

KENTON COUNTY FISCAL COURT
VIRTUAL MEETING
<http://www.tbnk.org/togo2>

1840 Simon Kenton Way
Covington, KY 41011

MEETING MINUTES
April 14, 2020
5:30 P.M.

Call to Order

Judge/Executive Knochelmann called to order the April 14, 2020, special meeting of the Kenton County Fiscal Court. Judge Knochelmann 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 March 17, 2020.

Commissioner Sewell made the motion for approval; seconded by Commissioner Draud. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

Citizens Address

No citizens sent any questions to the Fiscal Court.

General Business

A. Claims List - Dated April 10, 2020.

There were no questions on the Claims List.

B. Request approval of the revised Property Sale and Development Agreement between Kenton County and, together, Al Neyer, LLC, and Urban Sites, LLC for the property located at 303 Court St., Covington, KY.

Judge Knochelmann stated that this is a slight change to get the building transferred. We are proposing parking for the site in the County Garage. The project as a whole is tough, and we are offering the garage for rental for parking spaces.

County Administrator Joe Shriver stated that once the court adopts this, he will be scheduling a closing and transfer of the property.

Commissioner Draud asked if we are transferring the property to them, or just renting it to them?

Judge Knochelmann answered that we are transferring it out of our hands liability wise, and it will be their responsibility to get it developed.

Commissioner Sewell made the motion for approval; seconded by Commissioner Draud. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, present not voting, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 3-0, and one present not voting.

**C. Request approval of the Trash for Cash program to be administered by the
Kenton
County Public Works Department.**

County Engineer Nick Hendrix stated that as a routine function of the Division of Solid Waste and his department, they have a group of part-time employees that utilize Class D inmates from the jail for picking up trash along roadsides in Kenton County. The proposal today is for a trash for cash program that is similar to the program that Boone and Campbell counties administer. This is a fundraising opportunity for 501C groups. In return, we will pay \$100 a mile for groups to clean our roadside.

Judge Knochelmann stated that this is essentially a way to have no more dollars spent in staffing, and it gives us the ability to pay non-profits to do this work.

County Administrator Joe Shriver stated that we are using grant money that we receive from the state for solid waste.

Commissioner Sewell stated that it is a good idea.

Mr. Hendrix stated that a lot of the credit goes to Melissa Grandstaff for putting this program together.

Commissioner Sewell made the motion for approval; seconded by Commissioner Nienaber. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

Resolutions

**A. Resolution No. 20-01G
A Resolution for the Kenton County Fiscal Court concerning Fiscal Year
2019-2020 Budget Adjustments.**

Treasurer Roy Cox stated that the budget adjustments are for the following: \$18,650 for the COVID19 informational mailer to be sent to all Kenton County residents, and \$30,000 for Fleet for the Commonwealth Attorney's offices new vehicle.

Judge Knochelmann stated that one of the items is the advertisement that the three counties are sending out. We ordered them, and this will be sent to every business and homeowner in Kenton County. This is done by population. The other items is the car with the Commonwealth Attorney's Office, and we have had two cars with their office. This car is for one of his chief investigators, and this would fund that. We are going to buy it through the state contract.

Nick Hendrix stated that based on the understanding of the need from the Commonwealth Attorney's Office, we have been asked to put it out to bid to compare that to the state contract price. The problem that we are having with the state contract is the lead time, which can be six to eight months, and the car is needed now.

Commissioner Sewell asked if this is replacing one of the two vehicles?

Judge Knochelmann answered that it is just replacing one vehicle.

Commissioner Draud asked why his office doesn't pay for this?

Judge Knochelmann answered that we typically have either given them an old car that we have, and that is the one he has been using for years and buy one for him. Rob Sanders has been pretty fair about it. The timeframe came up when he would normally asked for a car for himself, and we added another year to that because it wasn't necessary. It is essentially in cooperation with him.

Commissioner Draud asked if it is our responsibility?

Judge Knochelmann answered that we could argue that it isn't, and tell him we wouldn't do it.

Commissioner Draud asked if he should have his own budget for that?

Judge Knochelmann answered that they have been cut almost every year that he has been around.

Commissioner Draud asked if this has been a common practice for the Fiscal Court to buy vehicles for the Commonwealth Attorney?

Mr. Shriver answered that Bill Crockett brought up a statute from 1942 that is still on the books that says the Kenton County Fiscal Court shall help the Commonwealth Attorney in all necessary office expenses. His request at that time was to supply a vehicle to his office for his detective, and since Bill Crockett the Fiscal Court has done that support because the statute is very vague. It was a fair thing to do at the time, and has continued since then.

Commissioner Nienaber asked if there is an opportunity to have this vehicle be a break in vehicle that can be converted to a police vehicle after a certain amount of time, because it doesn't have the same kind of mileage. Could it be rolled into the police fleet after a couple of years? It would get easier break in miles, and the then the harder miles would be with the police.

Mr. Hendrix answered that they had talked with the Judge and Mr. Shriver about leaving this vehicle out of the light duty program in kind of a onetime support of this vehicle. To that end, he will look at it to see if it makes sense to phase it in. Based on the Fiscal Court's support over the last number of years, the Police Department has never had a better fleet than they do now to his knowledge. He will definitely look at that recommendation.

Commissioner Draud asked if the \$18,500 for the mailers is our share?

Judge Knochelmann answered that it is our share. There are two initiatives that the county has done with the Health Department. This is the first step, which is to get out to all households in the three counties. They got three different bids from providers, and the cost was amazingly cheap. The idea is that there are those that are getting some of their communications through

their cell phones, but there are a lot of residents that are just not getting information. The other piece will be signs that will be paid for by a private grant.

Commissioner Draud asked if the content will have guidelines for people so they understand what to do if they have the virus?

Judge Knochelmann answered that it will also tell them where to go if they have problems and questions. He will get more information to the Commissioners.

Commissioner Draud stated that he would think that by now, with all the information that has been out there, people would pretty much know what the guidelines should be. There have been a lot of different sources that have provided that information already.

Judge Knochelmann stated that he wouldn't disagree, but this is something that we thought would get in the hands of those that don't have access to the same information than the rest of us. How to decide which household to send it to would be difficult, so we just said that it needs to go to every household and business to communicate what they need to do.

Commissioner Draud asked if this has gone out already?

Judge Knochelmann stated that it will be going out soon, if not already sent.

Commissioner Nienaber stated that we are talking about trying to get people back to work in the not too distant future. Will we be able to recover these costs through the state, due to the declaration of emergency?

Judge Knochelmann answered that we should be able to recoup the cost.

Commissioner Nienaber asked who determines what is a justifiable cost?

Mr. Shriver answered that Steve Hensley has been pouring over those, as to what are reimbursable costs and clearly any notifications that are being sent out due to the pandemic would be a cost that is reimbursable. We submit it, and they have the last call on what is reimbursed but the way we are reading the guidelines it would be reimbursed.

Commissioner Draud asked if the three County Judges got together and decided that this was going to be a good idea without the Fiscal Court's approval?

Judge Knochelmann answered that you could say that we recommended in sitting with the Health Department and Emergency Management teams that we send out this messaging. The signs will be paid for by the Durr Foundation.

Commissioner Sewell said the costs seem to be a little late, but she thinks that probably because people will hopefully going back to work these things need to be important to people. She could see how we could forget about it, so the more we remind people the better. The hope is that the signage will be placed in areas where some folks aren't abiding by it or choosing to ignore it. It is a helpful reminder, especially if it gets reimbursed.

Judge Knochelmann stated that he feels it will get reimbursed, as well as other items that we are paying for such as Webex for conference calls. There are a number of items we are going after. The cost for the number of mailings is pretty small for the number of people we will reach. If he had his way, it would have gone out five to six days earlier but we did go to bid and got the lowest number.

Commissioner Sewell stated that the fear is that this may come back in the fall, so folks still need to be careful.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

B. Resolution No. 20-09

A Resolution of the County of Kenton, Kentucky authorizing the purchase of drainage easements located in the Alderbrook subdivision in Unincorporated Kenton County, and authorizing Judge/Executive Kris Knochelmann to execute any related documents.

Nick Hendrix stated that this is a project for the reconstruction for Manor Lake Dr. in the counties roadway system. These easements are required by SD1, so they have access to the storm lines long term. This was a budgeted priority last year, and it was delayed due to investigation for sanitary sewers. Now, we are asking for the Fiscal Court to authorize the Judge to execute the necessary documents, so that we can purchase these easements and move forward with a letting for the project.

Commissioner Sewell asked if the figure is \$2,000?

Mr. Hendrix answered that this is correct. This is for two separate drainage easements. He thanked Drew Harris for his work on this project.

Commissioner Nienaber made the motion for approval; seconded by Commissioner Sewell. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

C. Resolution No. 20-10

A Resolution recognizing the work of the 911 Telecommunicators of the Kenton County Emergency Communications Center and the sacrifices they make to serve public safety in their role as first responders.

Joe Shriver stated that this was something that Dan Mathew, Emergency Communications Director, brought to the Fiscal Court in recognition of the fact that the Federal Government has changed guidelines recognizing telecommunicators in the class of first responders. We also wanted to acknowledge that it is Telecommunicators Week, so we wrapped it all into one Resolution.

Judge Knochelmann stated that this doesn't change budgets or pay structures. It is an acknowledgement of their efforts as first responders.

Commissioner Sewell asked if this gets them medical equipment, masks and puts them at the top of the list for testing?

Judge Knochelmann answered that this is correct.

Commissioner Sewell stated that she just read that supermarket workers are requesting this as well, and it is important.

Commissioner Sewell made the motion for approval; seconded by Commissioner Nienaber. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner

Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

Consent Agenda

- A. Exhibit No. 20-50**
Request approval to solicit bids and make purchase of a police-duty sedan for the Commonwealth Attorney 's office.
- B. Exhibit No. 20-51**
Request approval to submit the application for a Coronavirus Emergence Supplemental Funding 2020 Grant for the Kenton County Police Department, along with the Kenton County Sheriff 's Department.
- C. Exhibit No. 20-52**
Request approval to ratify Change Order #17 and #18 with Motorola for the Radio System.
- D. Exhibit No. 20-53**
Request approval to a ccept/amend bid for additional A ggregate Stop Loss Coverage for the Kenton County Health Insurance Program.
- E. Exhibit No. 20-54**
Request approval of the contract for the CDBG Grant for Transitions.
- F. Exhibit No. 20-55**
Request approval of the adjustment to the Kenton County Clerk 's term order.

All items on the Consent Agenda were voted on together.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

Executive Orders

- A. Executive Order 20-22 (Action Requested)**
An Executive Order relating to the Fiscal Court approving the Burn Ban Order for Kenton County.

Commissioner Draud made the motion for approval; seconded by Commissioner Nienaber. Judge Executive Knochelmann called for a roll call vote with the results being Commissioner Draud, yes, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 4-0.

County Attorney 's Report

County Attorney Stacy Tapke stated that they just received notice that the courthouse is again going to extend until the end of May the closures that it had in place. They are also doing a lot with anyone that is arrested or cited, so there will still be a drastic drop in population at the Detention Center through the end of May.

Commissioner Sewell asked how that is working for her?

Ms. Tapke answered that her staff is holding hearings by this similar method, but they aren't really getting any new cases. It is very quiet, and they are just doing the basic necessities. She is sure it is frustrating for citizens, as cases are on hold. The jail population was at 360 as of yesterday.

Judge Knochelmann stated that this is the lowest population in close to fifteen years at the jail.

Commissioner Sewell asked if anyone knows anything about crime statistics? Are we calmer than usual.

Ms. Tapke answered that crime is still happening, but she doesn't have any statistics.

Judge Knochelmann stated that the calls to 911 have gone down, and police officers calls have gone down. They have asked that people not call 911 with questions about where to go for health care.

Ms. Tapke stated that she appreciates that the citizens are abiding by the quarantines and orders, and the businesses and people are doing the right thing.

Commissioners ' Reports

Commissioner Jon Draud

Commissioner Draud had nothing to report

Commissioner Beth Sewell

Commissioner Sewell stated that she is feeling the pressure from several people that want things to go back to normal. On behalf of those people, she wants to shout out to the decision makers to begin that process sooner rather than later. She is not trying to detract from those that are suffering from this at all, but we are feeling the tip in the scales and wondering what it is going to look like in another month if we are still sitting here like this. She is looking forward to our economy returning to some sense of normal before it gets too late to do so. Also, best wishes to those out there that are continuing to work hard. She know this first hand, having a husband who is working hard to keep food on people's tables. That is the least of it. People who are caring for others who are dying, and are really sick are appreciated.

Commissioner Joe Nienaber

Commissioner Nienaber stated that he hears a lot of talk about the statistics on COVID19. He wanted to know if all the deaths that are reported in Kenton County or the state are from everybody that has actually been tested? Are the deaths verified by tests, or are they just going by symptoms?

Judge Knochelmann answered that presently he believes that nobody is being noted as COVID19 death unless they have had a test.

Commissioner Nienaber stated that there are two groups that were worried. First, one group worries that deaths are being counted even if just symptomatic. Also, the second group worries that there could be deaths out there that still haven't been verified because of the lagging time of the test.

Mr. Shriver answered that some of the first deaths in Louisville/Jefferson County were pronounced after they got the test results a week or so later. So, he was not included in their count until after they got verification of the test. So, he believes what the Judge said is correct. They don't include people that are symptomatic, they want verification.

Commissioner Nienaber stated that it would indicate to him that the deaths that were first reported in Kenton County, probably had tests administered in February to call them a COVID19 death in late March.

Mr. Shriver stated that the first one in Kenton County was a positive test.

Commissioner Nienaber stated that there is a lag time on this death reporting. The death reporting can't be real time at this point.

Judge Knochelmann stated that he thinks each of the cases that we have had was diagnosed and tested. Is the question that if someone passed away before getting test results back?

Commissioner Nienaber answered yes.

Judge Knochelmann stated that he has not asked about this yet, but he will find out the answer.

Commissioner Nienaber stated that the reason he is asking is that it seems that historically the testing has not been a 24 hour to 48 hour turnaround. It has been taking around a week to get results, so the deaths seemed to jump up for a while and his assumption is that they were tested weeks ago and the results just arrived.

Judge Knochelmann stated that since the numbers haven't been overly voluminous, he believes the ones that started were diagnosed and were in March. He will check into this.

Commissioner Nienaber stated that the reason he is bringing this up is that there have probably been a lot of people that died in Kenton County that may or may not have been tested that in late April and early May will bring the numbers up.

Mr. Shriver stated that Gravity Diagnostics has been validated, and their capacity for testing will show more testing and the numbers will get worse.

Judge/Executive 's Report

Judge Knochelmann stated that they do have their daily calls, and are doing weekly calls with the cities. They have gotten the question of how to inform those who might live in proximity of someone who has been positively diagnosed, and Dr. Saddler has said they are trying to work with some state data to get everyone informed. This would work for senior care facilities the most. In addition, agencies like MeetNKY, Tri-Ed and agencies that have seen a decrease in their workflow are evaluating budgets and staffing levels. We are engaged with them, and are making sure that they are staying on top of things. The utilities, SD1, Water District and TANK are taking action to keep their staff safe and prepare for the worst so they can keep the basic levels of service functioning, as well as reacting to potential budget challenges. From what he can see, they have been doing a phenomenal job with staffing and safety.

Lastly, Judge Knochelmann stated that the Detention Center has been doing a great job keeping everyone safe. We are continuing to be aware what is going on with the hospitals regarding testing, of which tomorrow is the kickoff for the drive thru testing in Independence at Summit View. The Governor and his Emergency Management staff have been communicating directly with us, especially Steve Hensley. There will be 60 people from different entities out there to help starting in the morning. If people go to Kroger's Little Clinic to register, the kit will be self-administered and sent to Gravity Diagnostic in Covington. This is the second testing site for Kentucky. This will be going on for four day, with roughly 250 tests per day. We didn't have a say in it, but they did ask us to facilitate the connections with the police departments. They have done a great job.

Adjournment

Having completed all business before the Court, Commissioner Draud offered a motion to adjourn which was seconded by Commissioner Sewell. 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 April 14, 2020.



Sue J. Kaiser
Fiscal Court Clerk