

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

MEETING MINUTES

February 14 , 2023

5:30 P.M.

Call to Order

Commissioner Beth Sewell called to order the February 14, 2023, meeting of the Kenton County Fiscal Court. Commissioner Joe Nienaber led the invocation and the Pledge of Allegiance.

Present: Commissioner Beth Sewell, District 1
Commissioner Jon Draud, District 2
Commissioner Joe Nienaber, District 3
County Attorney, Stacy Tapke

Staff: Joe Shriver, County Administrator/Deputy Judge
Scott Gunning, Assistant County Administrator
Roy Cox, County Treasurer

Request approval to appoint Joe Shriver as the Fiscal Court Clerk for the February 14, 2023 Fiscal Court Meeting.

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

Approval of Minutes

A. Approval of the Minutes from the meeting of January 24 , 2022.

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

Citizens Address

No citizens came before the court.

General Business

A. Update on the Northern Kentucky Drug Strike Force.

Director Scott Hardcorn stated that it has been a year since he has spoken with the Fiscal Court. He handed out a couple of sheets that has statistics on it. Over the course of the last year they have continued to see the same trend. Fentanyl and methamphetamine are the two most prevalent drugs they are encountering on the street aside from the typical marijuana products. The THC products that concentrate for the vape cartridges have increased, coming in from the legal states. A lot of it is coming through the mail, and one of the most alarming trends they are seeing is the increase in counterfeit pills. Last year, they took in roughly 5,500 counterfeit pills. This year, they have taken in over 4,000 and have only been a month and a half into the year.

Many of those pills are the M30 oxycodone pills, and they are getting pills that look like Adderall and Xanax but they are coming back positive for Fentanyl or methamphetamine. Another statistic that he wanted to point out is that last year they took 58 firearms out of the hands of drug traffickers, and 50 of those were out of the hands of marijuana traffickers.

Director Hardcorn then stated that they went through reaccreditation with the Kentucky Association of Chiefs of Police. In January of this year, Independence officially joined the Strike Force. They appointed an agent to them full time, and earlier this month Highland Heights Police Department assigned an officer to the agency. They are growing, and are happy to have any help they can get.

Commissioner Draud asked if the figures are just for Kenton County?

Director Hardcorn answered that they are for the Drug Strike Force, so they are for Boone, Kenton and Campbell County combined.

Commissioner Nienaber stated that you go into gas stations everywhere, and there is a whole section of THC products. He sees Delta 9 on the handout, and he asked if that is legal for these stations to be selling this product?

Director Hardcorn answered that a lot of products are from a hemp derivative, so the legalization of hemp in Kentucky has made it hard for law enforcement to do anything about those products. This is due to the way the laws are written. He thinks that they are dangerous, and there are studies that show they are extremely dangerous. The way they are marketed, it can be appealing to children. If a child gets ahold of those, and that is so dangerous.

Commissioner Sewell asked if there is any change since the Governor's Executive Order to allow medical marijuana to move in and out of the state without any repercussions?

Director Hardcorn answered that since the beginning of the year he hasn't seen anything. They go after the mid-level dealers that are bringing it into this area.

County Attorney Stacy Tapke answered that as far as enforcement, they are treating possession of marijuana the same. You would have to ask for the pardon after the criminal case. If you look at states like Colorado, and pay attention to the youth in particular.

Commissioner Sewell congratulated Mr. Hardcore on the reaccreditation.

B. Request approval to enter into a Development and Reimbursement Agreement with the Kentucky Transportation Cabinet to replace lost parking the Kenton Government Center ("Center") at 1840 Simon Kenton Way, Covington KY 41011 will experience due to the Brent Spence Bridge Corridor Project ("Project"), and request an RFP for professional services for this project.

County Administrator Joe Shriver stated that the State recognizes that with the new bridge coming in that the right of way is going to expand, and that will impact the front of our building as well as the air rights lease under the 75 bridge. This is an initial agreement to see if we can figure out what we want, and come to an agreement with the State. They have been very receptive to ideas about what we would like to see. He asked that this be approved in one vote, and in a second vote approve the ability to go out to an RFQ to get professional services going on this right away.

Commissioner Draud asked if this is the one where they are going to build us a parking garage?

Mr. Shriver answered that it will be a parking structure of some kind. The size and scope has to be determined. He is not sure about the number of spaces. We have 150-160 under the overpass right now, and that does not include the number we will lose in front of the building. It will all be negotiated, but the first thing is to get professional services to see what we can get built.

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

Approval to put out an RFP for professional services.

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

C. Claims List - Dated February 10, 2023

There were no questions on the Claims List.

Resolutions

A. Resolution No. 23-01C

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: \$4,500 to cover expenses for the Police Department through the fiscal year, \$240,000 to cover the cost of new ePoll books and \$600 to cover additional cost of the NKADD membership that has increased.

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

B. Resolution No. 23-07

A Resolution of the Kenton County Fiscal Court authorizing the filing of a Kentucky House Bill (HB) 1 County Clerks Election Equipment Grant Application

Commissioner Sewell stated that this is for the ePoll Books.

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

Ordinances

A. Ordinance No. 121.45 - First Reading

An Ordinance enacting and adopting a supplement to the Code of Ordinances of the County of Kenton, Kentucky.

No action is needed.

County Administrator Joe Shriver stated that this is just codifying the Ordinances that were approved throughout the year and placed on the website.

- B. Ordinance No. 971.22 - First Reading**
An Ordinance of the Kenton County, Kentucky, Fiscal Court approving a second amendment to the Local Participation Agreement related to the Buttermilk Pike/Royal Drive Development Area amending the date of the Local Participation Agreement and the activation date for the development area, and designating a new entity as the agency for the development area.

No action is needed.

County Administrator Joe Shriver stated that this is the same TIF District that had been approved already, but the only difference is resetting the dates for 30 years for the project.

Jim Parsons stated that they are close to getting that project jump started. They are hoping to have a development agreement in place by March. Since the project didn't take hold as intended, then they lost several years for the thirty year pledge on the TIF.

Consent Agenda

- A. Exhibit No. 23-14**
Request approval to ratify the grant for opioid abuse treatment for the Kenton County Detention Center.
- B. Exhibit No. 23-15**
Request approval to modify an existing agreement with KYTC for the Public Works Department to perform snow and ice removal operations on specific routes
- C. Exhibit No. 23-16**
Request approval to surplus an assigned duty weapon for the Kenton County Detention Center.
- D. Exhibit No. 23-17**
Request approval to purchase a Blue Diamond Brush Cutter from Kubota Tractor for the Kenton County Parks Department.
- E. Exhibit No. 23-18**
Request approval to ratify the amended purchase and sale agreement for the Sims Building.
- F. Exhibit No. 23-19**
Request approval to award the gasoline and diesel fuel bid to Valor Oil for the Kenton County Fleet Department.
- G. Exhibit No. 23-20**
Request approval to award the Lake and Pond Management bid to Jones Fish and Lake Management for the Kenton County Parks and Recreation Department.
- H. Exhibit No. 23-21**
Request approval to ratify acceptance of Change Order #4 with Perkins- Carmack Construction for the Police Auxiliary Building.
- I. Exhibit No. 23-22**
Request approval of the camera wiring add on for the Kenton County Detention Center.

All items on the Consent Agenda were voted on together.

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

Executive Orders

A. Executive Order 23-23

An Executive Order declaring a Level One Snow Emergency effective January 24, 2023.

No action needed.

B. Executive Order 23-24

Executive Order rescinding the Level One Snow Emergency effective January 25, 2023.

No action needed.

C. Executive Order 23-25

An Executive Order approving the appointment of Dr. Ron Lubbe as a non-paid specialized Deputy for the Kenton County Coroner's Office.

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

D. Executive Order 23-26

An Executive Order approving the re-appointment of Jude Hehman to the OKI Board.

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

E. Executive Order 23-27

An Executive Order approving the resignation of Chris Tarlton as a Public Services Technician I for the Kenton County Public Works Department.

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

F. Executive Order 23-28

An Executive Order approving the appointment of Ryan Galbraith as an Animal Control Officer for the Kenton County Animal Services Department.

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

G. Executive Order 23-29

An Executive Order approving the retirement of Jerry Wood as the Buildings and Grounds Manager for the Kenton County Buildings and Grounds Department.

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

H. Executive Order 23-30
An Executive Order approving the appointment of Jacob Brown as a Recruit Officer for the Kenton County Police Department.

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

I. Executive Order 23-31
An Executive Order approving the appointment of Chad Frost as a Parks Technician II for the Kenton County Parks and Recreation Department.

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

J. Executive Order 23-32
An Executive Order approving the step increase for Tiffany Fields to a Dispatcher I, G5-2 for the Kenton County Emergency Communications Department.

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

Administrative Reporting

External Affairs

John Stanton stated that it is day 9 out of 30 for the General Assembly. The caucus continues to stay in close contact with us. The Kentucky Court of Appeals reversed the zone denial in Paris for the Licking River project. It remains to be seen if the developers are interested in going forward with the project. There continue to be meetings on the ARPA funding, and a lot of input has been received especially in the trades and life sciences. He met last week with the three people that are leading the workforce governance study in Northern Kentucky. He has a lot of confidence in this report, and it should be out around May. Also, on the Randolph Initiative, many thanks to Lisa Blank from St. Elizabeth Healthcare and Cathy Burkhardt who is a retired superintendent of Erlanger/Elsmere for getting involved. Last week they had 150 students at the training facility to witness a virtual surgery. They have added significant capabilities to the group. Finally, there are 23 Ukrainian refugees in Northern Kentucky right now and we are planning to have a gathering for them on February 25th at the County building to welcome them to the community and to commemorate one year since the invasion.

Technology Services

Michelle Foster stated that the camera projects are still ongoing. The next in line will be with Animal Services. She is meeting with the man with the security company about that. They are almost done at the evidence building. Also, at some point the Independence building will be getting cameras. The replacements and upgrades continue as normal. Finally, the next big project is for the 167 laptops that they just ordered to replace the laptops in the cruisers.

Public Works

Spencer Stork thanked the Fiscal Court for the confidence in him to serve as the interim County Engineer. They set the dates for the spring clean up, and it will be April 28-29th. There is final design for the multi-use path project on Independence Station Rd. for Phase I.

Commissioner Sewell commended Mr. Stork for running a great South County Roads Committee meeting.

Treasurer

Treasurer Roy Cox asked that the records reflect that the January 2023, Financial Reports have been submitted.

County Attorney 's Report

County Attorney Stacy Tapke stated that in addition to the legal counsel and counsel for a lot of the people in the courthouse, they also do a lot of work in the courthouse at 230 Madison. In District Criminal and Traffic Court this past year, they oversaw 17,784 cases and 13,336 of which were traffic. 2,871 cases were misdemeanors, and they processed 1,004 involuntary hospitalization petitions which is a big number (21 Casey Law and 101 guardianship/conservatorship).

Commissioner Sewell asked how those compare since COVID?

Ms. Tapke answered that she is going to look back and see how the numbers go as the population ages. If you haven't designated a healthcare power of attorney, she recommends that you get that done.

Commissioners ' Reports

Commissioner Jon Draud

Commissioner Draud asked Scott Gunning when the sidewalk project will be completed for the subdivisions that are connected to the New County Park?

Mr. Gunning answered that this is the property that Mr. Stork mentioned for the multi use path. It will be going out to bid shortly.

Commissioner Draud asked if it will be finished by summer?

Mr. Stork answered that they just got final design back, so it will take a while to get bids out and depending on altafiber's schedule for moving their poles may take a bit to get work done.

Commissioner Joe Nienaber

Commissioner Nienaber stated that he appreciates the work of the Drug Strike Force. It is eye opening to see with the correlation between mental health and the Drug Strike Force stuff. We have serious issues that we need to continue to focus on for the next generation of kids. There has to be a serious focus on the SUN Behavioral stuff, the involuntary stuff and the drugs. They are mutually exclusive. He appreciates all of the work that everyone does on these issues.

Commissioner Beth Sewell

Commissioner Sewell asked that everyone keep Marc Fields in their prayers, as his brother was taken to hospice today.

Adjournment

Having completed all business before the Court, Commissioner Draud offered a motion to adjourn which was seconded by Commissioner Nienaber. Commissioner Sewell 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 February 14, 2023.



Sue J. Kaiser/Fiscal Court Clerk

DRAFT