

# KENTON COUNTY FISCAL COURT

## VIRTUAL MEETING

<http://www.tbnk.org/togo2>

1840 Simon Kenton Way  
Covington, KY 41011

**MEETING MINUTES**  
**September 22, 2020**  
**5:30 P.M.**

### **Call to Order**

Judge/Executive Knochelmann called to order the September 22, 2020, virtual 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  
Scott Gunning, Assistant County Administrator  
Roy Cox, County Treasurer  
Sue Kaiser, Fiscal Court Clerk

### **Approval of Minutes**

#### **A. Approval of the Minutes from the meeting of September 8, 2020.**

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.

### **Citizens Address**

No citizens sent any questions to the Fiscal Court.

### **General Business**

#### **A. Update from Chris Connors on the Northern Kentucky Drug Strike Force.**

Chris Connors stated that he wanted to take a look at how the current pandemic has impacted drug distribution, and drug use. He explained that seizures nationally are down, Drug Trafficking relies heavily on legal trade to camouflage activities. There has been a decrease in synthetic drugs due to availability of needed precursor chemicals. There are now closed or tighter borders, and mobility restrictions within borders. At some borders, increased controls lead to increased interdictions, and some production countries are reporting large seizures. There is stockpiling of illicit drugs occurring on both sides of the Southwest border, and this will over supply the market when restrictions lift.

Mr. Conners then stated that there have been smaller seizures, increased prices and purity reductions, and this could create problems for those with drug use disorders. They will use other available drugs as substitutes. There may also be behavioral changes, as the cost may drive them to criminal or hazardous activities. Criminal organizations will adapt strategies to overcome COVID measures. They will utilize the “dark web” and mail/parcel services more as modes of transportation.

Mr. Conners then stated that the regional and local trends for opioids have shown less cases that are harder to find. They are seeing them in illicit pill form (fake Percocet containing fentanyl). They are still seeing overdoses as well. In 2015-2016 the price was \$2000+ per ounce. Pre COVID-19 (2018 to March 2020) it was \$300 to \$450 per ounce. Now prices are \$750 to \$800 per ounce. The “street level price” of “Ice” is up in VA, WV, KY and TN, according to Vic Brown of HIDTA. They are still available here, and the quality is still high. As for marijuana, it is more prevalent and more potent. THC Products such as oil or wax have 70% to 90% THC content. The hemp businesses are at 0.399% or less for KY. It is primarily coming from recreationally legal states. Cocaine is becoming harder to find, as it is more expensive. Many dealers are switching to marijuana and/or methamphetamine. Hallucinogens (LSD and MDMA) are more prevalent. There have been several cases regionally of ecstasy (MDMA), recent cases of ecstasy that were sold tested positive as methamphetamines.

Judge Knochelmann thanked Chris Conners for all of his efforts.

**B. Request approval of a Memorandum of Agreement with the City of Taylor Mill for a pavement repair project on Highridge Drive.**

County Engineer Nick Hendrix stated that this agreement memorializes some work that the city had called and asked for help on. It is based on project restoration for a section on Ivy Ridge Dr. that we feel like we can help the city with at this time. At the Judge’s request we have been partnering with our cities more lately. The cities benefit from our purchasing power.

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.

**C. Claims Lists - Dated September 18, 2020.**

There were no questions on the Claims List.

**Resolutions**

**A. Resolution No. 20-01Q (Action Requested)  
A Resolution for the Kenton County Fiscal Court concerning Fiscal Year  
2020-2021 Budget Adjustments.**

Treasurer Roy Cox stated that the budget adjustments are for the following; \$26,500 for drain pipe repairs at Pioneer Park, \$50,000 for elections that will be paid through CARES money or by the State, salary adjustments and \$1,500 for Fleet repairs.

Commissioner Draud stated that he noticed that he does not want to vote for the salary increases. He would like to change his vote for the budget adjustment because of this. He doesn’t think it is right to vote for salary increases during this pandemic, as so many people are suffering hardships. He has the upmost respect for the employees, especially Joe Shriver and the Judge as he has shown great leadership. He just doesn’t feel that this is the time to give raises. He knows that this won’t be very popular with the employees, but he has to vote no on the salary increases. He doesn’t think it is the right thing to do at the right time. He believes that our employees have done a great job, and he has respect for most of them. There has been no

sacrifice from the employees, and no one has lost their job during the pandemic. It has been a good time to be a public employee. He wants these comments to be in the minutes, so that it is on record as to why he is voting no. He doesn't think putting it in a budget adjustment is the right way to handle it, as it is such a significant issue.

County Administrator Joe Shriver stated that he feels it is appropriate to put in a budget adjustment, because it is simply moving funds. No one has gotten an increase, nor will they get an increase until the Fiscal Court actually takes action on that. This is just an adjustment to fund various line items such as the capital, the cars and those sort of things. Any raise or increase will come before the Fiscal Court to be voted on individually.

Commissioner Draud stated that this wasn't the way it was communicated.

Commissioner Nienaber asked if this will come back in the form of an Executive Order.

Mr. Shriver answered that it would come back as an Executive Order for any increases to employees. Treasury needs to have that when we get audited to show that we are paying the right amounts. The Executive Order will have individual increases on it.

Commissioner Draud stated that he doesn't plan to vote on any salary increases.

Judge Knochelmann stated that he respects Commissioner Draud's thought process.

Mr. Shriver apologized for the confusion.

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, no, Commissioner Nienaber, yes, Commissioner Sewell, yes and Judge Knochelmann, yes. The motion passed with a vote of 3-1.

#### **B. Resolution No. 20-31 (Action Requested)**

##### **A Resolution for the Kenton County Fiscal Court concerning the collection of Municipal Occupational License fees and taxes.**

County Administrator Joe Shriver stated that we have had questions about this over the years, but most recently the City of Erlanger about the amount of collections they were having. Right now we have a flat 2% collection fee. What we were finding is that when you have the larger collections, they are starting to look at doing the collections on their own. We want to keep a unified collection center, and the cities agreed. So, what we are proposing is a refund program, where if they go over a certain threshold we will charge a smaller collection fee. So, once they go over \$3.5 million, we will collect at a half percent recognizing that we have baked in costs. We are trying to make it easier for the cities.

Commissioner Nienaber asked if that \$3.5 million is kind of a breakeven point?

Mr. Shriver answered that it is certainly a point where you start to look at whether you want to do it on your own or not. He has been talking with Roy Cox and the cities, and they felt that this was a good plan.

Commissioner Draud asked what cities go over the \$3.5 million?

Mr. Shriver answered that if you use last year's collections, it would be two cities. The two cities would be Erlanger and Edgewood. We don't collect for Covington, or they would be well above too.

Judge Knochelmann gave credit to Joe Shriver and the City Managers for working on this, and being very professional.

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.

**C. Resolution No. 20-32 (Action Requested)**

**A Resolution of the Kenton County Fiscal Court declaring the real property located at 313 Madison Pike surplus county property, and authorizing the Judge/Executive to dispose of the property pursuant to KRS 67.0802.**

Judge Knochelmann stated that this is for Transitions, and it gives the Fiscal Court the opportunity to purchase the property in the future if they weren't offering treatment anymore. We would also have a board appointment. Transitions has gotten themselves in a position where they can acquire the property back.

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.

**Ordinances**

**A. Ordinance No. 924.61 - Second Reading**

**An Ordinance adopting the recommendations of the Kenton County Planning commission approving the Stage 2 development plan for 2323 Anderson road in Unincorporated Kenton County.**

Judge Knochelmann stated that this is the development we have been talking about for a while.

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.

**Consent Agenda**

**A. Exhibit No. 20-125**

**Request approval of the 2020 Kentucky Waste Tire Management Program Agreement between the Energy and Environmental Cabinet and the Kenton County Fiscal Court.**

**B. Exhibit No. 20-126**

**Request approval go out to bid for two (2) rooftop HVAC units for the Kenton County Emergency Communications Center.**

**C. Exhibit No. 20-127**

**Request approval to surplus a Tanker 1, 2004 International 7500 for the Kenton County Homeland Security/Emergency Management Department, and the Kenton County Fire Chief 's Association.**

Judge Knochelmann stated that the HVAC will be taken care of by COVID money.

Steve Hensley introduced Chief Collins from Ryland Heights. The vehicle that he spoke about at the last meeting about the vehicle that was purchased for the Fire Chief's Association to help with the water supply in Kenton, Independence, Ryland and Piner. The water issue has improved considerably. Kenton and Piner merged, and have bought their own tanker, so the Fire Chief's voted to surplus the tanker. Chief Collins still feels that the Ryland Heights Fire District still needs this water supply.

Chief Collins asked that the tanker that is being surplused be given to the Ryland Heights Fire Department.

All items on the Consent Agenda were voted on together, along with approval to surplus the tanker to the Ryland Heights Fire Department.

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.

### **Executive Orders**

#### **A. Executive Order 20-79**

**An Executive Order relating to the Kenton County Fiscal Court approving the reorganization of Kenton County Public Works and Parks Department.**

Judge Knochelmann stated that this has been an ongoing process for over a year, and it will get everything aligned.

County Administrator Joe Shriver stated that this is a tiered system where people will earn steps based upon performance and attaining goals. He would highly recommend this to help employee's performance, and we are requiring more of them so the compensation meets the efforts.

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.

#### **B. Executive Order 20-80**

**An Executive Order relating to the Kenton County Fiscal Court approving the appointment of Ryan Wilson as an Equipment Operator for the Kenton County Parks Department.**

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.

#### **C. Executive Order 20-81**

**An Executive Order relating to the Kenton County Fiscal Court approving the Appointment of Kyle Wallace as a Police Officer II for the Kenton County Police Department.**

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.

**D. Executive Order 20-82**

**An Executive Order relating to the Kenton County Fiscal Court approving the transfer of Jeremy Lynn from Seasonal Parks Laborer to a Public Services Tech. |  
for the Kenton County Public Works Department.**

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.

**Administrative Reporting**

**Emergency Management**

Steve Hensley stated that statewide, 1,131,075 people tested positive for COVID. This was a 3.77% positivity rate, until the numbers came out today. Now the number is 4.52%. There were 824 new cases reported today, with 134 being children under 18 years of age. The total deaths are at 1,119, with 11 new cases in Kenton County. In Kentucky, 61,917 people have tested positive, and 11,283 have recovered.

Mr. Hensley then stated that St-Elizabeth drive thru testing on Atlantic Ave. continues to be successful, as 200 to 250 people are tested daily. Currently, the test site is scheduled to operate through the month of October, and will then be evaluated. Hours of operation are 0800-1430 Monday thru Friday. Also, St. Elizabeth Physicians has expanded its flu vaccination program this year to include drive-thru dates and times at several locations conveniently located throughout Northern Kentucky. It is more important than ever to get a flu vaccine this year with COVID-19 still remaining in the community. Drive-thru flu vaccinations will be available at the following **locations:** Saturday, September 19 from 8 a.m. to noon at Ft. Mitchell Primary Care, 2300 Chamber Center Drive, Ft. Mitchell, KY, Wednesday, September 23 from 8 a.m. to 4 p.m. at Crittenden Primary Care 405 Violet Road, Crittenden, KY, Saturday, October 3 from 8 a.m. to noon at Florence Pediatrics 7370 Turf way Road, Florence, KY, Tuesday, October 6 from 8:30 a.m. to 4:30 p.m. at Crestview Hills Internal Medicine 334 Thomas More Parkway, Crestview Hills, KY, Saturday, October 17 from 8 a.m. to noon at Highland Heights Primary Care 2626 Alexandria Pike, Highland Heights, KY. Scheduling an appointment is quick and easy. Contact the St. Elizabeth Physicians Call Center at (800) 737-7900 , or reach out directly to your St. Elizabeth Physicians primary care office. Appointments may not be scheduled through MyChart. People will remain in their vehicle at all times. Everyone will be required to wear a mask and you must bring an insurance card. Although no physician order is required, appointments are recommended in advance to ease capacity throughout the day. Flu vaccinations are available for persons 12 years and older.

Mr. Hensley then stated that Kenton County Superintendent Dr. Henry Webb recommended that students who chose the in-person model return to in-person classes on September 28th. Additionally, the recommendation included returning to in-person classes unless there is a mandate not to return by the Governor, Commissioner of Education or State/Local Public Health Professionals. The Kenton County Board of Education approved this recommendation at a Special Board Meeting on Thursday, September 3rd. It is important to note that the District In-Person Dashboard will be accessible on our district COVID-19 page for full transparency and

has been reviewed for feedback with the Department of Public Health, Local Health Department and St. Elizabeth Healthcare staff. We will continue to make adjustments as needed to meet the needs of our community to ensure that we mitigate risks for all stakeholders.

Mr. Hensley then stated that Judges/Executive Gary Moore, Steve Pendery and Kris Knochelmann invite you to Save the Date to attend the upcoming dedication of the new Northern Kentucky Regional Communications System. The dedication will be held on Wednesday, October 28, 2020, at 11am on the Florence Government Campus at 8001 Veterans Memorial Drive in Florence, KY. No rsvp is required, but please note that COVID-19 precautions including the wearing of face covering will be observed. In order to ensure social distancing, the event is by invitation only. This is a huge accomplishment, and a lot of credit should go to Judge Knochelmann and the Fiscal Court as we led on this project.

Mr. Hensley then stated that they will be doing a National Weather Service sponsored Weather Spotter class. It will be a virtual class on October 5<sup>th</sup> at 6:00 p.m., and you can go to the National Weather Service website and they will reserve a spot.

Commissioner Draud asked why we aren't having the dedication of the radio system in Kenton County, as we led the project? He feels that it should be at our new building.

Mr. Hensley answered that they wanted a location that had ample surface parking, and also had a view of a radio tower in the background.

Mr. Shriver stated that that is the reason. It is a three county system, and we wanted to give it due justice.

Judge Knochelmann stated that he would love to see us celebrate this in Kenton County when we can have a bigger effort. This may be in spring when we can come together with less social distancing.

Commissioner Draud stated that he didn't think he heard anything about the positivity rate going down.

Mr. Hensley stated that the positivity rate statewide was at 3.77, but because of the 824 new cases the positivity rate has gone to 4.52. It has been under 4 for a while, but after today it is over four. It is thought that this number is being driven by the extended holiday weekend, which saw larger gatherings.

### **Public Works**

Nick Hendrix stated that the BUILD Grant application was successful in securing a \$9.6 million grant for KY 536 at the section on Turkeyfoot Rd. This section has been in the State's program for nearly 20 years, and we sought out the BUILD Grant from the USDOT for the last three years. The commitment from the County and the City of Independence, coupled with the State of Kentucky, and the letting should be in March. With some luck we should see some dirt moving by next summer. The Judge has met with members of the General Assembly, and talked about the need to let this grant advance State funds and Federal allocations for the route on the remainder of 536.

Mr. Hendrix then stated that regarding Bromley Crescent Springs Rd, the section from Anderson Rd to short Amsterdam Rd. was in the active September letting. They are looking for bids to close on that this Friday. Anyone who travels that route, or lives on that route will see that Duke Energy has already started relocating the pole line. This will be followed by all the other utilities.

Lastly, Mr. Hendrix thanked the Fiscal Court for approving the reorganization plan for his department. He also thanked Joe Shriver, Kelly Baker and Scott Gunning for their help. What was approved tonight will help in the recruitment, retention and professionalism for the department.

### **Technology Services**

Jessica Ramsey stated that public Wi-Fi is now available at 1840 Simon Kenton Way. There are a lot of people in the lobby these days, and this has made it a lot easier for those people to utilize the Wi-Fi. Secondly, they are printing the property tax bills this weekend, and they should be out early next week. They have reviewed and tested everything, and she thanked Roy Cox and Kurt Greivenkamp for their help on this.

### **Golf Course/Parks/Buildings and Grounds**

Scott Gunning stated that last week he and the Judge met with staff at the golf course, and toured the property with a lot of positive news. To start with, the resurfacing of the cart paths on holes number one through four on both the Willows and the Pioneer Courses have been completed. They were also able to fill some of the large pot holes on the remaining paths throughout the courses, with excess material that was leftover. The customers have definitely taken notice of the change, as we are receiving a lot of good feedback. The remaining sand bunkers that we had left to do from last year, which was about six of them, have also been completed. There is still some sod work to do in a few of the areas, but this should be taken care of in October and overall this project is finished. When it comes to the general course conditions, we are continuing to see positive improvements being made, and we're hearing this from the customers. It's exciting when you go out there and see all the progress that is happening. When it comes to the amount of play, they are projecting around 65,000 rounds to be played, which is the highest we have seen in three years even with the closure of Fox Run.

Mr. Gunning then stated that lastly on the golf courses, he wanted to make the Fiscal Court aware that back in August, the Judge formed a citizen advisory group that met for the first time to get general feedback on course conditions. We felt the meeting went very well with it being productive and a lot of ideas being shared. The group will continue to meet, with our next meeting being in November.

Mr. Gunning then stated that the renovation at the Independence Courthouse is still moving forward and going well. He did want to make everyone aware of a few change orders that are going to be received over the next couple of meetings. With the plaster work that is going on now, along with the impact of Cov-19, it makes sense to complete some of these tasks now. We are still waiting on the final numbers but a few of the changes are going to consist of: removing the sloped floor and chairs in the courtroom, which should allow for better social distancing and for the room to be used for multiple uses, improved lighting and technology services in the court chambers and upgrades to some of the finishes for the Clerk's space and throughout the building to match our Covington offices. This includes adding solid surface work stations, carpet, and LVT flooring. He expects to have the final numbers shortly, and will get a detailed list of all the changes for approval at the upcoming meetings.

Mr. Gunning then thanked the Fiscal Court for the budget adjustment tonight for the repair of the pipe at Pioneer Park. A quick recap on that, last week we uncovered a sink hole in the parking lot near Shelterhouse One. It was caused by a failed 42 inch drainage pipe that runs about 180 feet from the parking lot to the creek that collapsed. We currently have the area blocked off and will start working on the repair as soon as possible. In regards to the Fox Run Property, we continue to see a lot of enthusiasm and usage with this property. On a daily basis, people are out there walking, running, biking and fishing the property with a lot of positive feedback and thank yous for turning it into a park. Also, This past Saturday we allowed Dixie Heights High



School to set up a temporary cross country course on the property. Over the next month they are scheduled to use it for their home races along with the other local high schools. In regards to long term planning, we submitted our grant application to the Durr Foundation for funding the master plan. He is hopeful that we hear something back in the near future. Moving forward though, he is currently working on the RFQ for the master plan, and should have it out soon. We have also been working with the bicycle community, and putting together a plan for mountain bike and multi-use trails for the property that will be incorporated into the master plan.

Finally, Mr. Gunning stated that due to statewide restrictions, we will not be able to host our normal haunted trail and kid's fun day event this year. However, we have partnered with the Kenton County Library to offer a Pumpkin Scavenger Hunt from October 24 - 30 at Mills Park. If anyone is interested in the event they can visit our website or give us a call for more details.

### **County Attorney 's Report**

County Attorney Stacy Tapke had nothing to report.

### **Commissioners ' Reports**

#### **Commissioner Jon Draud**

Commissioner Draud stated that he will use this opportunity to make a statement to the parents and educators that might be watching. He is an old educator, and he doesn't see any major outbreaks of COVID in the Catholic School students who are doing in person school. He doesn't see a need for all of the online schooling that is going on, regardless of what the Governor said. He believes it is really harming the children by not allowing them to go to school. He doesn't think there is any difference between private school kids and public school kids. The Catholic Schools have been back for four weeks. He is a public school advocate, and he is shocked to find out that the public school students can't go to school. He advocates that parents put pressure on their school board members to allow these kids to go back to school. If he had been making the decision, he would have had everyone go to school and then if there is an outbreak they can go to a hybrid plan. If there is an outbreak after that, they could take everything online. He doesn't know why the Governor did what he did, and he thinks it has been very harmful to the children's' education.

#### **Commissioner Beth Sewell**

Commissioner Sewell had nothing to report.

#### **Commissioner Joe Nienaber**

Commissioner Nienaber stated that he supports what Dr. Draud just said. Also, he is fine that the ribbon cutting is in Florence for the radio system. He believes it should be in Kenton County though, as we were the pioneers of this thing. Thankfully, we have a great product. Lastly, he stated that he thinks there is some good news on the drug front. The international seizure of the opiates has just taken place, and this is a great thing. The world is a lot scarier than he thought it was. Also, happy birthday to his mother and to Granite World.

### **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 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 September 22, 2020.



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Sue J. Kaiser  
Fiscal Court Clerk