

At a Regular Meeting of the 911 Communications Oversight Committee on Monday, March 28, 2022, at 1:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street. The following Committee members were present: Dr. Irvin Smith, Carol Gault, Jewel Jones, Eddie Jones, and Kevin Kauffeld (5). Chairperson Kevin Kauffeld presided.

Also present were Police Chief Brian Laird; Fire Chief Steve Kyle; Communications Manager Pam Spencer; Controller Audra Herndon; Attorney Stacey Blankenship; Jason Peterson (Paducah Water), Tillman Burnett (Paducah Water); Deputy Judge Executive Steve Doolittle, Mike Skalitzky (Motorola), and David Snow (Paducah Sun).

Communications Manager Pam Spencer took the minutes of the meeting.

### **APPROVE MINUTES**

Dr. Irvin Smith offered motion, seconded by Mr. Jewel Jones to approve minutes for March 14, 2022. All in favor.

### **FUNDING OPTIONS DISCUSSION**

Attorney Stacey Blankenship with KKHB was present to provide an overview of seven (7) 911 funding options.

1. **Ambulance and Hospital Fees** – In a Legislative Research Commission 2011 publication, it was noted that Cumberland County supplemented its funding with ambulance and hospital fees.

*Chairman Kauffeld asked Blankenship to follow up to learn more about this funding option.*

2. **Alarm Panel Monitoring Fees** – Chief Kyle and Chief Laird says that 911 centers at one time had large alarm panels for monitoring. However, these are now privately monitored and would not be a significant funding source.
3. **Responder Agency Fees** – This is a current funding stream for the Paducah system with the City charging fees to responder agencies that use its services.
4. **Water Meter Fees** – Blankenship says this method a solid way to receive funding. In the City of Lancaster v. Garrard County which charges \$0.25 per month per water meter, the ruling was that the fee was legal and constitutional. However, there are approximately 1350 parcels in McCracken County not served by a water meter. Plus, some parcels have more than one meter. Blankenship said that according to Paducah Water any such fee would not have be approved by the Public Service Commission.

*Chairman Kauffeld asked Blankenship to contact Garrard County to find how they handle the parcels without water meters.*

*Chairman Kauffeld will reach out to Paducah Water to discuss what would be required to add a fee to a water bill and administer the funds and invite Paducah Water to speak*

*at the next meeting. Kauffeld also will reach out to PVA Bill Dunn to explore how to determine if a parcel has been improved.*

5. **Electric Meter Fees** – This fee structure currently is being challenged in Marshall County by Jackson Purchase Electric which also serves portions of McCracken County. The County had enacted a \$7.00 per month fee on all active and occupied residential and commercial electric meters. The court has separated the claim into two categories. The first claim has been addressed and held that the ordinance did not violate any Kentucky statutes. However, there are several federal and constitutional claims pending including the administration fee, equal protection clause, and Little TVA Act. Blankenship expects a ruling this September or October. Blankenship also stated there are complexities with this option including property owners with more than one electric meter and those who rely solely on alternative power sources.
6. **Parcel Fees** – In the Greater Cincinnati/Northern Kentucky case, the court ruled that the parcel fee was constitutional since it was assessed only on occupied parcels. Campbell County imposed an annual flat fee of \$45 on each occupied residential and commercial unit.
7. **Property Tax** – McCracken County Attorney Sam Clymer issued an opinion in 2021 about raising property taxes for 911 funding; however, the opinion determined that it would not generate significant revenue.

Dr. Smith asked Blankenship if there are funding models for fees associated with vehicle licensing. Blankenship has not seen this model. Also, someone does not have to live in the County to receive a vehicle license. This model could be challenged based on the parcel fee ruling that pointed to occupied parcels.

The Board discussed combining funding options specifically a water meter fee and a parcel fee.

### **OTHER 911 DISCUSSION**

In a follow-up discussion, Chief Kyle says he is reviewing about a dozen 911 boards across the State to look at management and funding models.

*The Board requested that Chief Laird provide a list of all services provided by the 911 Communications Center. The Center assists various agencies including the school districts, McCracken County Attorney's Office, and Commonwealth Attorney's Office.*

### **ADJOURN**

Mr. Jewel Jones offered motion, seconded by Dr. Irvin Smith to adjourn the meeting. All in favor. Meeting adjourned at approximately 2:18 p.m.

ADOPTED: April 11, 2022