

**KENTON COUNTY FISCAL COURT MINUTES**  
**Independence Courthouse**  
**5272 Madison Pike**  
**Independence, KY 41051**

**August 12, 2019**  
**5:30 P.M.**

**Call to Order**

Judge/Executive Knochelmann called to order the August 12, 2019, 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  
                                 County Attorney Stacy Tapke

Staff:                        Joe Shriver, County Administrator  
                                 Sue Kaiser, Fiscal Court Clerk  
                                 Roy Cox, County Treasurer

**Approval of Minutes**

**A. Approval of the Minutes from the meeting of July 30, 2019.**

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

**Citizens Address**

Tom O'Connor of 3052 Elmwood Dr. in Edgewood spoke regarding the flood in Edgewood on July 15<sup>th</sup>. He has gotten with the Edgewood City Council and Sanitation District 1 to try to find a solution. Would like the Fiscal Court's help in the matter.

Judge Knochelmann stated that he would look into the matter with SD1, and see what is being done.

**General Business**

**A. Claims Lists-Dated August 9, 2019.**

There were no questions on the Claims List.

**B. Resolution 19-18**

**A Resolution approving funding for the purchase and preservation of the Brushy Fork property in Kenton County, Kentucky.**

Gary Wolnitzek from the Kenton Conservancy stated that they are a non profit group, dedicated to preserving open space land. Previously, with the help of the Banklick Council they had purchased 48 acres along Brushy Fork Stream. This property today is adjacent to tha, and is another 55-56 acres and is difficult to develop. They have been pursuing this for ten years. They have funding sources lined up with the Fiscal Court's assistance. The majority of the funding is coming from the State Division of Water, in the form of a Federal EPA grant. The City of Independence has contributed, and the NKY Urban Forestry Council has contributed. They are asking for \$65,000 from the Fiscal Court to fill in the balance. It is special land, as it has of storage for flood waters currently. This would be lost if it was developed.

Mr. Wolnitzek then stated that there were plans to develop the land, but there would be a lot of earth work. It is very difficult to develop.

Commissioner Draud asked who owns the property?

Mr. Wolnitzek answered that it is a group called Independence Station, LLC.

Judge Knochelmann stated that he hiked the area, and it is very impressive property. It can hold back some of the water and streams that are through there.

Mr. Wolnitzek stated that there may be some mitigation money that can be put in on the land. The general public will have access to this land.

Commissioner Draud asked if they would be able to develop the land later?

Mr. Wolnitzek answered that they would not. The direct purchase price of the land is \$250,000, and \$75,000 will be given from the county and the city. The balance will be paid by a grant. The Banklick Watershed Council partnership has been wonderful.

County Administrator Joe Shriver asked if the grant funds prohibit transfer after purchase?

Nicole Clemmons from the Banklick Watershed Council stated that there is precedence for this, as they have done a previous property purchase with these monies. There is a standard way that this is done.

Mr. Shriver asked if there will be trails that will be open to the public?

Judge Knochelmann answered that it will be open to the public.

Commissioner Sewell stated that the current community seems to be using it already, and it needs to be developed safely. It is very beautiful.

Judge Knochelmann stated that Commissioner Nienaber did indicate his support for this, even though he is not at the meeting.

Mr. Wolnitzek stated that there are very few open spaces that have these features. He encourages everyone to come see the sights. They are pursuing other grants to complete more trail improvements. They will continue to invest in the property.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Treasurer Roy Cox asked for a budget adjustment for \$65,000 for this transaction.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Mr. Cox then asked for a vote for this item to be paid, pending the receipt of an invoice.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

### **C. Discussion regarding the new Administration Building.**

#### **1. Request approval to ratify the Contractor's Application for Payment #23.**

County Administrator Joe Shriver stated that the pay app has been reviewed by the County Engineer and the owner's rep. They find it to be appropriate expenditures pursuant to the contract.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

Judge Knochelmann stated that there will probably have to be a special meeting this week to go over the Change Order.

### **Ordinances**

- A. Ordinance No. 225.87 - First Reading (No Action Needed)**  
An Ordinance of the Kenton County Fiscal Court relating to the levy and adoption of the 2019 tax rates of 15.9 cents per hundred dollars valuation on real property, 20.20 cents per hundred dollars valuation on personal property and 15.8 cents per hundred dollars valuation on motor vehicles to provide such revenue as has been budgeted and approved for expenditure in the current fiscal year.

Judge Knochelmann stated that this is the first reading, and no action is needed. The public hearing for the tax rate will be held right before the next Fiscal Court meeting.

- B. Ordinance No. 320.14 - First Reading (No Action Needed)**  
An Ordinance amending the Code of Ordinances of the Fiscal Court of Kenton County, Commonwealth of Kentucky, establishing a service fee for Enhanced 911 Emergency Dispatch Services to owners of real property in Kenton County, Commonwealth of Kentucky.

Judge Knochelmann stated that this is the first reading, and no action is needed. This adds a couple more commercial categories to the Ordinance.

## Consent Agenda

- A. **Exhibit No. 19-108**  
Request approval of a Property Sale and Development Agreement between the Kenton County Fiscal Court, Al Neyer, LLC and Urban Sites, LLC.
- B. **Exhibit No. 19-109**  
Request approval of the Sub-Slab Vapor Sampling Proposal from Linebach Funkhouser.
- C. **Exhibit No. 19-110**  
Request approval to extend the Facility Management contract with Four Seasons Environmental, Inc. for the Kenton County Detention Center.
- D. **Exhibit No. 19-111**  
Request approval to surplus various Motorola Portable Radios, Batteries and a Four Channel DVR w/DVD Burner for the Kenton County Police Department.
- E. **Exhibit No. 19-112**  
Request approval to accept the amendment between Combine Public Communications, LLC and the Kenton County Detention Center to permit CPC to install the Inmate Telecommunications system for all inmate communications.
- F. **Exhibit No. 19-113**  
Request approval to terminate the Independence Courthouse painting with Momentum Painting Company due to non-performance, and accept the bid from Rizzo Brothers Painting.
- G. **Exhibit No. 19-114**  
Request approval to enter into an agreement with Combined Communications to install messaging service devices for the Kenton County Detention Center.

All items on the Consent Agenda were voted on together.

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

## Executive Orders

- A. **Executive Order 19-88**  
An Executive Order relating to the Fiscal Court approving the appointment of Rosemary Hoffman to the NKADD Council on Aging, with the term expiring on June 30, 2021.

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.

- B. **Executive Order 19-89**  
An Executive Order relating to the Fiscal Court approving the resignation of Nathan Baker as a Maintenance Technician for the Building and Grounds

**Department, with the effective date of August 9, 2019.**

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.

**C. Executive Order 19-90**

**An Executive Order relating to the Fiscal Court approving the promotions and pay rates for the Kenton County Police Department.**

Commissioner Draud made the motion for approval; seconded by Commissioner Sewell. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

**D. Executive Order 19-91 (Action Requested)**

**An Executive Order relating to the Fiscal Court approving the re-appointment of Ed Kuehne to the Transit Authority of Northern Kentucky (TANK) Board, with the term expiring July 1, 2023.**

Commissioner Sewell made the motion for approval; seconded by Commissioner Judge Knochelmann. Judge Knochelmann called for a voice vote, and the motion passed unanimously 3-0.

**Administrative Reporting**

**Emergency Communications**

Dan Mathew stated that he has submitted the July statistics to the Fiscal Court, and they look as they usually do. They are starting to track calls for service. The comparison data is not possible right now, due to the new systems.

Judge Knochelmann thanked Mr. Mathew for working with the local Mayors that have visited the Dispatch Center.

**Police Department**

Assistant Chief Scott Hardcorn stated that staffing is complete, and their department is full for the first time in a long while. The new School Resource Officer that will replace Gary Kiser will be just as competent, but they will miss Gary Kiser. Also, school is starting, so please use caution around school zones and school buses.

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

Rhonda Ritzi from Parks and Recreation reported for Scott Gunning. She stated that in the Parks, they are wrapping up the summer programs, and are looking forward to the Fall programs including the annual Halloween Happenings at Middleton-Mills Park with the Haunted Trail and the Kid's Fun Day and Character Trail in October. At Doe Run Lake, due to the disrepair of the bridges on the south trail, they have temporarily CLOSED them. The north trail remains open. Flooding is the biggest cause of damage to these bridges. They had already planned to invest in repairs to the bridges this year and are planning accordingly.

Ms. Ritzi then stated that at Middleton-Mills Park, by Shelterhouse Two, they have installed a new swing set with an expression swing that allows for adults and children to swing together.

The swing has a face-to-face design, featuring a bucket seat for children under five and a comfortable adult swing, allowing for interaction with each other and experiencing one another's facial expressions while at play. Also, near the Soccer parking lot, they are installing a playground geared towards fitness. This playground equipment allows people to challenge their physical fitness, and work toward improving their health from head to toe. This area will include 7 fitness elements with a ninja warrior feel testing your agility, balance, upper and lower body, and grip strength. She thanked the Fiscal Court for supporting these programs and projects throughout the Parks.

Ms. Ritzi then stated that Scott Gunning wanted the court to know that the bunkers at the golf course are completed.

Commissioner Draud asked if we paid for the bunkers?

Judge Knochelmann answered that we did pay for them.

### **Treasurer**

Treasurer Roy Cox asked that the records reflect that the July, 2019, financial reports have been submitted.

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

County Attorney Stacy Tapke stated that at the last meeting, Commissioner Draud mentioned the airport, and asked if there was any way to seek revenue. The two main sources of revenue for the county are Taxes, and Occupational License taxes. There are other options available for specific purposes, and they have to be adopted following procedures. She doesn't see anything within the airport where the county could specifically issue a tax. Typically, the Airport Board has the authority to authorize fees, and they are put back into the airport. She is not sure what Commissioner Draud wants her to specifically look into, but she is happy to do what he would like. She doesn't know what fees Boone County is generating from the airport, other than payroll tax.

Commissioner Draud stated that he mentioned that since we own the property, could we have some kind of leasing fee?

Ms. Tapke stated that in the 1940's the Airport Board was unable to have land in its name, so Kenton County purchased the land. This property has been in use by them during all this time. Having a leasing fee would open a whole can of worms that they wouldn't want to open.

Judge Knochelmann stated that he would like to get a small group together to dig into options in the long run for the county. One of the key items would be the airport.

Ms. Tapke then stated that she is working on getting her statistics on the number of cases that they see come through their courts for 2018.

### Commissioners' Reports

#### Commissioner Beth Sewell

Commissioner Sewell had nothing to report

#### Commissioner Jon Draud

Commissioner Draud had nothing to report.

#### Judge/Executive's Report

Judge Knochelmann stated that we got the bids back for evaluating the golf course use. There were seven or eight good proposals.

Judge Knochelmann then asked permission to go out for an RFP for the management of the Golf Course.

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.

#### 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 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 August 12, 2019.

  
Sue J. Kaiser  
Fiscal Court Clerk