

KENTON COUNTY FISCAL COURT
Kenton County Government Center
Second Floor Chambers
1840 Simon Kenton Way
Covington, KY 41011

Meeting Minutes
April 25, 2023
5:30 P.M.

Call to Order

Commissioner Beth Sewell called to order the April 25, 2023, meeting of the Kenton County Fiscal Court. Commissioner Sewell 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
Sue Kaiser, Fiscal Court Clerk
Roy Cox, Treasurer

Approval of Minutes

A. Approval of the Minutes from the meeting of April 11, 2023.

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 Fiscal Court at this time.

General Business

Gabe Summe came before the court to report that at the end of her term, she turned over \$3,603,000 to the Fiscal Court. She is proud of her staff being fiscally responsible, and at the same time with some of the election issue that they are looking to expand spots. She is going to request that when they are in their budget review that a portion of what has been turned over the court be earmarked to go back into the election budget for them. They would like to purchase additional equipment, pay poll-workers and get ADA compliant. They have a lot more expenses now. Got a lot of good feedback on the postcards that have been sent out too. She is asking the court for \$600,000 which is a general number. There is a grant being provided by the state too

Commissioner Draud stated that Gabe and her staff should be commended for the information that has been sent out for the May primary. No one could legitimately say that they haven't been informed about the primary.

Ms. Summe thanked Commissioner Draud, and stated that another thing her staff is looking at is to put together a Constant Contact so that people can tap into things that aren't just about the election. They can find out things happening in real estate and auto as well. It will be nice to send a quick alert.

Commissioner Draud stated that the mailer was excellent.

Ms. Summe stated that moving forward she will have something in the fall as well. She had her website numbers tracked, and she was getting 8,000 views a day. Hopefully, people will continue to use the website and other areas. She thanked Planning and Zoning, as they put together a voter information layer on the GIS. They can put in the address point, and it will tell the precinct code, their name, where they go and all that will be on the ballot.

Commissioner Sewell thanked Ms. Summe for caring about the taxpayer's dollars.

A. Presentation of a Proclamation declaring the week of May 7-May 13, 2023, as Corrections Officer Week.

Commissioner Beth Sewell presented the proclamation to Jailer Marc Fields. She really appreciates everyone at the jail, and all the improvements that have been made throughout the years. The Fiscal Court supports them immensely.

B. Request approval for an agreement in lieu of taxes for 135 W. 38th St., Covington, KY.

Josh Niederhelman who represents the development stated that this property sits catty-corner to the old Value City property.

County Administrator Joe Shriver stated that some IRBs require the county's approval to go forward, as well as the school district. This one does not, but the city did craft a very good IRB in that how it escalates. It is perfect for the development, and what Kenton County is looking for.

Commissioner Draud asked what kind of project it is?

Mr. Niederhelman answered that it is an office/warehouse building designed to attract jobs to the county in an area that really doesn't have a lot of land to support that kind of project. They are looking to get that done by the end of the year.

Commissioner Draud asked how many jobs it would bring?

Mr. Niederhelman answered that he isn't sure. They are building it on spec, and hopefully finding a company with a lot of jobs to move in. The city was very thoughtful in how they wanted to approach that, and they agreed. They will be able to accommodate three or four companies in that building.

Mr. Shriver stated that it stair steps as the payroll goes up, the discount to property taxes increases.

Commissioner Nienaber asked if it is fair to say that the new format on payroll tax affords the opportunity to have that kind of agreement? Escalating payroll tax will reward the property and rooftop with a lower property tax.

Mr. Shriver answered that even though there is no roll of incentive for this development with payroll tax, we are able to do this.

Commissioner Sewell said that it is true that there are very few properties in Covington that applicable to this.

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. Request approval to move the location of the May 9, 2023, Fiscal Court meeting from the Historic Kenton County Courthouse to the Kenton County Government Center.

Commissioner Sewell stated that this is due to continued construction.

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. Claims List - Dated April 21, 2023

There were no questions on the claims list.

Resolutions

**A. Resolution No. 23-01H
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: \$22,000 for the Animal Services Department to cover the cost of caring for the seized horses and \$40,000 to cover Public Works expenses through the fiscal year.

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.

Consent Agenda

- A. Exhibit No. 23-56
Request approval of the snow removal contracts between various cities and the Kenton County Public Works Department.**
- B. Exhibit No. 23-57
Request approval to accept the bid from ICS for the AV project in the Riedlin Schott Room and the Kenton Chambers for the Technology Services Department.**
- C. Exhibit No. 23-58
Request approval of a lease agreement between the Kenton County Fiscal Court and Gregory and Charlene Combs for the property located at 3920 Richardson Rd., Independence, KY.**
- D. Exhibit No. 23-59
Request approval of the Kenton County Clerk's calculation for motor vehicle and boat bills for 2023.**
- E. Exhibit No. 23-60
Request approval modify the current contract with Radius Construction for the Renovations and Flooring Project for the Kenton County Justice Center.**

- F. **Exhibit No. 23-61**
Request approval to accept the bid from Radius Construction Co., Inc. for structure repairs for the Public Works campus for the Kenton County Public Works Department.
- G. **Exhibit No. 23-62**
Request approval of an agreement for design services for the Kenton County Farmers Market between the Kenton County Fiscal Court and Brandstetter Carroll, Inc.
- H. **Exhibit No. 23-63**
Request approval of Guardian Retention Systems, LLC 's quote for slide repairs on St. Johns Road utilizing Kentucky Transportation Cabinet 's Master Service Agreement.
- I. **Exhibit No. 23-64**
Request approval of an agreement between the Kentucky Agricultural Development Board and the Kenton County Fiscal Court for the Farmer 's Market.

Commissioner Draud asked what the Farmer's Market will be?

Assistant County Administrator Scott Gunning answered that this is building a permanent structure at the Historic Courthouse. A grant was received for \$250,000 from the State, and will be getting a grant from the Durr Foundation. The county will be responsible for the remainder of the amount.

Commissioner Draud asked if it will be indoors.

Mr. Gunning answered that it will be outdoors.

Commissioner asked what the lease agreement for Richardson Road is about?

Mr. Gunning answered that this is the house that sits at the entrance of the golf course that the county rents out. The same tenants have been in that house for eight plus years. The house is in great condition, and the tenants are fantastic.

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 23-51**
An Executive Order approving the 2023 Burn Ban.

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.

- B. **Executive Order 23-52**
An Executive Order approving the step increase of Tiffany Fields to a Dispatcher II, G8-3 for the Kenton County Emergency Communications 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.

**C. Executive Order 23-53
An Executive Order approving the appointment of Thomas Britton as a Police 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.

Administrative Reporting

Emergency Management

Commissioner Draud asked if the burn ban has to be approved every year?

Steve Hensley answered that it is the non-attainment air quality burn ban, and by us adopting this it gives our fire departments enforcement powers to stop open burning. This does not talk about the fire pit on your patio or a grill. This is just for larger fires that have the potential to spread during the dry seasons of summer, and we do this every year. It is put in place Federally.

Commissioner Nienaber asked if it is still possible on large scale commercial jobs to get a permit for burning.

Mr. Hensley answered that they would have to seek that through their fire department.

Mr. Hensley then stated that 49 of 60 jurisdictions within the district participated in the Hazard Mitigation community based meetings. They still need to reach out to Kenton Vale and Fairview to have them included. Also, last week they conducted safety compliance walkthroughs of all the county departments. With the exception of a few small issues, all departments were found to be in very good condition. Furthermore, on March 16, they received confirmation of concurrence for their 2023 Emergency Operations plan, which the Court approved earlier this year.

Lastly, Mr. Hensley stated that an event occurred last week where the Kenton County Police Department responded to an individual having an emotional crisis. The County Police Department, along with some other departments, and the compassion that was displayed with the individual that had the intent to harm themselves was incredible.

Emergency Communications

Ashley Hawks stated that it is getting to be boating season, and in Dispatch they have already taken a handful of calls for boating incidents. The guidelines for safety while boating include: make sure to tell other people who are not going with you where you will be, make sure there are plenty of supplies on the boat (gas, snacks, water and safety equipment), be knowledgeable to of the river, if encounter other boaters that may be in a bad situation stop to help them, know what the main channel is and steer clear of large traffic because barges can't stop and don't overindulge in alcohol.

Detention Center

Jailer Marc Fields thanked the Fiscal Court for recognizing the hard work that the Corrections Deputies do on a regular basis. He then stated that the last couple of weeks they have had their audit, and he is proud to announce that they did not identify any information that would indicate material fraud that may have occurred. They passed that audit with no findings. They also had

their state inspection, and they passed it. There were 211 categories that they graded on, and they were in compliance with all 211. They have their capacity certification for the next year.

Mr. Fields then stated that in March, they had 589 bookings and released 598. Their average daily population was 589. Out of that 598, they transferred 63 people to treatment. They sent 25 to other counties, and the State did not take anyone from them in March. They do have a shipment of eight going to the State next week. They transported 367 people to the courthouse. They are still battling the staffing issue. The whole criminal justice field is experiencing this staffing shortage. He thinks they are on an even playing field with the other counties now, and he thanked the Fiscal Court for the support.

Police Department

Chief Spike Jones stated that he wanted to give a quick reminder that they are starting their Click it or Ticket campaign in May. They will be out looking for seat belt violations, and citing folks who fail to follow the law. Wearing your seatbelt as a front-seat passenger can limit your chances of moderate to fatal injury by 50% and of death by 45%. (NHTSA). On average, 47% of people who die in car accidents weren't wearing their seatbelts. (IIHS). 15,000 lives are saved every year by wearing a seat belt. (NHTSA)

Chief Jones then stated that he would like to touch on an incident that occurred last Friday. They were summonsed to assist a gentleman at Doe Run Lake that was suffering from an emotional crisis. He had gotten into the water and was suffering from a pronounced emotional issue. Our Officers were very compassionate and caring in dealing with this young man. Over a period of an hour Officers Mairose, Reis and Whitford developed a dialogue with this young man and were able to get him the help he so desperately needed. He is very proud of the officers and thankful for their service.

County Attorney 's Report

County Attorney Stacy Tapke had nothing to report.

Commissioners ' Reports

Commissioner Jon Draud

Commissioner Draud had nothing to report.

Commissioner Joe Nienaber

Commissioner Nienaber stated that the Detention Center is a hard job, and being a Police Officer or Dispatcher is a hard job as well. They are underappreciated, and he can tell by the way it is hard to be at full staff.

Commissioner Beth Sewell

Commissioner Sewell had nothing to report.

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 April 25, 2023.



Sue J. Kaiser
Fiscal Court Clerk

DRAFT