

INTERIM JOINT COMMITTEE ON VETERANS, MILITARY AFFAIRS, AND PUBLIC PROTECTION

Minutes of the 6th Meeting of the 2021 Interim

November 23, 2021

Call to Order and Roll Call

The 6th meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Tuesday, November 23, 2021, at 10:00 AM, in Room 154 of the Capitol Annex. Senator C.B. Embry Jr., Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator C.B. Embry Jr., Co-Chair; Representative Walker Thomas, Co-Chair; Senators Jimmy Higdon, Alice Forgy Kerr, Stephen Meredith, Robby Mills, Dennis Parrett, Wil Schroder, Brandon Smith, Whitney Westerfield, Mike Wilson, and David Yates; Representatives John Blanton, Kevin D. Bratcher, Myron Dossett, Jim DuPlessis, Chris Freeland, Chris Fugate, Al Gentry, Jim Gooch Jr., Mark Hart, Matthew Koch, Scott Lewis, Savannah Maddox, Bobby McCool, Patti Minter, Scott Sharp, Pamela Stevenson, Ashley Tackett Laferty, Bill Wesley, and Buddy Wheatley.

Guests: Taurean J. Diaz-Coleman, Public Relations Officer, C&P Garage; Carlos Fernandez, President and CEO, C&P Garage; Patti Parrott, C&P Garage; Demetrio Arroyo, C&P Garage; Representative Nancy Tate, House District 27; Michael Burress, Executive Director, Lincoln Trail Area Development District (LTADD); Michael Robinson, Geographic Information Specialist, LTADD; Brigadier General (Ret.) Steven P. Bullard, Executive Director, Kentucky Commission on Military Affairs; Lieutenant Colonel (Ret.) Whitney Allen, Commissioner, Kentucky Department of Veterans Affairs (KDVA); Lynice Thorpe-Noel, Deputy Commissioner, KDVA; Alvin Duncan, Executive Director of Veterans Services, KDVA; Mark Bowman, Executive Director of Veterans Centers, KDVA; Donna Scrivener, Benefits Division Director, KDVA; Sidney Shouse, Chairman, Joint Executive Council of Veterans Organizations (JECVO); and Colonel (Ret.) Larry Arnett, Legislative Chairman, JECVO.

LRC Staff: Jessica Zeh and Logan Schaaf

Senator Meredith moved to approve the October 20, 2021, meeting minutes. Senator Wilson seconded the motion. The minutes were approved.

Co-Chair Thomas announced that there have been concerns from veterans' nursing homes about contract laborers, and that he will look into the issue more.

Veteran Community Outreach

Taurean J. Diaz-Coleman, Public Relations Officer for C&P Garage, provided an overview of the activities and responsibilities of the organization. Mr. Diaz-Coleman said C&P Garage provides free services to veterans, including assistance with claims, health care, employment, military records, and education.

Responding to a question from Representative Sharp, Mr. Diaz-Coleman said that for the most part, COVID-19 did not affect the activities of C&P Garage, as they were able to continue their work through the pandemic. Carlos Fernandez, President and CEO of C&P Garage, said that the organization saw a significant increase in out-of-state requests for assistance during the pandemic.

Responding to a question from Co-Chair Thomas, Mr. Diaz-Coleman said the organization is based out of the Veterans of Foreign Wars (VFW) 10281 facility. Mr. Fernandez expressed interest in expanding C&P Garage beyond Kentucky.

Responding to a question from Senator Wilson, Mr. Fernandez said that C&P Garage could assist in locating the military records of Senator Wilson's grandfather, who served in World War I.

Fort Knox Compatible Use Plan

Michael Burress, Executive Director of the Lincoln Trail Area Development District and Michael Robinson, Geographic Information Specialist for the Lincoln Trail Area Development District, delivered a presentation on the Fort Knox Compatible Use Plan (CUP). Mr. Burress said that the plan is designed to address land use compatibility issues and noise and light concerns. The goal of the Compatible Use Plan is to provide an opportunity for informed and strategic community growth while maintaining Fort Knox's ability to carry out its mission. The CUP created a technical advisory committee and an executive committee to oversee the development of the plan.

Mr. Robinson highlighted research from the Department of Defense on the economic impact of defense spending in Kentucky. Brigadier General (Ret.) Steven P. Bullard, Executive Director of the Kentucky Commission on Military Affairs, said that this research showed how important the defense community is to Kentucky. General Bullard praised Fort Knox and Fort Campbell as two of the nation's premier defense installations.

Mr. Robinson said that the scope of the CUP has gone beyond the original Joint Land Use Study of 2008 to include growth trends, noise, light, energy, transportation, and possible restrictions to the mission of Fort Knox. Mr. Robinson noted that the growth of

the population living within both one mile and five miles of Fort Knox has grown steadily since 1990. Over 100,000 people live within five miles of the installation.

Mr. Robinson provided examples of homes built “against the fence”, close to the boundaries of Fort Knox. The most common complaints from residents in these areas are noise, dust, vibration, and overflights, and complaints also come from areas farther from the boundaries. One mitigation strategy is the use of real estate disclosures to allow potential property owners to understand what living close to a military installation can entail. Representative Tate presented an example of a real estate disclosure form and said that she would prefer to see a “proximity to military installation” provision added to the form. Representative Tate and Mr. Burress indicated that this would be especially important in the near future, as Fort Knox will soon have a Digital Air-Ground Integration Range (DAGIR).

Responding to a question from Senator Wilson, Representative Tate said that the disclosure forms would likely need to be updated as Fort Knox expands, and to account for new activity, including the training exercises that will take place at night.

Co-Chair Thomas commented on the importance of practice ranges at military installations.

Responding to a question from Senator Higdon, Representative Tate said that the “proximity to military installation” provision would be included on real estate disclosure forms statewide, not only for houses near Fort Knox.

Responding to a question from Senator Meredith, Representative Tate said that she had spoken to real estate agents who supported the addition of a military installation provision.

Responding to a question from Representative Stevenson, Representative Tate said that it would be possible to contact the heads of real estate associations to inform them of the possible addition of a military installation provision on disclosure forms.

Responding to a question from Representative Gooch, Representative Tate said that the provision would apply only to the real estate disclosure form, not to the deed.

Responding to a question from Representative DuPlessis, Mr. Robinson and Mr. Burress said they were unsure whether the addition of a military installation provision on disclosure forms would create the possibility for lawsuits from residents who purchased or built their homes before the addition of the provision.

Kentucky Department of Veterans Affairs

Lieutenant Colonel (Ret.) Whitney Allen, Commissioner of the Kentucky Department of Veterans Affairs (KDVA), delivered a presentation on the activities of KDVA. LTC Allen said that the KDVA was asked to assist with unemployment insurance (UI) claims, and they transferred 15 employees to the Office of Unemployment Insurance, where they remained between one and seven and a half months. Claims with KDVA fell at the beginning of the pandemic as the organization switched to virtual operation, but are now returning to their pre-pandemic levels. LTC Allen praised the professionalism of his team.

LTC Allen said that before the pandemic, in-person travel to multiple outstations was common. Now there is a mix of both in-person and virtual meetings. Overall, LTC Allen said COVID-19 slowed the operations of KDVA, but did not stop them. He expressed support for the decision to assist the Personnel Cabinet.

Senator Higdon praised the work of LTC Allen and the KDVA.

Responding to questions from Representative Blanton, LTC Allen said that there are no plans to close the Paul E. Patton nursing home facility in Hazard. Representative Blanton said that the next veterans' nursing home is to be built in Magoffin County.

LTC Allen requested that committee members send thank you letters to veterans' centers.

Representative Sharp praised the KDVA. Responding to a question from Representative Sharp, LTC Allen said that KDVA employees were likely chosen to assist with UI claims because of their relevant experience and professionalism.

Representative Wesley thanked LTC Allen for his work.

Joint Executive Council of Veterans Organizations

Sidney Shouse, Chairman of the Joint Executive Council on Veterans Organizations (JECVO), and Colonel (Ret.) Larry Arnett, Legislative Chairman of JECVO, spoke to the committee. Col. Arnett thanked the members of the committee for their support of Kentucky's veterans. Col. Arnett said that JECVO's first priority for the upcoming legislative session is strong funding for the KDVA. Their second priority is exempting property owned by Veterans Service Organizations (VSOs) from state and local property taxes. During the pandemic, Col. Arnett said that VSO posts came close to closing, and that exempting them from property taxes would help them continue their operations, as they would put that money back into their communities. JECVO's third priority is to exempt military retiree pensions from state taxes. Col. Arnett also asked that the legislators consider inviting Eric Koleda, Founder and Director of Hyperbaric Oxygen Treatment for Kentucky Veterans, and Eunice Ray, wife of Colonel Ron Ray, to speak to both chambers to learn more about the benefits of hyperbaric oxygen treatment. Col. Arnett then asked

that the legislature pass a resolution for Kentucky's U.S. Congressional Delegation, asking them to encourage the U.S. Department of Veterans Affairs to add the Louisville and Lexington veteran medical centers to their pilot project on hyperbaric oxygen treatment.

Representative Koch emphasized his support for the VSO property tax exemption and requested that committee members list it among their priorities for the upcoming budget.

Responding to a comment from Representative Blanton, Col. Arnett said that northeastern Kentucky should be the next location for a veterans' nursing home.

With no further business before the committee, the meeting adjourned at 12:00 PM.