

**KENTON COUNTY FISCAL COURT
MEETING MINUTES
Covington Courthouse
303 Court St.
Covington, KY 41011**

**January 22, 2019
5:30 P.M.**

Call to Order

Judge/Executive Knochelmann called to order the January 22, 2019, meeting of the Kenton County Fiscal Court. Commissioner Beth Sewell 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
Scott Gunning, Assistant County Administrator
Sue Kaiser, Fiscal Court Clerk
Roy Cox, County Treasurer

Approval of Minutes

A. Approval of the Minutes from the meeting of January 8, 2019.

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 Fiscal Court at this time.

General Business

Commissioner Draud stated that he wanted to make some comments about the Covington Catholic issue that has been rampant in the media. He wants to restrict his comments to two areas; leadership from some of the local leaders and also students. First, he would like to address the issues of some of the leaders who have rushed to judgment, particularly Bishop Foys and Mayor Joe Meyer of Covington. The early condemnation of the students at Covington Catholic was certainly a rush to judgment, and he feels that if they had thought about it they would have done things differently. He would like to see them apologize. He admitted that he has made a lot of mistakes in his life, and he was willing to apologize. Part of being a good leader is humility, and he thinks that they made comments too quickly.

Commissioner Draud then stated that his other comment is about the students. He complimented the students from Covington Catholic for the restraint that they showed. Instead of being criticized, they should be given a lot of credit. He thinks that sometimes it is forgotten that 16 and 17 year old kids are children, and we need to be able to empathize with them. He feels that they conducted themselves in a good manner, and they need to be complimented. As elected officials, he feels like they should all be leaders. He would like to put in the form of a motion that they send a letter to the school administration complimenting the students for their restraint.

Commissioner Nienaber seconded the motion, and stated that he is a catholic and Mayor Meyer is a friend of his. The good thing about real friends is that you can disagree. It is unfortunate that as soon as it hit the ground it didn't feel right, and fortunately it turned not to be as portrayed. He thinks that the kids have a tough world with the cameras always rolling, so it requires a higher level of perfection than he ever had to display. He thinks that it is appropriate that we defend and support our children.

Judge Knochelmann stated that he agrees with the comments of both Commissioners, and he is thankful that Covington Catholic exists in this community. We have great high schools, from Holmes, Covington Catholic, St. Henry and more. None of the kids are perfect, but we should be proud of them, support them and make sure they are safe. He hopes that the school and the Diocese get through this in a peaceful way.

Commissioner Sewell stated that she is not catholic, and doesn't have kids in the catholic schools but she has friends that do and they were all suffering. It is her prayer that this will be worked out. Unfortunately, it became nationally exposed and should have just stayed within the walls of the school and leadership. She hopes that everyone can get together privately and work this out.

Commissioner Draud stated that he urges Bishop Foys to apologize to the students at Covington Catholic. Mayor Meyer should apologize as well. These weren't just innocent comments, they were over the top. He pointed out that he feels that it is ironic that Mayor Meyer is resisting helping the homeless in the community, yet he wants to criticize these students of Covington Catholic. This is a sad commentary on the state of society, where everyone immediately rushes to judgment without finding out the facts. Any good leader does not rush to judgment. He asked that the letter be sent out as a news release as well, with a copy going to the Bishop.

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

A. Claim's List-Dated January 18, 2019

There were no questions on the Claim's List.

Treasurer Roy Cox asked permission to publish a Claims List on February 8, 2019, and print checks on February 11, 2019, since there is only one meeting in February.

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. Presentation of the Fraud Prevention Report from Roy Cox.

Treasurer Roy Cox stated that the first three pages of the presentation is the actual list of internal controls that are in place. This list was compiled through years of experience from outside auditors. Segregation of duties is the biggest thing that has to be done. Everything financial has to have at least two sets of eyes looking at it, from the time the invoice comes in to any cash being transferred from the bank. If money is going to be wire transferred, someone else has to look at it. They completed the last step of tightening down these procedures recently. The Judge had asked him if we have dual authorizations in place, and they have been for six and a half years. It was realized that Mr. Cox can go to the bank and remove the dual authorizations, so this is now fixed. Joe Shriver is the now the additional administrator.

Mr. Cox explained some of the procedures that are done on a daily basis, such as matching invoices with purchase orders. When the checks are cut, the person that inputs the checks can't touch them until a copy has been made and reviewed by others. Also, when money comes in the door, it has to be given to the receptionist first. No one from the Treasurer's office can take the check first. Also, he can't move money from one account to another by himself either. All reports are reviewed twice, showing vendors and any changes. These internal controls help prevent fraud.

Judge Knochermann stated that Mr. Cox has done a good job tightening things up.

Commissioner Draud commended Mr. Cox for this report, and he feels like it would be a good idea to go over this every January.

Commissioner Nienaber asked if it is possible to set up a fictitious vendor?

Mr. Cox answered that they try to make sure that the purchasing manager sets up all of the vendors. They have a W-9 filled out by the company before any check is cut. Also, they are going to start verifying all the EIN numbers on the W-9 to be sure that they are a legitimate company.

Commissioner Nienaber stated that the report is well done, and he appreciates the hard work.

C. Request approval to award the Radio System Subscriber Units bid to AMK Services, LLC for the various departments of Kenton County.

County Administrator Joe Shriver stated that this is for the subscriber units for the new 800 MHZ, P25 system. This in no way precludes the county or any other agency from using the NKADD bid from last year in terms of purchasing the radios. We did our own separate bid, so we have to accept it as the best bid as determined by the Treasurer, Purchasing Department and Department Heads.

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

D. Request approval of an upgrade and replacement of the county's Wide Area Network equipment.

Lisa Desmarais stated that this is for an upgrade to the Wide Area Network. This is the data communications equipment that connects all of our physically separate buildings to one another. We are currently operating on a design that is over 20 years old. In order to effectuate a move to the new administrative building, we need to move to a more modern design for connectivity. If we were to move over the two weekends that are planned with the current schedule, we would essentially be down for days or weeks due to the inability to run a network out of two central locations. This particular ask is to fund the project implementation costs, which are estimated at about \$10,000. Then it will be to fund slightly more than half of the equipment costs. In the original move budget, we did estimate about \$40,000 for this type of equipment. We did not estimate as much needed to implement this design change.

Commissioner Draud asked how much additional money is needed?

Ms. Desmarais answered that it is an additional \$47,000 for the equipment, plus \$10,000 to implement the project.

County Administrator Joe Shriver stated that when the budget was formulated, this was contemplated, but we were told by the vendor that they would set up two separate systems for us. To our surprise, the vendor is now saying that they can't do that. They will have to set up one system. When we did the math through the five years, we actually will save another \$40,000 over the five years. We would own the equipment, and would rather do this now while we are moving in.

Commissioner Draud asked if there was a formal bid the first time?

Mr. Shriver answered that it was a verbal assurance.

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.

E. Request approval of the 303 Court St., Covington, KY Development Agreement.

County Administrator Joe Shriver stated that this has been a work in progress with Al Neyer and Urban Sites for a while. It is not a large agreement, it was put together due to the uncertainty regarding the schedule. Obviously, we can't go into a new building if it isn't finished, and they can't take possession of this building until we are gone. There will be some variables adjusted in the agreement, but this is to get a firmer schedule.

Judge Knochelmann stated that this formulates that Al Neyer will take over the building, and Urban Sites will complete the design. Hopefully, that will happen in the summertime.

Commissioner Sewell asked if it is correct that they will close on the building 90 days prior to us getting out of the building?

Judge Knochelmann answered that this is correct.

Commissioner Sewell made the motion for approval; seconded by Commissioner Draud. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0 with Commissioner Nienaber present not voting.

F. Discussion regarding the new Administration Building.

1. Approval of a proposal for Soil Characterization for the new Administration building.

Nick Hendrix stated that this is an excess soil issue. We designated the site as a brownfield at the beginning of the project, so that the county could enjoy protection from any future liability of anything that may be underground. Unfortunately, if anything leaves the site it has to go to a designated waste haul facility and be placed appropriately. We designated in Change Order #3 that we would have a 1,000 cubic yard allowance that Turner ate. Basically, they rolled it into their bid, and absorbed this 1,000 cubic yard allowance at about \$87/yard. After change order #3, we had more undercut issues, more soft soils and more springs in the corners of the building. Our geotechnical engineers said that we have to undercut this stuff. So, there was more material generated than what was anticipated. We have these growing mounds, and the issue is that there is a mass amount of soil that has to leave the site at a very expensive cost if we can't come up with another method. We are out of places to put the material, and the environmental consultant came up with the idea to sample the soil and try to make the case that this is just simply urban fill. They will be showing that the soil is consistent with what would be found in an urban area. This will cost us about of a quarter of the price of hauling this to the trash company.

Commissioner Nienaber asked that if we spend \$8,700, we could essentially only spend \$20/cubic yard, as opposed to \$80/cubic yard?

Mr. Hendrix stated that this is correct. The latest estimate is about 2,500 cubic yards.

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.

County Administrator Joe Shriver stated that in the last couple of weeks, they have been pressing to get a date of completion. It is affecting the move and other agencies, and he believes there is an aggressive plan for the move. It will be done over two weekends. We have gotten a conservative date of July 24th as the substantial completion date, with the turnover to us on August 7th. He is pretty confident about those dates. The dry-in will occur in the next week or so, and that will substantially reduce any chance of more weather days.

Judge Knochelmann stated that there is now heat in the building. Drywall is beginning on the first floor. The old tower will have new floors soon as well.

Resolutions

**A. Resolution No. 19-01B (Action Requested)
A Resolution for the Kenton County Fiscal Court concerning Fiscal Year
2018-2019 Budget Adjustments.**

Treasurer Roy Cox stated that \$1,000 is for the Animal Shelter to move gas money around, and \$2,500 for Kentucky Sales tax for pet adoptions and shelter house reservations. The rest is for the wide area network.

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.

B. Resolution No. 19-03 (Action Requested)
A Resolution authorizing the filing of a 2018 Kentucky Community Development Block Grant-Public Services Application.

Treasurer Roy Cox explained that this is a pass through grant that we have done in the past for Transitions.

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.

Ordinances

A. Ordinance No. 924.59-First Reading (No Action Needed)
An Ordinance amending the official zoning ordinance of Unincorporated Kenton County allowing short-term rentals in the A-1 and A-2 zones, and requiring landscaping buffers between industrial zones.

Chris Schneider from PDS stated that there are two requests. The first request is to add industrial buffers adjacent to agricultural zones and residential areas. This also includes a landscaping area native to Kenton County. It also includes other language that allows for an agreement between the industrial development and the adjacent agricultural zone if they want to come to some kind of buffer agreement that is not within the zoning code. The second request is for short term rentals, to make sure that owner/occupied short term rentals are a permitted use. Non-Owner/Occupied short term rentals would be a conditional use, which would require a hearing in front of the Board of Adjustments. There are regulations on noise control, the length of time and no bright lights.

Commissioner Nienaber asked if the short term rentals addresses the Air BNBs?

Mr. Schneider answered that this is correct.

Commissioner Nienaber stated that the southern part of the county is open to these changes. It is his understanding that some of the cities are trying to restrict Air BNBs.

Mr. Schneider answered that the only city he is aware of that has a problem with it is Taylor Mill. Other cities may be talking about moving forward with the process.

Consent Agenda

- A. Exhibit No. 19-06**
Request approval of a one year lease renewal with Gary and Nancy Thompson for the 3549 Mills Rd., Kenton County, KY property.
- B. Exhibit No. 19-07**
Request approval to surplus various items for the Kenton County Clerk's Office.

- C. **Exhibit No. 19-08**
Request approval to surplus various items for the Kenton County Emergency Communications Department.
- D. **Exhibit No. 19-09**
Request approval of the tower sites lease amendments.
- E. **Exhibit No. 19-10**
Request approval to surplus various items for the Kenton County Sheriff's Office.
- F. **Exhibit No. 19-11**
Request approval to go out to bid to lease a Full Body Scanner for the Kenton County Detention Center.
- G. **Exhibit No. 19-12**
Request approval to award the fence replacement bid to Mills Fence for the Kenton County Animal Shelter.
- H. **Exhibit No. 19-13**
Request approval to accept the change order #1 for the Independence Courthouse roof.

All items on the Consent Agenda were voted on together.

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.

Executive Orders

- A. **Executive Order No. 19-20**
An Executive Order declaring a Level One Snow Emergency on January 12, 2019.

No action needed.

- B. **Executive Order No. 19-21**
An Executive Order rescinding the Level One Snow Emergency on January 14, 2019.

No action needed.

- C. **Executive Order No. 19-22**
An Executive Order relating to the Fiscal Court approving the appointment of Gregg Hothem to the Building Code Appeals Board to fill an unexpired term, with the term expiring on June 26, 2019.

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.

D. Executive Order No. 19-23

An Executive Order relating to the Fiscal Court approving the promotion of Laura Cain from Call Taker to Dispatcher I for the Kenton County Emergency Communications Department, with the effective date of January 6, 2019.

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.

E. Executive Order No. 19-24

An Executive Order relating to the Fiscal Court approving the promotion of Paty Sanchez from Call Taker to Dispatcher I for the Kenton County Emergency Communications Department, with the effective date of January 6, 2019.

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.

F. Executive Order No. 19-25

An Executive Order relating to the Fiscal Court approving the resignation of Paty Sanchez as a Dispatcher I for the Kenton County Emergency Communications Department, with the effective date of January 24, 2019.

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.

G. Executive Order No. 19-26

An Executive Order relating to the Fiscal Court approving the promotion of Ryan Hill to a Police Officer II for the Kenton County Police Department, with the effective date of February 1, 2019.

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.

H. Executive Order No. 19-27

An Executive Order relating to the Fiscal Court approving the promotion of Doug Patton to a Police Officer II for the Kenton County Police Department, with the effective date of February 1, 2019.

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.

I. Executive Order No. 19-28

An Executive Order relating to the Fiscal Court approving the promotion of Adam Watson to a Police Officer I for the Kenton County Police Department, with the effective date of February 1, 2019.

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.

J. Executive Order No. 19-29
An Executive Order declaring a Level One Snow Emergency on
January 19, 2019.

No action needed.

K. Executive Order No. 19-30
An Executive Order rescinding the Level One Snow Emergency on
January 20, 2019.

No action needed.

Administrative Reporting

Emergency Communications

Dan Mathew stated that he gave the Commissioners handouts of some information, and a lot of it isn't relevant to the conversation tonight. The data on the graphs is from July, August and September of both 2017 and 2018 as a comparison. He explained that the information brings it down to the 2018 level, and the important part of the presentation is how they staff. They took the calls for service, and currently how they do things is to have six people in the dispatch center at one time. They do this on a 12 hour schedule from 6:00 a.m. to 6:00 p.m. and 6:00 p.m. to 6:00 a.m. In utilizing the data, they went back and Ashley Hawks created the idea to stagger the shifts, and to staff the center better when the call volumes are the highest. This helps the employees that have to give mandatory overtime due to short staffing, as they only have to give four or eight hours instead of 12. This utilizes the dollars better in the department.

Lastly, Mr. Mathew stated that they are creating two different shifts. One will be from 10:00 a.m. to 10:00 p.m., and one from 2:00 p.m. to 2:00 a.m. These shifts overlap during the busiest times of the day. Also, Ashley Hawks received her National Emergency Number Association, Emergency Number Professional Certification. Through her experience and education, she is one of only 14 Emergency Number Professionals in the State of Kentucky. He congratulated her on this tremendous achievement.

Police Department

Chief Jones stated that last week there were five QRT visits, and this was a bit more than usual. They reached five families, and were able to help them all get on a path to recovery. Also, he asked that people be aware of the cold weather, and they need to have their cars properly equipped for the weather. Everyone should have a safety kit in their car. Lastly, they have been very engaged this week with our community partners, and ensuring that safety services are provided for our children. They want to protect them physically and emotionally.

Tech/Knowledge-Based Econ. Development

Patrick Henshaw introduced the new CEO from Cintrifuse, Pete Blackshaw.

Mr. Blackshaw stated that he is excited to be back in the region. They are leading very important work for the county, as well as the region. They have a big ambition to be the number one start-up in the Midwest. He started a company in 2000 in the Over the Rhine District, and he is familiar with the potential in Northern Kentucky. He is working to try to put some definition to what the

strengths are when trying to lure external capital here. He is going to work on getting the big players to the region.

Patrick Henshaw then stated that he will be transitioning over the next 60-90 days to find what the next step is for Cintrifuse. He is excited to have Pete Bradshaw as part of the team.

Judge Knochelmann stated that Mr. Henshaw will be moving on, and will not be the Kenton County representative anymore. We will be working on getting another person into his shoes. He asked Mr. Blackshaw to explain why Kenton County should still care about what Cintrifuse does for the region.

Mr. Blackshaw stated that the potential to drive economic growth is massive. This is where a lot of the new job creation is going, and they have seen a lot of success. A lot of this started with the McKinsey study around eight years ago that demonstrated that there is massive opportunity to create multiplier effects on both sides of the river. Cintrifuse created a fund of funds, where a lot of the large companies put real money into the game. They are up to about \$94 million and growing. All of the startups can leverage the Cintrifuse office.

Commissioner Draud asked how many start-ups did we have in Kenton County in 2018?

Mr. Henshaw answered that there are 57 startups that they work with here. He is not sure how many are new, but it is probably less than 20.

Commissioner Draud asked how they define a start-up?

Mr. Henshaw answered that they work with high tech/high growth start-ups, so those aren't necessarily mainstream businesses. They would be built here, scaled here and then sell outside of the region.

External Affairs

John Stanton stated that the open house for the redevelopment of the IRS Center is on Thursday at 6:00 p.m. at the Convention Center. He encourages everyone to attend the open house. Also, he spoke about how more Northern Kentuckians are getting involved in statewide leadership opportunities. A couple of weeks ago, Lewis Diaz was elected to be the chair of the Board of Regents at Eastern Kentucky University.

Mr. Stanton then stated that Tri-Ed is undergoing some changes, and they have added two new staffers in the last couple of weeks. On the entrepreneurship front, a familiar name is helping us spearhead there, Norm Desmarais. He will be helping to push the RISE initiative. There were 252 young people apply for the Governor's School of Entrepreneurship at NKU this summer. They will be able to accept 72 of them, but it is encouraging to have so many applying.

Mr. Stanton then stated that Commissioner Sewell has been working hard to drive us in the area of broadband access. There have been some encouraging developments there, including a good working relationship with the Kenton County Library. Lastly, they met with the people who are working with tourism in Louisville, and did a quality check as to where the B-Line is in the first year. He feels like we have taken the best lessons that could be taken from them, and are on a good trajectory.

Judge Knochelmann thanked Mr. Stanton for his work on the B-Line and the entrepreneurship program at NKU.

Information Technology

Lisa Desmarais stated that George Dimotakis and Ron Deforest from Pat Davis Design Group are in town this week to meet with various stakeholders to gather information regarding the current branding for the Fiscal Court and its departments. Their work this week will result in information that will contribute to the development of the initial batch of concepts for the new brand identity. Also, new websites for KentonCounty.org, KentonCountySheriff.org, KentonCountyJail.org, and the Fiscal Court Intranet are under development for an anticipated August 2019 implementation. A new website specific to Parks & Recreation Shelter House reservations is under development for an anticipated February 2020 implementation to dovetail with the annual Shelter House Reservations season.

Ms. Desmarais then stated that they are in progress with training for Department Directors and other staff for the online applications. They will go live with the new system on Friday, February 1st. Feedback from those trained thus far has been very positive. They look forward to our new paperless online job application system. We will no longer accept paper applications for open positions, nor any applications for positions not active. Also, her department is actively working with the FF&E Planning Team and refining data communications and power needs as we place furniture, fixtures and equipment on the architectural & electrical/data diagrams for the new administration building.

Lastly, Ms. Desmarais stated that they are continuing their work with Dan Mathew and the dispatch technical staff on the design and implementation of new HOST servers for the 8 Virtual Machines in place today supporting both Dispatch and Police applications.

County Attorney's Report

County Attorney Stacy Tapke had nothing to report.

Commissioners' Reports

Commissioner Jon Draud

Commissioner Draud stated that he would like to send a citation to the City of Edgewood, as they were named the best city in the State of Kentucky.

Commissioner Beth Sewell

Commissioner Sewell had nothing to report.

Commissioner Joe Nienaber

Commissioner Nienaber stated that he has been angry the past few days. There was a tremendous disservice done to the different communities over this weekend. He is most upset about the fact that men didn't do well this weekend. One thing that Covington Catholic High School does very well is send men out into the community. Just because someone is considered an elder, it doesn't mean that they are a man. What makes you a man is being able to handle

situations better than they were handled in D.C. this weekend. Young men/boys were put in a bad situation by grown men. It is a shameful day for men. There are celebrities talking about punching these kids in the face. Men don't act that way. He wishes that some minor things had gone differently with the students of Covington Catholic, but for the most part the real aged men were horrific. They catapulted a bunch of young, Christian men into a national spotlight that they didn't deserve. He appreciates that Commissioner Draud spoke up for these young men of Covington Catholic. He supports everyone's right to speak out on whatever they would like, but what they don't have a right to do is incite violence on social media against young men. It will take a while for the people of Covington Catholic to be healed. All the schools in Kenton County are great schools, and they are full of first class people. We have a responsibility to protect these kids.

Judge/Executive's Report

Judge Knochelmann 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. 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 January 22, 2019.



Sue J. Kaiser
Fiscal Court Clerk