

## Action Summary - Final Government Oversight and Audit Committee

Chair Person Brent Ackerson (D-26) Vice Chair Anthony Piagentini (R-19) Committee Member Barbara Sexton Smith (D-4) Committee Member Donna Purvis (D-5) Committee Member Brandon Coan (D-8) Committee Member Bill Hollander (D-9) Committee Member Kevin Kramer (R-11) Committee Member Rick Blackwell (D-12) Committee Member Cindi Fowler (D-14) Committee Member Stuart Benson (R-20) Committee Member Madonna Flood (D-24)

Tuesday, June 16, 2020

#### 5:00 PM

**Council Chambers** 

#### Call to Order

Chair Person Ackerson called the meeting to order at 5:06 p.m.

#### **Roll Call**

Chair Person Ackerson introduced the committee members and non-committee members present. A guorum was established.

## NOTE: All committee members and non-committee members attended the meeting virtually.

- Present: 10 Chair Person Brent Ackerson (D-26), Vice Chair Anthony Piagentini (R-19), Committee Member Barbara Sexton Smith (D-4), Committee Member Donna L. Purvis (D-5), Committee Member Brandon Coan (D-8), Committee Member Bill Hollander (D-9), Committee Member Kevin Kramer (R-11), Committee Member Rick Blackwell (D-12), Committee Member Cindi Fowler (D-14), and Committee Member Madonna Flood (D-24)
- Excused: 1 Committee Member Stuart Benson (R-20)

#### Non-Committee Member(s)

Council Member Paula McCraney (D-7)

Support Staff	

Hollie Hopkins, Jefferson County Attorney's Office Alice Lyon, Jefferson County Attorney's Office Althea Jackson, Mayor's Office

## Clerk(s)

Lisa Franklin Gray, Assistant Clerk Sonya Harward, Clerk

#### Pending Legislation

#### 1. <u>RP060220CK</u>

## REAPPOINTMENT OF CHRISTINE KESLER TO THE ST. MATTHEWS FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT St. Matthews Fire Protection District Board 05.22.20.pdf

Christine Kesler 05.22.20.pdf

<u>Applicants for Board - St. Matthews Fire Protection District</u> 05.22.20.pdf Current Board - St. Matthews Fire Protection District 05.22.20.pdf

A motion was made by Committee Member Coan, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 2. <u>AP060220CC</u>

### APPOINTMENT OF CLARK COX TO THE BARDSTOWN ROAD OVERLAY DISTRICT BOARD (TERM EXPIRES APRIL 30, 2023)

Attachments: APT Bardstown Road Overlay District Board 05.22.20.pdf

Clark Cox 05.22.20.pdf

<u>Applicants for Board - Bardstown Road Overlay District Board</u> 05.22.20.pdf Current Board - Bardstown Road Overlay District Board 05.22.20.pdf

A motion was made by Committee Member Sexton Smith, seconded by Committee Member Purvis, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office

The following topics were discussed:

- The appointee is filling a proscribed seat for a business representative

- The appointee is a business owner from Council District 8

- The appointee is a business owner of Commonwealth Business Development, LLC

#### 3. <u>RP060220ED</u>

## REAPPOINTMENT OF ELLISA DENISE DREXLER TO THE HIGHVIEW FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Highview Fire Protection District Board 05.22.20.pdf

Ellisa Denise Drexler 05.22.20.pdf

<u>Applicants for Board - Highview Fire Protection District Board</u> <u>05.22.20.pdf</u> <u>Current Board - Highview Fire Protection District Board 05.22.20.pdf</u>

A motion was made by Committee Member Purvis, seconded by Vice Chair Piagentini, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 4. <u>RP060220GO</u>

## REAPPOINTMENT OF G. HENRY OTT TO THE FERN CREEK FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Fern Creek Fire Protection District Board 05.22.20.pdf

<u>G. Henry Ott 05.22.20.pdf</u>

<u>Applicants for Board - Fern Creek Fire Protection District Board</u> <u>05.22.20.pdf</u> Current Board - Fern Creek Fire Protection District Board 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Purvis, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

### 5. <u>RP060220JB</u>

## REAPPOINTMENT OF JERRY BYERLY TO THE FAIRDALE FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Fairdale Fire Protection District Board 05.22.20.pdf

Jerry Byerly 05.22.20.pdf

Applicants for Board - Fairdale Fire Protection Board 05.22.20.pdf

Current Board - Fairdale Fire Protection Board 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

#### 6. <u>AP060220LR</u>

## APPOINTMENT OF LESLIE RYAN TO THE PLEASURE RIDGE PARK FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Pleasure Ridge Park Fire Protection District Board 05.22.20.pdf

Leslie Ryan 05.22.20.pdf

Applicants for Board - PRP Fire Protection District Board 05.22.20.pdf

Current Board - PRP Fire Protection District Board 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Blackwell, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Committee Member Fowler

The following topics were discussed:

- The appointee is from District 14
- The appointee is adding gender diversity to the board
- The appointee is a union electrician
- The appointee is eager to serve on the board
- Committee Member Fowler recommended the appointee for the board and believes the appointee will be a good addition to the board

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

#### 7. <u>RP060220MS</u>

## REAPPOINTMENT OF MELINDA SUNDERLAND TO THE ANCHORAGE MIDDLETOWN FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

 Attachments:
 APT Anchorage Middletown Fire Protection District Board

 05.22.20.pdf
 Melinda Sunderland 05.22.20.pdf

 Applicants for Board - Anchorage and Middletown FPD 05.22.20.pdf

 Current Board - Anchorage and Middletown FPD 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Purvis, that this Reappointment be recommended for approval.

#### 8. <u>RP060220MM</u>

## REAPPOINTMENT OF MIKA MCCLAIN TO THE AFFORDABLE HOUSING TRUST FUND BOARD. (TERM EXPIRES JUNE 22, 2023)

Attachments: APT Affordable Housing Trust Fund Board 05.22.20.pdf

Mika McClain 05.22.20.pdf

Applicants for Board - Affordable Housing Trust Fund Board 05.22.20 -<u>Copy.pdf</u> <u>Current Board - Affordable Housing Trust Fund Board 05.22.20 -</u> <u>Copy.pdf</u>

A motion was made by Vice Chair Piagentini, seconded by Committee Member Purvis, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 9. <u>RP060222PM</u>

## REAPPOINTMENT OF PATRICK MCELHONE TO THE CAMP TAYLOR FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Camp Taylor Fire Protection District Board 05.22.20.pdf

Patrick McElhone 05.22.20.pdf

<u>Applicants for Board - Camp Taylor Fire Protection District</u> <u>05.22.20.pdf</u> <u>Current Board - Camp Taylor Fire Protection District 05.22.20.pdf</u>

A motion was made by Vice Chair Piagentini, seconded by Committee Member Purvis, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 10. <u>RP060220SA</u>

## REAPPOINTMENT OF STAN ADLER TO THE JEFFERSONTOWN FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Jeffersontown Fire Protection District Board 05.22.20.pdf

Stan Adler 05.22.20.pdf

Applicants for Board - Jeffersontown Fire Protection District Board 05.22.20.pdf Current Board - Jeffersontown Fire Protection District Board 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

#### 11. <u>RP060220VS</u>

## REAPPOINTMENT OF VONDA SICKLES TO THE BUECHEL FIRE PROTECTION DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Buechel Fire Protection District Board 05.22.20.pdf

Vonda Sickles 05.22.20.pdf

<u>Applicants for Board - Buechel Fire Protection District Board</u> 05.22.20.pdf Current Board - Buechel Fire Protection District Board 05.22.20.pdf

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 12. <u>RP060220WT</u>

## REAPPOINTMENT OF WENDELL TOWNSEND TO THE ETHICS COMMISSION. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Ethics Commission 05.22.20.pdf

Wendell Townsend 05.22.20.pdf

Applicants for Board - Ethics Commission 05.22.20.pdf

Current Board - Ethics Commission 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### 13. <u>RP060220RS</u>

## REAPPOINTMENT OF ROBERT SCHINDLER TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. (TERM EXPIRES JUNE 22, 2022)

Attachments: APT Waste Management District 109 Board 05.22.20.pdf

Robert Schindler 05.22.20.pdf

Applicants for Board - Waste Management District 109 Board (1) 05.22.20.pdf Current Board - Waste Management District 109 Board (1) 05.22.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

#### 14. <u>RP060220BB</u>

## REAPPOINTMENT OF BRUCE BLUE TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. (TERM EXPIRES JUNE 22, 2022)

Attachments: APT Waste Management District 109 Board 05.22.20.pdf

Bruce Blue 05.22.20.pdf

Applicants for Board - Waste Management District 109 Board (2) 05.22.20.pdf Current Board - Waste Management District 109 Board (2) 05.22.20.pdf

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Reappointment be recommended for approval.

The following spoke to the item:

- Bruce Blue, Appointee
- Vice Chair Piagentini
- Committee Member Hollander
- Hollie Hopkins, Jefferson County Attorney's Office
- Althea Jackson, Mayor's Office

The following topics were discussed:

- This will be the second term for the appointee to serve on the board

- The appointee has worked with Louisville Metro and the State for many years since being in the recycling business

- Questions were discussed about the impact suburban cities including Doulglass Hills would experience due to the recommendations of the 109 Board and waste management. The appointee was asked his opinion of the role of the 109 Board as it pertains to what Louisville Metro does in regard to waste management as it relates to how suburban cities conduct their waste management procedures. This move is in respect to the pickup of solid waste and recycling in suburban cities. Most members of the 109 Board voted in favor of the recommendation, however, the appointee voted against the measure. It was stated that this process should be put up for bid to waste haulers.

Members thanked the appointee for his service and opinions on the previous discussion. When asked about a timeframe for changes, it was stated that there will be quite a bit of time before this measure could go into effect. - Discussion also surrounded the issue of incompatibility of office. The Assistant County Attorney stated that she did not believe the Office had been

advised of any conflicts with the appointee - Discussion continued regarding several scenarios of incompatible office restrictions. The Assistant County Attorney was asked to research the issue at hand and report back to the Committee and appointee prior to the Metro Council vote on June 25.

#### 15. <u>RP060220DT</u>

## REAPPOINTMENT OF DEBRA THOMPSON TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. (TERM EXPIRES JUNE 22, 2022)

Attachments: APT Waste Management District 109 Board 05.22.20.pdf

Debra Thompson 05.22.20.pdf

Applicants for Board - Waste Management District 109 Board (3) 05.22.20.pdf Current Board - Waste Management District 109 Board (3) 05.22.20.pdf

A motion was made by Committee Member Blackwell, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

- Vice Chair Piagentini stated that he would like to explain his vote as it relates to the previous appointees for the 109 Board and the questions he had asked the preceding appointee. He stated that as a result of the prior conversation with the appointee regarding the measure to essentially usurp suburban cities' abilities to run their own waste management companies, his vote for this appointment would be no. He stated he stands in opposition of those that voted for this measure and encouraged other Members to join him.

The motion carried by a voice vote and the Reappointment was sent to Old Business because the vote was not unanimous.

#### 16. <u>AP061620CB</u>

## APPOINTMENT OF CLEO BATTLE TO THE LOUISVILLE REGIONAL AIRPORT AUTHORITY BOARD. (TERM EXPIRES JULY 15, 2024)

Attachments: APT Louisville Regional Airport Authority Board 06.08.20.pdf

Cleo Battle 06.08.20.pdf

<u>Applicants for Board - Louisville Regional Airport Authority</u> <u>06.08.20.pdf</u> <u>Current Board - Louisville Regional Airport Authority 06.08.20.pdf</u>

A motion was made by Committee Member Sexton Smith, seconded by Committee Member Purvis, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Vice Chair Piagentini
- Cleo Battle, Appointee

- The following was discussed:

- The appointee is a District 16 resident

- The appointee is the Chief Operating Officer of Louisville Tourism, Inc.

- The appointee is an ideal candidate with his knowledge of transportation,

which is a central point for Louisville Tourism's destination plan/campaign

- The appointee's knowledge and experience make him an excellent

candidate for the Louisville Regional Airport Authority Board

- This appointment also adds diversity to the board

- The appointee stated that this is a great opportunity for Louisville Tourism and the Airport Authority to work closer together

- This is a great step for Tourism in Louisville Metro as the Airport is the first touch that visitors see

#### **17.** AP061620HA

Committee

**Government Oversight and Audit** 

## APPOINTMENT OF HEATHER ALLEN TO THE AIR POLLUTION CONTROL DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Air Pollution Control District Board 06.08.20.pdf

Applicants for Board - Air Pollution Control District Board 06.08.20.pdf

Current Board - Air Pollution Control District Board 06.08.20.pdf

Heather Allen 06.08.20.pdf

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Vice Chair Piagentini
- Committee Member Coan
- The following was discussed:
- The appointee is a District 25 resident
- The appointee is an eager candidate for consideration on the board despite not having much experience in air pollution control

- The appointee is excited to serve, her appointment will also add political diversity to the board, and appreciation was stated.

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

#### 18. <u>RP061620PM</u>

# REAPPOINTMENT OF PAUL MASTROLIA TO THE URBAN RENEWAL COMMISSION. (TERM EXPIRES JUNE 30, 2024)

Attachments: APT Urban Renewal Commission 06.08.20.pdf

Paul Mastrolia 06.08.20.pdf

Applicants for Board - Urban Renewal Commission 06.08.20.pdf

Current Board - Urban Renewal Commission 06.08.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Sexton Smith, that this Reappointment be recommended for approval.

#### **19.** <u>AP061620KM</u>

## APPOINTMENT OF KURT MASON TO THE EXTENSION BOARD (TERM EXPIRES DECEMBER 31, 2023)

Attachments: APT Extension Board 06.08.20.pdf

Kurt Mason 06.08.20.pdf

Applicants for Board - Extension Board 06.08.20.pdf

Current Board - Extension Board 06.08.20.pdf

A motion was made by Committee Member Purvis, seconded by Vice Chair Piagentini, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office

- Committee Member Hollander
- Committee Member Fowler
- Kurt Mason, Appointee
- The following was discussed:
- The appointee is a District 22 resident

- The appointee is filling a vacancy left after the previous board member resigned

- The appointee has several years of experience in conservation

- The appointee will be a great addition to the board

- The appointee stated that his background is in conservation and earth science. He also stated that he has lived in Louisville Metro for 40 years, but grew up on a farm. He stated that he has a relationship with the cooperative extension service for many years. He further stated he has served on eight cooperative extension boards and believes this experience would make him a great candidate for appointment.

- The appointee was thanked for his service and it was mentioned that the appointee was recently honored by Council Member Benson on his retirement.

#### **20.** <u>AP061620MM</u>

# APPOINTMENT OF MATTHEW MICHAUD TO THE EXTENSION BOARD. (TERM EXPIRES DECEMBER 31, 2022)

Attachments: APT Extension Board 06.08.20.pdf

Matthew Michaud 06.08.20.pdf

Applicants for Board - Extension Board (2) 06.08.20.pdf

Current Board - Extension Board 06.08.20.pdf

A motion was made by Vice Chair Piagentini, seconded by Committee Member Purvis, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office

The following was discussed:

- The appointee is a District 23 resident
- The appointee has years of experience in agriculture
- This appointment will add political diversity to the board

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

#### RP061620JL

# REAPPOINTMENT OF JOHN LAUNIUS TO THE TRANSIT AUTHORITY RIVER CITY (TARC) BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT TARC Board 06.08.20.pdf

John Launius 06.08.20.pdf

Applicants for Board - Transit Authority of River City Board (TARC) 06.08.20.pdf Current Board - Transit Authority of River City Board (TARC) 06.08.20.pdf

A motion was made by Committee Member Purvis, seconded by Committee Member Blackwell, that this Reappointment be recommended for approval.

A motion was made by Vice Chair Piagentini, seconded by Chair Person Ackerson, that this Reappointment be tabled.

The motion to table carried by the following vote and the item was tabled:

- Yes: 6 Ackerson, Piagentini, Purvis, Coan, Hollander, and Kramer
- No: 4 Sexton Smith, Blackwell, Fowler, and Flood
- Excused: 1 Benson

#### 22. <u>RP061620TS</u>

## REAPPOINTMENT OF TED SMITH TO THE TRANSIT AUTHORITY RIVER CITY (TARC) BOARD. (TERM EXPIRES JULY 31, 2023)

Attachments: APT TARC Board 06.08.20.pdf

Ted Smith 06.08.20.pdf

Applicants for Board - Transit Authority of River City Board (TARC) (2) 06.08.20.pdf Current Board - Transit Authority of River City Board (TARC) (2) 06.08.20.pdf

A motion was made by Committee Member Purvis, seconded by Committee Member Coan, that this Reappointment be recommended for approval.

The following spoke to the item:

- Chair Person Ackerson
- Vice Chair Piagentini
- Committee Member Purvis
- Ted Smith, Appointee

The following was discussed:

- The appointee had been appointed to the board last April of 2019 filing a vacancy. This reappointment is just over a year of his serving on the board. The appointee spoke with Metro Council's Attorney investigating the circumstances of the sexual assault allegations.

- Questions and discussion on the appointee's insights on what his role as a board member and leadership figure going forward would be and the role of the board for the organization? It was mentioned that the level of transparent governance was lacking at the beginning of his service on the board. However, since the new co-directors for the board have been installed they have made significant changes and added accountability and structure to the board. The new board leadership is focused on conducting business in a fully transparent and safe environment going forward for employees and the public; these efforts will restore the credibility of the agency.

It was also mentioned that a search firm has been retained and has submitted a list of possible candidates; it is the strict focus and intent for transparency of all involved to ensure that thorough background checks be conducted for all considered applicants.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

#### **Special Discussion**

#### **23**. <u>ID 20-0703</u>

Special Discussion: MSD - Metropolitan Sewer District

Procedures in Assessing Rate Increases:

- Wes Sydnor
- Brad Good
- Tony Parrott

#### Attachments: MSD Presentation 061620.pdf

Tony Parrott, Metropolitan Sewer District gave a presentation to the Committee.

The following spoke to the item:

- Chair Person Ackerson
- Vice Chair Piagentini
- Committee Member Hollander
- Committee Member Sexton-Smith
- Tony Parrott

The following was discussed:

- MSD will initiate a 5% rate increase throughout Louisville Metro in 2021
- This rate increase is within MSD's statutory discretion to raise without seeking approval

- Members have received several calls from constituents concerned about rate increases

- How can MSD mitigate the financial impacts to tax payers

- Critical Repair plan has not been funded which is difficult for infrastructure and fulfilling consent decree requirements

- Many waste water treatment facilities, basins and infrastructure are long overdue for critical repair

- There are five regional water treatment facilities

- MSD is responsible for managing flood protection system around Louisville Metro

- MSD is also responsible for storm water and the sewer system

- Consent decree related work is to be completed by the end of 2024

- MSD is conducting large basin and storage projects to ensure complying with consent decree guidelines

- Many of the projects currently underway at MSD amass \$200 million dollars

MSD is revising their budget due to cost constraints during COVID-19
 The current budget has a 3.1% increase taking into account COVID-19,

personnel costs, health insurance rate increases, etc.

- There are several senior citizen, low-income, and community ministry programs available to residents unable to pay their bill

- It was mentioned to determine a conducive rate that will accomplish what MSD needs, MSD will get some relief as bond obligations drop off, but immediate measures are to address consent decree mandates and critical repair. This rate increase will allow MSD to support the debt ratio of the bonds while also fulfilling consent decree requirements until 2025.

- Questions were asked regarding MSD staff giving a 5-year or 10-year cost prospectus to give a better look at a rate structure and operating model for

efficiency and cost? It was mentioned that since the last audit of MSD, they have conducted policy revisions and restructuring. MSD will follow up with the Committee on their asset management and critical repair program, as well as the peer city comparison program. It was also mentioned that many peer cities have combined both the critical repair plan with the consent decree to alleviate the added cost and debt ratio.

- MSD was thanked for all the work they do, it was also mentioned that they will conduct neighborhood meetings on the rate increase and MSD is actively reaching out to members to conduct meetings in their districts.

### Adjournment

Without objection, Chair Person Ackerson adjourned the meeting at 6:47 p.m.

\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on June 25, 2020.