

The Oldham Era

Local officials seek opinion on federal Hatch Act rules

By Laura Hagan, Staff writer, The Oldham Era

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Local officials are awaiting word from Washington, D.C. to determine if the duties of Oldham County Deputy Judge-Executive Paula Gish – a candidate in the upcoming May primary – comply with the federal Hatch Act.

In February, Oldham County Judge-Executive Duane Murner learned of a Hatch Act violation in Kenton County, where the deputy judge-executive is a candidate for county judge-executive.

Gish, a longtime magistrate representing District 1, was appointed by Murner to serve as deputy judge-executive and has served in that role since January 2007.

In July, she announced her candidacy for county judge-executive. She filed for candidacy in November.

The Hatch Act applies to appointed officials in federal, state and local government and limits political activities.

Under the Hatch Act, those employees – if they are employed by an agency that receives \$10,000 or more in federal grant money - cannot have any association with federal grant money.

Murner sent a letter Feb. 9 to the Office of Special Counsel in Washington requesting a determination whether the Hatch Act applies to the judge-executive's race in Oldham County.

Murner also distributed an executive order listing 18 federal programs benefitting Oldham County – including Congestion Mitigation and Air Quality, Recreational Trails Program and Safe Routes to Schools – that Gish “has and will continue to have no responsibility – supervisory, administrative or otherwise.”

He also provided a copy of Gish's job description as deputy judge-executive.

Now, he's waiting to find out if Gish's candidacy and job duties comply with the Hatch Act.

During the May 2006 primary election, a candidate for Oldham County Sheriff faced a Hatch Act violation that was resolved at the suggestion of the OSC by shifting one of his job responsibilities.

Murner said if the OSC determines Gish's candidacy violates the Hatch Act, he'll reassign the job duties in question or Gish will resign from her position as deputy judge-executive.

La Grange resident Dewey Wotring spoke about the Hatch Act during Tuesday's fiscal court meeting.

"The very name of fiscal court implies the court's responsibility with the fiscal issues of the county," he said. "If (there is) a violation, it will cost some funds."

Murner said at the meeting the issue isn't one for members of fiscal court members to decide, and shared that he's corresponded with the OSC regarding Gish's candidacy.

Gish said she feels that she is in compliance. Murner said he and Gish decided the best thing to do in this situation is to be proactive.

"We want to be in compliance," he said. "If we are out of it, we want to know what we can do to be in compliance."

Murner said Tuesday he'd heard from an attorney at OSC.

Carolyn Martorana is an attorney in the Hatch Act Unit at OSC and she requested several documents from the judge's office. Martorana is asking to see a list of every federal loan or grant applied for or received by Oldham County since January 2008 and all information relating to those grants or loans.

Murner said the documents must be sent to OSC by March 19. E-mail us about this story at: lhagan@oldhamera.com

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