FEMA declarations, that is where the funding has arrived from that is utilized for that. They anticipate in the next four years that there will be quite a lot of funding because of the disasters.

Mr. Hensley then stated that they have an upcoming EOC training workshop for all the newly elected officials. They will also invite the Public Works Crews. In addition to that, they are working on their Emergency Operations Plan. That is being formatted electronically, and will be

given for the Courts approval and then by the Cities. Also, they have been negotiations with the involved parties from the Brent Spence Bridge fire to try to collect the reimbursement for all of the first responder agencies. It has been a difficult process, and finally he thinks there is a resolution thanks to Chris Nordloh and Drew Harris from the County Attorney's office.

Treasurer

Treasurer Roy Cox asked that the records reflect that the November 2022, financials have been submitted.

Mr. Cox then stated that he has a brief overview the current investment strategy of the funds that are available for the County. Kenton County's money can be held in 3 different ways:

- 1) In an FDIC insured bank account (limit \$250,000)
- 2) In a bank account that is fully collateralized (bank buys collateral in our name)
- 3) Investments as provided for in the Kenton County Investment Policy

Mr. Cox then stated that per Kenton County Investment Policy, there are three objectives: - safety of principal, liquidity and return on Investment. To determine the amount to invest the following must be reviewed: Budgeted Funds: General, Road, Jail, Golf, COLT, Dispatch, and ARPA. The County must maintain in checking accounts the amount equal to two months of average expenditures. The Non-Budgeted Funds are the following: Medical Self-Insurance and Liability Self-Insurance. The County must maintain in checking accounts the amount equal to three months average expenditures. For the checking accounts - fully collateralized, money available immediately, and the current interest rate is 2.5%.

Mr. Cox then stated that in regard to investments, there is ICS that is service to daily distribute money to FDIC Insured banks. The money is available in 3-5 days with a current 3.25% rate. Then there is the Huntington Investment Portal, which has five different money market funds invested in US Treasury bills, notes and other guaranteed obligations. The money is available in one day. The current rate is 3.6%. He then explained Huntington Securities, which are various CD's or qualifying commercial paper. These are available for 9-12 months with a current rate of 4%. This is a staggered investment, and the securities mature on different dates ~ every three months.

Mr. Cox then stated that the year to date dividends and interest have been \$342,000, with December expected to be over \$200,000. He will continue to monitor all investment options as market conditions change.

County Attorney 's Report

County Attorney Stacy Tapke stated that she is looking forward to serving another term and Merry Christmas.

Commissioners ' Reports

Commissioner Jon Draud

Commissioner Draud stated that he spoke with Mayor Link today, and he had his knee replaced. He asked him to express his appreciation for the concern everyone showed him during his recovery. He wished everyone Merry Christmas.

Commissioner Joe Nienaber

Commissioner Nienaber stated he had the pleasure of representing the County at a Ft. Wright City Council meeting honoring Adam Feinhauer for his years on Ft. Wright City Council. He has the longest time on City Council, but he has become a Deacon in the church and isn't able to continue in both roles. He is proud to have served with him, and he is one of the greatest people he has ever met. He appreciates all of his public service and the class that he performed it with for many years.

Judge/Executive Kris Knochelmann

A. Action to be taken on the line of succession for the Judge/Executive through the calendar year of 2026.

Judge Knochelmann stated that Beth Sewell would be his back up in the line of succession, and asked for approval.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Executive Session

A. Discussion pursuant to KRS 61.810 1 (f) for the purpose of discussing personnel that might lead to the appointment of an individual employee

Commissioner Nienaber made the motion for approval of Executive Session; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Commissioner Draud made the motion for approval to return from the Executive Session; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

A. Executive Order 22-168

An Executive Order of the Fiscal Court approving the repositioning of Scott Gunning to the Assistant County Administrator for the Kenton County Fiscal Court.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

B. Executive Order 22-169

An Executive Order of the Fiscal Court approving the appointment and contract of Joe Shriver as the County Administrator /Deputy Judge for the Kenton County Fiscal Court.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Judge Knochelmann stated that before he asks the Court to consider taking action on two items, he would like to provide some context. First and foremost, Scott Gunning has done a wonderful job in the role of County Administrator this last half of 2022. He couldn't have been more pleased in his performance. However, in back-filling his old role as Assistant County

Administrator in early November, Scott approached him about some very significant and profound changes that recently occurred in his personal life. While these changes were known to both Scott and himself when he was promoted, their impact has been substantial to his work/family balance. It was during this conversation that Scott asked if he would consider moving him back to his prior role as a means to mitigate some of the aforementioned changes. While considering this action, he instigated some conversations with individuals he trusts and values for their advice. During this process, he realized that there was a possibility to accommodate Scott's request and fill the Administrator's position with someone he has confidence and faith in their abilities. While he was drafting proposals and exploring several opportunities, Joe Shriver told him he would be open to a return to the County under certain stipulations. After having satisfied those stipulations, he presents to the court tonight, a contract to appoint Joe Shriver as County Administrator effective December 19, 2022 and appoint Scott Gunning to his previous role as Assistant County Administrator.

Scott Gunning stated that he would like to thank the Judge for the kind words tonight as he is grateful for the opportunity to serve in the County Administrator role. Together he thinks we've accomplished and moved a lot of instrumental projects forward over the past five months, however he has also had significant changes in his personal life that require his attention. Those changes are all positive. Without getting into a lot of detail, his oldest daughter who is a freshman in high school has been provided a unique opportunity to chase her academic and athletic dreams by attending a Ski Academy or boarding school in Maine. Serving as the County Administrator, he realized that to be successful in this position it requires a lot sacrifice with evenings and weekend hours. He said he is completely capable of doing this, and have been doing it, however at this stage of his life the priority is making sure he is there for his kids. This was not an easy decision, but what he is realizing is that time goes by too fast and there are no guarantees on tomorrow. He doesn't want to look back in a few years and have regrets that he missed these important milestones. For his family this means traveling out of state on the weekends to support their daughter. He is committed to serving the citizens of Kenton County, and cannot express enough to the Judge and to this Court for their understanding and willingness to reposition him back to Assistant County Administrator. He looks forward to working with Mr. Shriver again. At least in his opinion, he thinks they make a great team as they work well together, respect each other and will do their best to move this Courts agenda forward.

Commissioner Nienaber stated that Scott made a great call.

Adjournment

Having completed all business before the Court, Commissioner Draud offered a motion to adjourn which was seconded by Commissioner Nienaber. Judge/Executive Kris Knochelmann requested a voice vote whereupon all members present voted in the affirmative with a 3-0 vote.

Text for all proposed and recently passed ordinances may be acquired by accessing the Fiscal Court web page at <http://www.kentoncounty.org> or by contacting the administrative offices at 859.392.1400.

CLERK CERTIFICATION

I, Sue J. Kaiser, having been appointed to the office of Fiscal Court Clerk, do hereby certify that this is a true and accurate record of the actions taken by the Kenton County Fiscal Court at the meeting of December 13, 2022.



Sue J. Kaiser/Fiscal Court Clerk