

**MINUTES of SPECIAL MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held FEBRUARY 8, 2011**

The Board of Commissioners of the City of Bowling Green, Kentucky met in special session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 5:00 p.m. on February 8, 2011. Mayor Pro Tem Joe W. Denning called the meeting to order. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Brian "Slim" Nash, Commissioner Bill Waltrip, Commissioner Bruce Wilkerson and Mayor Pro Tem Joe W. Denning. Absent: none. There was a full quorum of the Board of Commissioners.

**DISCUSSION OF APPOINTMENT TO THE BOARD OF COMMISSIONERS TO FILL SEAT TO
BE VACATED BY COMMISSIONER JOE DENNING**

Mayor Pro Tem Denning explained the intent of this meeting was to determine the process for considering an appointment to fill the soon to be vacated Commissioner's seat and that he had some names of individuals who expressed interest in the appointment. City Attorney Gene Harmon clarified that the discussion of any process would need to take place in open session and the discussion of individual names could be conducted in closed session.

Mayor Pro Tem Denning declared that only one individual could be selected among the many names submitted. Commissioner Waltrip suggested the Board accept applications or resumes to determine the interest of the individuals who were willing to serve the public. Commissioner Nash agreed the onus to express interest should be placed on the individuals wanting to serve and not necessarily based on a name someone threw out for consideration. He suggested establishing a deadline for resumes to be turned into the City.

In response to an inquiry by Mayor Pro Tem Denning about the potential to be overloaded with resumes, Commissioner Waltrip explained the advantage of opening up the process to any interested individuals who met the appropriate qualifications to hold the office. He referred to the paperwork which was required for filing to run of elected office, which required some fairly basic information such as an individual's name, address and contact information. Commissioner Nash noted that even if there were a lot of applicants, this process afforded more transparency and openness to avoid any appearance of impropriety.

Commissioner Wilkerson agreed that a resume was an important place to start and also recommended that potential candidates include a financial disclosure statement (Financial Interests Statement). He explained this was the same form that all candidates for elected City office were required to complete, which was confirmed by Ms. Schaller. Commissioner Waltrip voiced his acceptance of that recommendation. Commissioner Wilkerson added that the type of financial information sought was not related to dollar amounts, but rather to identify sources of income and potential conflicts of interest.

There was also discussion regarding conducting background checks on candidates and about which Mayor Pro Tem Denning requested further clarification. Commissioner Wilkerson stated he thought it was important to do due diligence, but it did not have to be too detailed. He suggested the background check could be more cursory to simply verify voting status and confirm there was no

felony conviction. Commissioner Waltrip inquired if a background check could be used when the list of candidates was narrowed down to just a couple of names, which Commissioner Wilkerson agreed.

Commissioner Nash stated he thought it was also important to have an opportunity to meet with each candidate once the selection was narrowed down to a few names of three or less. He explained that since the public was not making the selection through the normal election process, the four of them should consider following a job interview model. However, he acknowledged that the questions would be in relation to discerning an individual's understanding of the time commitment involved and the obligations of holding the position of City Commissioner. Mayor Pro Tem Denning and Commissioner Waltrip expressed their acceptance of an interview process.

In accordance with state statute, City Attorney Gene Harmon identified the qualifications to hold the office of City Commissioner: must be at least 21 years of age; live in the City limits for at least a year; be a qualified voter in the City; and reside in the City throughout the term of office. The Board of Commissioners affirmed those qualifications and established a 4:00 p.m. deadline on Tuesday, February 15, 2011 for resumes and completed Financial Interests Statements to be filed in the Office of City Clerk. The Board also agreed to notify the public of the process through the City's website and local media sources. Commissioner Nash stated it was his preference that both the resume and financial statement be submitted and included together for consideration. There were no objections.

In response to a question from Commissioner Waltrip regarding the resumes being subject to open records disclosure, Mr. Harmon opined that he considered the resumes to be preliminary documents and would not be released for public inspection until such time that a decision was made by the Board of Commissioners. City Manager Kevin DeFebbo reiterated the steps that staff would take to get the word out to the public about the application process and update the website with the pertinent information. Mr. Harmon confirmed that any further discussion for the next meeting of the Board of Commissioners regarding the process for narrowing the list of candidates down can be determined once the number of resumes received was known.

ADJOURNMENT

This being a special meeting and with no further business to come before the Board of Commissioners, at approximately 5:25 p.m., Mayor Pro Tem Denning declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk