

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

MEETING MINUTES

March 14, 2023

5:30 P.M.

Call to Order

Judge/Executive Kris Knochelmann called to order the March 14, 2023, meeting of the Kenton County Fiscal Court. Treasurer Roy Cox led the invocation and the Pledge of Allegiance.

Present: Judge/Executive Kris Knochelmann
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
Sue Kaiser, Fiscal Court Clerk
Roy Cox, County Treasurer

Approval of Minutes

A. Approval of the Minutes from the meeting of February 28, 2023 .

Commissioner Sewell made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Citizens Address

No citizens came before the court.

General Business

A. Request approval of the Agreement in Lieu of Taxes City and County Pilot Agreement between the Kenton County Fiscal Court, the City of Crestview Hills and Grandview Terrace Owner, LLC.

Rich Spoor of KMK Law stated that the project for which this pilot agreement is being requested is a market rate residential apartment project located off Horse Branch Rd. in Crestview Hills, KY.

Judge Knochelmann stated that this is pretty new for Crestview Hills, but was needed and trying to add additional housing in that corridor.? Also, the neighboring property owners were supportive of it. This is a small pilot that they are doing.

Mr. Spoor stated that yes it is a small pilot, and the sight itself if pretty challenging for development. It is between Horse Branch and the Columbia Sussex building, and the grading is quite difficult.

Commissioner Draud asked if this is the Whitehorse project?

Judge Knochelmann answered that it is not. It is a separate residential project.

Mr. Spoor stated that Crestview Hills already approved this pilot agreement on March 9th. The pilot agreement principles have been set by the legislation, and the final wording is being worked out but the pilot amounts have been set.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

B. Claims List - Dated March 3, 2023

There were no questions on the Claims List.

Resolutions

A. Resolution No. 23-01E (Action Requested) 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: \$8,000 for the Animal Shelter/Detention Center Directional Sign on KY-17, \$15,000 for replacement computers at the Detention Center, \$75,000 for COLT refunds and \$220,000 for overtime at Dispatch.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

B. Resolution No. 23-09 (Action Requested) A Resolution approving adjustments to Sanitation District No. 1 's sanitary sewer rates to limit projected budgeted revenue to no more than 5% over the previous fiscal for fiscal years 2024, 2025, 2026 and 2027.

Adam Chaney from SD1 stated that he wanted to give a little background on their rates including where they were, where they are and where they are headed. Prior to 2019, 100% of SD1 revenues were variable with water consumption, and that structure just did not align with the fixed nature of their operation costs. On top of that, they had seen a sustained decline in water consumption over the course of about a decade, which created a situation where SD1 was unnecessarily raising rates just to offset this decline in water consumption. In 2019, they knew that was unsustainable in the long run, so they created a four year plan where they incrementally raised the base rate while simultaneously lowering the variable rate. That has worked out very well, and in 2022 that plan ended. The effect of that plan was that they lowered consumption decline defect on the revenues by 70%. It also aligned their rate structure more closely with the cost of providing their services, and adjusted their rates to be more in line with their peer utilities. So, what he is asking tonight is a continuation of this plan that has been highly successful. It will contain the same guide rails as the plan that was originally put forth four years ago. The net revenues should not be increased by 5%, no residential customer class will increase by 5%, no residential customer class will increase by more than \$5 a month and the only caveat that is a little different from last time is that as they increase the base rate for the residential customers that nonresidential rates haven't kept up so over the course of the next four years they want to make sure that the minimum bill for the nonresidential matches the minimum bill for the residential customers.

Commissioner Nienaber asked if he means no more than 5%, not an automatic 5%?

Mr. Chaney answered that they will look at it annually, and what will be driving this going forward is the water consumption. Unfortunately, they haven't had a great year, and they are about 2.39% down on water consumption. They will probably need to go \$4 on the base rate that will be offset by that variable.

Commissioner Draud asked how long Mr. Chaney has been the Director of SD1?

Mr. Chaney answered that it has been almost six years.

Commissioner Draud stated that he doesn't know about everyone else, but he can remember going to those meetings, and talking about consent agenda and there was a lot of uncertainty. For the record, he would like to say that Mr. Chaney has done a good job and appreciates the stability. He is sure the rate payers appreciate it to. He remembers this being a big deal at one time, and now it is functioning smoothly.

Mr. Chaney stated that they have an excellent team.

Commissioner Sewell asked why the usage is going down significantly?

Mr. Chaney answered that over the past decade it is high efficiency appliances and plumbing fixtures. Over the course of the last two years, in the COVID year they saw a bit of a bump because people were home using more water. That trend is reversing now. If you average those years out, it is declining about one percent a year for the last ten years.

Judge Knochelmann thanked him for all of his 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 4-0.

**C. Resolution No. 23-10
A Resolution recognizing the 2023 Pioneer Award honorees.**

This Resolution was tabled.

**D. Resolution No. 23-11 (Action Requested)
A Resolution amending the Master Wage Scale and Sub-scale (Police) for the
Kenton
County Fiscal Court.**

County Administrator Joe Shriver stated that after they rolled out the master plan, there were some tweaks that they found. The last one is the separation for Sergeants. It isn't a perfect or permanent fix, but it certainly something that is appropriate to move forward with now. He wants to put this in place and be done with it for a while. He appreciates everyone's patience on this, including the staff.

Commissioner Sewell made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Ordinances

**A. Ordinance 226.11 - Second Reading
An Ordinance of the Kenton County Fiscal Court, Kentucky, amending Ordinance**

No. 226.08 providing for a credit of its occupational license fee for new employees as part of an economic development project by White Horse Freight, LLC under the Kentucky Business Investment Program (KRS 154.32-010 -KRS 154.32-100).

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Consent Agenda

- A. Exhibit No. 23-39
Request approval of the Kenton County Surveyor's Bond.**
- B. Exhibit No. 23-40
Request approval of the Transitions Recovery Kentucky Memorandum of Understanding.**
- C. Exhibit No. 23-41
Request approval to surplus various items for the Kenton County Public Works Department.**
- D. Exhibit No. 23-42
Request approval to award the renovations and flooring bid to Radius Construction for the Kenton County Justice Center.**

Commissioner Draud asked what the agreement is with Transitions?

Judge Knochelmann answered that this is the annual funding that goes through the NKADD office. It is \$300,000 a year that flows through the court to Transitions for treatment.

All items on the Consent Agenda were voted on together.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Executive Orders

- A. Executive Order 23- 37
An Executive Order approving the appointment of Yolanda Reis as a Dispatcher I, G7-1 for the Kenton County Emergency Communications Department.**

Commissioner Sewell made the motion for approval; seconded by Commissioner Nienaber. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

- B. Executive Order 23-38
An Executive Order approving the resignation of Andrew Kelsay as the Shelter Manager for the Kenton County Animal Services Department.**

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

C. Executive Order 23-39
An Executive Order approving the resignation of Carl Day as a Seasonal PST1 for the Kenton County Public Works Department.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

D. Executive Order 23-40
An Executive Order approving the compensation study salary adjustments.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

E. Executive Order 23-41
An Executive Order approving the reorganization of the Kenton County Police Department

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

F. Executive Order 23-42 (Action Requested)
An Executive Order approving the appointment of Stephanie Dietz to the MeetNKY Board.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Administrative Reporting

Public Works

Spencer Stork stated that he would like to make a request for approval. On February 14th the Fiscal Court approved the county to enter into an agreement with the Kentucky Transportation Cabinet (KYTC) to replace lost parking at the Government Center as a result of the Brent Spence Bridge project. A RFQ was put out to engineering firms for their help to develop a layout of the structure and a cost estimate that we could present to KYTC. We received three qualification statements by the deadline of March 8th, and interviews were held yesterday. There were several good teams that presented, but in the end they came to a unanimous decision that Gresham Smith Partners was the most qualified to do the work. He would like to ask for approval to enter into a contract with them to complete predevelopment services in order to get documents that we need to submit to KYTC to enter into a reimbursement agreement with them. The new structure will accommodate about 250 spaces.

County Administrator Joe Shriver stated that with the letter of intent, the State will also reimburse this expense.

Judge Knochelmann stated that the hope is that this will be finished by early to mid 2025. Also, in full disclosure, this is where our previous County Engineer Nick Hendrix works. They presented just like anyone else.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Mr. Stork then stated that they are still looking for non-profits for their Trash for Cash Program, and there is information on the website. Also, asphalt plants are going to open up at the end of the month so if there are any potholes to be filled let him know.

Technology Services

Michelle Foster stated that she wanted to bring up the MDTs again. These are all of the computers that go into the police officers cars all around the county. She brings it up because there were 167, and they turned them around really quickly. She wanted to give kudos to Darrin Gilvin, Dustin Brown and Michael Willen, because they did the job quickly.

Judge Knochelmann stated that this is something that is unprecedented, because in Kenton County those all get updated through the program of covering all the police departments.

Ms. Foster stated that those are on a three year lease, and this time they did Ft. Mitchell, Ft. Wright, Erlanger, Elsmere, Independence, the Sheriff and quite a few other agencies. Also, there is an RFP out right now for improvements to the Riedlin Schott Room and the Chambers in Covington for AV equipment. This will mean that in the future, the Chambers will have improved hybrid capabilities to do virtual meetings. In the Riedlin Schott Room, there will be far more extensive improvements. They will include speakers, microphones and all new equipment.

Judge Knochelmann stated that there will be some proposals brought back to the court for sound dampening in both the Riedlin Schott room and other rooms in the building.

Animal Services

Kelsey Maccombs stated that they did complete the 100 spay and neuters that they had received money for from the Joanie Bernard Foundation. They contracted their vet to come in on four different dates to complete those. They targeted colonies in Covington as a place to start. It is a drop in the bucket in terms of community cats, and what needs to be done in this county to help solve the problem of the quantity of outdoor cats. It was successful, and a lot of the team learned from the process of trapping and doing those types of surgeries. She was grateful to have that opportunity through that grant.

Ms. Maccombs then stated that the last time she spoke she talked about the critical overcapacity at the shelter of dogs, and they are in a much better place than that now but are still seeing that increase in intake. In February of 2023, their intake was up over 57% from February of 2022. They are hustling and she is really proud of her team, and they are working together to see those live outcomes even though they are facing a significant increase on intake.

Judge Knochelmann asked if there are any thoughts on why the increase in intakes?

Ms. Maccombs answered that there are a lot of factors. Obviously, they are seeing the pandemic wind down, and also inflation affecting so much of society. Pharmaceutical costs are up significantly, and trips to the vet are up in price. People are without resources to take care of the animals the way that they would want. Also, they finished training the newest animal control officer and shifted their schedules to increase coverage for the standard ACO operations. They are covering from 7:00 a.m. to 8:00 p.m. on weekdays, and 9:00 a.m. to 7:00 p.m. on weekends. So, this takes some strain off of the Police Department to assist on the overnight calls, and decreases the hours that our staff are on call.

Ms. Maccombs then stated that everyone may have seen some things about their horses. She is happy to report that they have secured placement for all of the surrendered horses. They are awaiting the next steps on the decision on the final three that are in our care. Lastly, they had a Parvo case come into the Shelter, and it is a very deadly disease that has the capacity to wipe out

a population. Just a thank you to the team for the careful observation at the time of intake. They thought that it looked symptomatic and tested immediately. They were correct, and were able to keep the disease out of the building. The animal has recovered, and it didn't affect any animals at the Shelter. She was very impressed with the quick action of the team.

External Affairs

John Stanton stated that the social services RFP was sent out for the ARPA funds to about 5,000 people. There was a fair number of questions coming in, and Holly Hill is handling those. Based on the number of inquiries that we are getting, he is optimistic that we will get a good set of proposals that will come in to us for consideration. On the pandemic response piece, they have a meeting in about two weeks with St. Elizabeth to continue the dialogue with them on how we can pursue some of that with the funding. There is a strategy session with a collective group of entrepreneurs on March 20th to also investigate what opportunities might be there.

Mr. Stanton then stated that before deploying any of these funds, the first thing that needs to be done is to satisfy the Federal law and Federal regulations associated with it. He praised Kurt Greivenkamp for his role, because before we could consider the merit of some of the proposals Kurt and Roy Cox have to verify that these are permissible expenditures of the funds. Kurt in particular with the BIA proposal played a critical role in working with Vicky Berling to make sure that every proposed expenditure that they have made satisfies Federal law and regulation. He is not asking for any action tonight, but this is a major investment of resources so he wanted to get it in from of the court. He thinks that those that have reviewed the proposal think it is a sound and worthy investment in our community. The ability to take 640 Kenton County residents and help them upskill their trade capabilities puts them on a little different trajectory in their lives. He would be happy to arrange any tours of the Enzweiler Institue should anyone be interested. The proposal will be brought back to the Court in two separate packages. There is a first package related to the physical facilities and the staffing. Then they would probably spend some more time working through the proposal on the reimbursement and training part.

Commissioner Draud asked if he is saying that this proposal meets all of the Federal requirements?

Mr. Stanton answered that it does meet all of the requirements.

Commissioner Draud asked how long the Enzweiler Institute has been in effect?

Mr. Stanton answered that they have had their facility on the hill for quite some time. He doesn't know the history of that facility, but for many years.

Judge Knochelmann stated that they have really gotten built out in Boone County has been there for probably about ten years. Prior to that, they had side work being done to some degree over in Covington, but now the new Latonia location that has been opened up has only been open for about a month and a half. Most of the previous history there was volunteer teachers.

Lastly, Mr. Stanton stated that today was day 26 of the Legislative Session, and his sense is that most of the issues that we brought to the attention of the General Assembly are being addressed. For example, the auditing bill that the cities have desired here has a committee hearing tomorrow. Of course, there is no reducibility to what is going to happen. Our elected representatives from Kenton County have been responsive in everything we have asked them.

Commissioner Draud asked if he can make a prediction on the sports wagering bill?

Mr. Stanton answered that he it will be close.

Treasurer

Treasurer Roy Cox asked that the records reflect that the February 2023, Financials have been submitted.

County Attorney 's Report

County Attorney Stacy Tapke asked for approval that Roy Cox be designated to certify that opioid funds are being used appropriately.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Commissioners ' Reports

Commissioner Jon Draud

Commissioner Draud read a letter that the Fiscal Court received from Denny Bowman who used to be the Mayor of Covington. He feels that it is important that Covington and Kenton County work together for the benefit of the citizens of Kenton County. The letter said, "My purpose in writing is to offer a very special thanks to the Fiscal Court for the wonderful projects you have completed in Covington. This Fiscal Court has shown so much dedication to improve Covington's images in saving historical sites. This is so much appreciated. Saving the Bavarian Brewery brings a beautiful look as you enter the city. This is so fantastic. Redeveloping of the Third and Court also adds to another beautiful entry and thoughtful heart in developing a new homeless facility is grateful. I'm sure you will continue such great redevelopment in Covington with the James Dressman Clinic at 7th and Scott and 20th and Madison." This is the kind of thing that he really would like to see more of with Covington and Kenton County. The citizens are the ones that would benefit from that. He is pledging his cooperation, and eh hopes others will follow. He knows everyone here wants to cooperate with Covington, and he hopes that the Mayor of Covington hears this because he thinks it is very important to have the cooperation. He certainly appreciates Mr. Bowman writing this, because it illustrates what we are all about. It is good to hear from someone in Covington to show the appreciation.

Commissioner Beth Sewell

Commissioner Sewell had nothing to report.

Commissioner Joe Nienaber

Commissioner Nienaber had nothing to report.

Judge Knochelmann

Judge Knochelmann stated that he wanted to speak about something that goes back to the recommendation and support for the regional effort for the three counties to come together to support expanding detox at the Transitions facility. In talking with Jim Beiting from Transitions this evening, he really feels strongly that if we just fund one year he will then be able to get into a cycle with the way that they bill. This will expand hours. Presently, the main detox area is at Transitions. That stops though at 4:00 p.m. There is a proposal that is about \$200,000 annually in total that would fund nurses to be available from 4:00 to 8:00 p.m. Typically, after 8:00 p.m. it isn't that big of an issue. He is asking that out of our opioid funds to use up to \$100,000 to build a program with Boone and Campbell. We have about 40% of the overdoses in Kenton County. This will give us a one year model to fund that, and after one year hopefully not need it. It would

be brought back to the court after six or nine months. It would come out of the roughly \$1.2 million that we have already received in opioid funds.

Commissioner Draud asked why we can't use the state money instead of ours?

County Attorney Stacy Tapke answered that we would have to apply through their grant program for that money.

Judge Knochelmann stated that we have gotten our \$1.2 million already. We are going to be getting \$200,000 to \$300,000 per year for the next ten years.

Commissioner Nienaber asked if this is just a starter fund, and not a ten year commitment.

Judge Knochelmann stated that he is asking for a commitment with a maximum of two years, but they are thinking it will only take one year. It is basically a nurse, and Jim Beiting thinks it can be ramped up in a matter of weeks.

It is up to \$100,000 for a maximum of two years. He asked for approval.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 4-0.

Commissioner Draud asked why they took 40% from Kenton County?

Judge Knochelmann answered that he thinks it is because of our population density.

Commissioner Draud asked what percentage comes from Boone County?

Judge Knochelmann answered that it is the least of the three, and it may be about 22%.

Adjournment

Having completed all business before the Court, Commissioner Draud offered a motion to adjourn which was seconded by Commissioner Nienaber. Judge Knochelmann requested a voice vote whereupon all members present voted in the affirmative with a 4-0 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 March 14, 2023.



Sue J. Kaiser/Fiscal Court Clerk