

4:32pm

So, Brian, what I'm going to do is let you know--my name is Martha Lemert. I have been asked to investigate because written complaints have been filed with county human resources concerning Commissioner Chuck Poling and the manner in which he conducts himself and interacts with others at the county government. I'm, again, an attorney and outside investigator who's been asked to look into this on the direction of former Commissioner Shane Middlesworth and Commissioner Ron Stewart in consultation with the county Legal department. You're one of the at least 17 county employees currently identified as potentially having information that could be relevant to the investigation. Information provided by you and others may become public at some point, including if the allegations involving Commissioner Poling are determined to be credible or if disclosures otherwise advisable are required by law. As part of this investigation, Commissioner Poling will be given an opportunity to respond to the allegations.

Brian Kikendall: OK

Marty: You are not the subject of the investigation; Commissioner Poling is the subject of the investigation, and you're being interviewed today as potential witness. The county asks that you be honest and candid and cooperative and transparent in the information you provide. Your employer is prohibited by law from retaliating against you for providing testimony, information, or evidence in connection with this investigation. If after this interview you believe you're experiencing retaliation, please notify the county human resources director who will inform county Legal. Commissioner Poling has been instructed not to contact you regarding your testimony today. If Commissioner Poling contacts you regarding your testimony, please notify county human resources who will inform county Legal. The interview is being conducted during normal business hours and as part of your work for the county, you will be paid your normal wages for this time. When.....is that OK?

Brian Kikendall: Yeah, yeah, that's fine.

Marty: When possible, it's helpful for you to be as specific as you can regarding dates, times, locations, and what occurred. It's also understandable if you don't remember every detail today. If at some point in the future you obtain or recall additional information, testimony, or documentation that you believe may be relevant to the investigation, you may contact me by email or phone to provide that information. This interview is being recorded so I can prepare the most accurate report possible. Today's date and time are 8/24. It's about 4:32 PM. What's your name and your position with the county?

Brian Kikendall: It's Brian Kikendall, and I am a help desk technician Tier 2.

Marty: And how long have you worked for – and that's in the IT department?

Brian Kikendall: Yeah.

Marty: How long have you worked for the county?

Brian Kikendall: 12 years.

Marty: OK. And my understanding is that you recently had an interaction with Commissioner Poling. Is that correct?

Brian Kikendall: Yeah.

Marty: OK. Tell me about that.

Brian Kikendall: He – so it was after Marcus had left on Friday, he came up and he had two of the other maintenance guys with him, and he came up and basically was asking about the audio stuff on the cameras and things and why it was off, and he requested for us to turn it back on.

Marty: And you say he had his two maintenance people with him. Was that Mike Sinnison and

Brian Kikendall: Uh, Shadow.

Marty: Shadow. OK.

Brian Kikendall: Yeah.

Marty: And what other conversation took place? How did you respond to that?

Brian Kikendall: I think that was – that was pretty much it for it. He came up earlier that day and talked to us with Marcus there, and Marcus explained to him, you know, that it was Legal that asked us to turn it off and this and that, and he left. So this time when he came back, it was just to request us to turn it back on.

Marty: OK. Did he say anything to you about – well, let me ask you this: Did he say anything to you about having any conversation with Commissioner Ron Stewart regarding the audio?

Brian Kikendall: He mentioned he talked to Ron and Oliver, but off the top of my head, honestly I can't remember exactly what he said or how he said it, but he did mention that he talked to Oliver, and Oliver told him that he was new and still trying to figure it out and everything, and – but as far as the details go, I can't remember everything off the top of my head, unfortunately.

Marty: Did he say anything to you about Ronna Green, that the audio should be turned back on?

Brian Kikendall: I believe he did, but like I said, unfortunately it was a Friday, it was later on in the day and I – like I said, with everything else going on, I just-- unfortunately, and in the long weekend, I can't remember exactly what was said or how he said it, but he – the way he worded it did allude to the fact that he did talk to the other commissioners and made it seem like it was OK.

Marty: Are you aware of whether any vote has been made at a public meeting or elsewhere to turn the audio back on by the commissioners?

Brian Kikendall: No, there's nothing.

Marty: As best you can recall, what did he say with respect to the other commissioners agreeing with him on the audio?

Brian Kikendall: He – I remember him talking about Oliver. Like I said, he was – Oliver said he was new and he told Chuck that he was still trying to figure it all out and things, but I don't – I don't – I can't, unfortunately, I can't remember all the details or how he said it, but like I said, he basically – the way it was worded and how he brought the other two up, made it seem like, at least from my memory, that he had the approval of the other two.

Marty: Had you – the other two weren't with him when he talked to you, correct?

Brian Kikendall: No, they were not.

Marty: Did you ever hear from either of the other two commissioners about whether this had been approved by them or not directly?

Brian Kikendall: No, I have not talked to them about anything or have seen them since.

Marty: OK. And then did you go ahead and turn the audio back on this morning?

Brian Kikendall: Yes, I turned it back on this morning. He told me it wasn't a huge hurry, and it didn't need to be done because it was so late in the day, so he told me just to do it first thing on Monday.

Marty: And so, when did you have this conversation on Friday? Was it late in the day?

Brian Kikendall: Yeah, it was – it was after 3:00. I remember Marcus left a little early because his car was getting worked on across the street, and I don't think he waited for Marcus to leave or anything, but it just happened to coincide with that so that's how I

Marty: who else was present for this conversation besides yourself?

Brian Kikendall: What was it? I'm sorry, what?

Marty: Who else was present with this conversation besides yourself?

Brian Kikendall: My coworker Emily Henry was.

Marty: Was she able to overhear the conversation?

Brian Kikendall: Uh, I don't know. She wears headphones and she kind of does her own thing, so she doesn't usually listen. So I don't – I can't say for sure.

Marty: OK. How long did this conversation last on Friday afternoon?

Brian Kikendall: It was only a few minutes, I'd say. I don't know, no more than 5.

Marty: And was anything said about whether IT could share data or documentation related to this investigation with outside investigators?

Brian Kikendall: Yep. He asked us to not, to like not share anything or whatever without two commissioners' approval and things. So he just basically told us that anytime anybody asks for any of that kind of stuff, or even from Beth; if Beth and Felicity even asked for anything, to tell them that we need commissioner approval and to talk to the commissioners about it.

Marty: And that was also part of the conversation that took place on Friday afternoon with you?

Brian Kikendall: Yeah. Yep.

Marty: So your understanding is you're not able to share any information or documentation related to this investigation unless you have two commissioners approving it?

Brian Kikendall: Yeah.

Marty: And that's your understanding based on what Chuck was telling you – whether it comes from Beth or Felicity or from the Legal counsel?

Brian Kikendall: Yeah.

Marty: Was there any communication to you about – that you felt was in any way intimidating towards you or your position personally?

Brian Kikendall: Not in those conversations. The only thing he usually says is that, you know, obviously he says we – they're our bosses (the commissioners are) and that you know, we work for them, and so that's where I guess we need to ask for approval and things from the commissioners before things are done. That's where, like with the Beth and Felicity stuff and things, he was saying that they sometimes go above their power or means and they don't always ask for approval before doing things, even though they should. That's why he was directing us to tell people to talk to the commissioners about it, I guess, or to get their approval.

Marty: Have you ever had any other interactions with Commissioner Poling that you in any way considered to be questionable, intimidating, or inappropriate?

Brian Kikendall: I have not. I've seen it in some meetings and some other things, but it's never been towards me.

Marty: OK. In what meetings are you talking about?

Brian Kikendall: Some of the – I think there was commissioner meetings and I can't remember the other meetings, but there have been some meetings that we've had to run where I have witnessed him and how he talks to people and things. One of them was a drainage board meeting, and him and the Gas City mayor actually got into it a little bit, so there's just sometimes there's some meetings that I've seen, but like I said, it's never been directed towards me personally.

Marty: OK. Do you remember when that meeting, that drainage board meeting was?

Brian Kikendall: Off the top of my head, I don't. It was within the last couple months. I want to say maybe it was in June, June-July, maybe.

Marty: And that was a recorded meeting?

Brian Kikendall: Yes.

Marty: OK. Did you feel like if you didn't turn the audio back on your job would be in jeopardy?

Brian Kikendall: I don't know if I would say my job would be in jeopardy, but I would – I guess I would feel like maybe someone's job would be in jeopardy.

Marty: OK. Is there anything else that – has Commissioner Poling ever discussed your voting choices or who you should vote for?

Brian Kikendall: No, he hasn't—not with me, but I've – again, I've seen videos and recordings and camera stuff and things of him basically telling other people and then mentioning about how they – if Hartman and some other people get elected, then they can – we could get raises and things like that. So, he's never, never talked to me about it personally, but I've seen it.

Marty: OK. Have you – is there any other interactions that you've personally had with Commissioner Poling besides this one that you think is important to share?

Brian Kikendall: I can't think of any off the top of my head.

Marty: OK. And as far as you're aware, there's no cameras or recording devices in the IT area, correct?

Brian Kikendall: Yeah, there's nothing.

Marty: OK.

Brian Kikendall: Yeah, 'cause we would have to be the ones to run it and set it up and configure it and run cables and do things, and so there's nothing there.

Marty: Have you ever been approached in your 12 years by any other commissioner about recording audio on people other than Commissioner Poling?

Brian Kikendall: Uh, no.

Marty: OK. And when did I – let me ask you this, I mean prior to the HR camera recording audio and a few others in your 12 years of being there, was there audio recording happening prior to January 2025.....

Brian Kikendall: Uhm, I can't say for sure.....

Marty: if you know, if you know.....

Brian Kikendall: I know the Verkada cameras, they do have audio, but they're turned off by default, I believe. So a lot of them were not on, but I do know, like in the jail, I know the cameras in the jail do have audio and things and audio recording there.

Marty: OK. When did we get the Verkada system?

Brian Kikendall: It has been – it's probably been 5 years, maybe more, maybe a little bit more. It's a newer – it's a newer system that we've been putting in and we're still slowly rolling it out.

Marty: OK, so we didn't have Verkada cameras in as many places.....

Brian Kikendall:No.....

Marty: that's expanded in the last year and a half, correct?

Brian Kikendall: Yes. Yeah, and so whenever Shane and Chuck came into office, that was one of the first things that they had us do, were to put cameras in a lot of the common areas where people help like customers and things and handle money and deal with the public. So like the Treasurer's office, the Auditors, the lobby down in the basement, all of those were put in in the last year, year and a half, and those were specifically to have audio, so they could record and see, like, interactions with the public that were not good interactions, I guess, because sometimes people would come in mad about something or wanting something and then so they just wanted to be able to record it to hold the people accountable, I think.

Marty: I think I asked before, but was there any actual vote on this in a commissioner meeting about making these audio enabled?

Brian Kikendall: I don't think so. It was, I think, literally like the first week that they came into office. They had us put cameras in and some of the ones, they told us to do it after hours, so like people wouldn't know or whatever, or we would have to fight with people to put it in, I guess, so we had to stay after hours and put some cameras in.

Marty: And so, and when they say so people wouldn't know, that would include employees that work there, right, in those offices?

Brian Kikendall: Yeah. Most of them are in pretty obvious places, so I would assume they'd be able to see them, but I mean, I also.....

Marty: do you do you know whether or not those employees were ever informed that the audio was on as well as the video?

Brian Kikendall: That part I don't know, because I know we never told anybody from those offices necessarily, so I'm not sure on that.

Marty: OK, is there anything else that you think I should know about related to this?

Brian Kikendall: Not that I can think of.

Marty: OK. I appreciate your time and your cooperation, and if, like I said, if anything else comes to mind or there's something else that you didn't touch on, let me know.

Brian Kikendall: OK.

Marty: All right, thank you very much.

Brian Kikendall: Sounds good. Yep, thank you.

Marty: bye.