

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 16, 2008

A meeting of the Campbell County Fiscal Court was held on Wednesday, July 16, 2008, 5:30 p.m. at Campbell County Fiscal Court, 24 West Fourth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
MARK HAYDEN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
Jim Seibert	Director of Fiscal Affairs
Laurie Dowell	Assistant County Attorney
Col. Keith Hill	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Pat Dressman	Director of Human Services
John Austin	Manager of Government Relations
Ben Adams	Administrative Intern
Susan Prather	Fiscal Court Clerk

The meeting was called to order by Judge Pendery at 5:30 p.m.

Judge Pendery called for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes of the Fiscal Court Meeting held July 2, 2008 were presented by Judge Pendery. Motion was made by Commissioner Rechtin and seconded by Judge Pendery to approve the minutes of July 2, 2008 as presented by Clerk. All voted "AYE" and the motion passed unanimously.

Judge Pendery recognized citizens or public officials wishing to address the Court. John Daley, Chief of Campbell County Fire District #1, addressed the Court. Chief Daley is also the current president of the Kentucky Firefighters Association (KFA) and as such, will be hosting the KFA 2008 conference at the Drawbridge Inn in Kenton County. The conference is August 2nd through the 5th. On Sunday, August 3rd, there will be a fire apparatus parade at 3:00 p.m. from the

Drawbridge to the Peace Bell in Newport. Following the parade, a memorial service will be held. There is an open invitation for all to attend. On Monday, August 4th, Judge Pendery will welcome the firefighters prior to the KFA opening session. At their banquet on Tuesday night, two local men will be honored in the Kentucky Firefighters Hall of Fame. Ken Knipper will be recognized for his service to the community. Mike O'Day, former fire chief in Fort Thomas, will also be recognized. Chief Daley thanked the fiscal court for their support over the years.

Next to address the court was Mr. J.R. Roth. He introduced himself and stated he was a nominee for the Fifth District Fish & Wildlife Board. The top six names are given to the governor and he then appoints someone to a 4-year term. Mr. Roth lives on Winters Lane in Campbell County. He asked for the court's support in this nomination. Judge Pendery asked what the office entails and Mr. Roth explained there are nine different commissioners on the Fish & Wildlife Board. They establish the rules and regulations for the game wardens to follow. He added the Board concentrates 50% on boating and 50% on fish and wildlife. He owns a boat on the Ohio River and he lives on his 70-acre farm.

Mr. Buck Seibert, citizen, was present and notified the court that a representative down state is trying to pass a law to allow electric vehicles on public roads. Some of these vehicles are basically glorified electric golf carts. He is concerned about the safety issues. He has asked Rep. Adam Koenig to also allow farm vehicles on the roads. Judge Pendery thanked him for bringing this to the court's attention.

Mr. Dan Schneider of Kramer Drive, a privately maintained road, was present and was concerned over the wording of paperwork involving the reconstruction and repair of Kramer Drive. Mr. Horine stated that these were draft documents. Mr. Horine will contact the county attorney to address these issues. A discussion followed regarding the width of the street, from 28 feet to 20 feet wide and no parking on the dead-end street.

Judge Pendery then called for the presentation of Old Business. Melissa Williams stated there was no Old Business before the Court.

New Business was presented to the court. Mrs. Williams presented Resolution R-78-08 to the Court for consideration. The Resolution was read by title and a summary given. This Resolution authorizes the Judge/Executive to enter into an Agreement with the Northern Kentucky Area Development District regarding the Campbell County Senior Center in the amount of \$61,905.00 to pay for operations at the Center for 2009. Pat Dressman, Human Services Director, recommends the agreement. Motion was made by Commissioner Rehtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next on the agenda, Mrs. Williams presented Resolution R-79-08 for the court's consideration. The Resolution was read by title and a summary given. It authorizes the Judge/Executive to execute a Contract with Joni Mallery, DBA Royal Guard Company, to provide general cleaning services at the Campbell County Senior Center for FY2009. The contract is for three days a week at \$50.00 per day. Pat Dressman is also recommending this contract renewal. Motion was

made by Commissioner Rehtin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mrs. Williams then presented Resolution R-80-08. It was read by title and a summary given. This Resolution authorizes the Judge/Executive to execute an Agreement with the Campbell County Conservancy regarding funding. This Agreement would allow the fiscal court to make a one-time payment of \$23,000.00 to the Conservancy to be used for capital projects and/or for expenses including land acquisitions that will promote the conservation of green space in our county. Motion was made by Judge Pendery to accept this Resolution and seconded by Commissioner Rehtin. A short discussion followed. Commissioner Hayden asked if this money was for a specific purpose and Judge Pendery stated it was for the purchase of property. All voted "AYE" and the motion passed unanimously.

One personnel matter was then presented for the Court's consideration. Mrs. Williams requested that Lynn Farris be hired as a temporary executive secretary/fiscal court clerk, at Grade 11K, effective July 28, 2008. Judge Pendery made the motion and seconded by Commissioner Otto. All voted "AYE" and the motion passed unanimously.

Upon the conclusion of New Business, Judge Pendery requested reports from Staff. Mr. Horine, County Administrator, presented a motion to the Court to authorize staff to advertise for bids for reconstruction/repair of Kramer and Charlotte Drives. Property owners on these streets propose to pay the cost of this work so that the streets can be accepted for county maintenance. There is overwhelming support from the property owners to pay their fair share of the expense. When the bids are received, if the owners are still in agreement, the work will be completed and the roads accepted for county maintenance. The Seiberts, residents of Kramer Drive, were present at the meeting and have been part of the core group along with 28 other property owners. Motion was made by Commissioner Rehtin and seconded by Commissioner Otto. Commissioner Hayden thanked Mr. Horine, Judge Pendery and the fiscal court staff for all the hard work involved. He stated this has been an ongoing dispute for years and this court decided to resolve these issues with the property owners. He stated it was a good example of citizens compromising along with the fiscal court compromising to get to a fair resolution for all the citizens of Campbell County. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-81-08 was then presented by Mr. Horine for the court's consideration. The Resolution was read by title and a summary given. It authorizes Judge/Executive Pendery to execute an agreement with H.C. Nutting Company to conduct a geotechnical study for planned roadway improvements on Covert Run Pike. Mr. Horine explained this section of Covert Run Pike is a county-maintained road located between Fort Thomas and Bellevue. Emergency Road Aid funds were received for this repair. The first step will be to obtain geotechnical reports for a wall that will stabilize the slip area. A short discussion followed. Commissioner Hayden pointed out that the fiscal court should be listed as the client on the contract. Commissioner Otto stated that Route #8 is also having road work done due to slippage problems. He asked that the state be notified to have signs up in Dayton, Kentucky that Route #8 is closed from 8:00 a.m. to 5:00 p.m. every day. Mr. Horine stated he was meeting with District #6 highway officials on July 17, 2008 and would bring this to their attention. Commissioner Otto made a motion to

accept Resolution R-81-08, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed unanimously.

Resolution R-82-08 was then presented for the court's consideration. Mr. Horine read the Resolution by title and gave a summary. This Resolution authorizes an increase in the vehicle allowance for the positions of Director of Planning, Jailer, and Chief Deputy Jailer. Mr. Horine added that the IRS increased the standard mileage rate from 50.5 cents per mile to 58.5 cents per mile and due to increasing costs of fuel, he recommends this resolution. Commissioner Rehtin made a motion to accept Resolution R-82-08, seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next on the agenda, Mr. Horine presented Resolution R-83-08 for the court's consideration. It was read by title and a summary given. This Resolution acknowledges the execution of a Memorandum of Agreement with the Commonwealth of Kentucky, State Board of Elections. Mr. Horine explained that this will reserve the right for Campbell County to use \$297,000.00 to purchase new voting machines as may be required by the federal government's *Help America Vote Act*. If the need arises, the fiscal court will have the money in reserve to purchase the voting machines required. The agreement extends through the current biennium, to June 30, 2010. The County does not have to use these funds during the term and if unused, the funds will be saved for future use. The state recommends this Agreement be executed to keep the option open. Commissioner Hayden made a motion to accept Resolution R-83-08, seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Horine then requested the fiscal court enter an executive session to discuss a legal case at the end of regular business.

Laurie Dowell from the County Attorney's office had no report.

Commissioner Otto stated he was in favor of the Judge Executives Association filing suit against the state regarding jail reimbursement. It has been over ten years and it is time that the counties get their fair share.

Commissioner Hayden stated another lawsuit was filed by Franklin County against the state. The suit involves insurance premium taxes for the City of Frankfort, not the County of Franklin. He is investigating the suit at this time.

Judge Pendery reminded the Court that a Mayors' Meeting is scheduled for Tuesday, July 22, 2008 at 7:30 a.m. at the Campbell County Extension Center and invited all to attend.

The Fiscal Director's report was then presented to the court. Mr. Jim Seibert presented a motion to authorize staff to solicit bids for the paving of the Campbell County Police parking lot. Commissioner Rehtin made the motion to authorize this action, seconded by Commissioner Hayden, who added that the parking lot is in need of repairs. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next on the agenda, Mr. Seibert presented a motion to approve the purchase of a 2008 single-axle dump truck for the Road Department for \$78,943.00, which is the state contract price. This truck will replace a 1993 dump truck. Commissioner Rehtin made the motion to purchase the truck, seconded by Commissioner Otto. All voted "AYE" and the motion passed unanimously.

A motion to approve the Transfers was requested by Mr. Seibert. Motion was made by Commissioner Rehtin and seconded by Judge Pendery. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested a motion to approve the Claims for July 16, 2008. Ms. Dowell stated that Mr. Verst reviewed the Claims and noted that all appear to be in order. Motion was made by Commissioner Otto to approve the claims. Commissioner Hayden commented that the new format for the bills is easier to read. He questioned purchases at local stores, namely Wal-Mart, Lowes, Office Depot. He asked Mr. Seibert if the county received any discounts at these locations. Mr. Seibert stated Wal-Mart and Home Depot provided discounts. He stated he would look into the other stores possibly giving the fiscal court discounts. Mrs. Williams added that items ordered from Office Depot on-line received discounts. The motion to approve the claims was seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mrs. Williams introduced Ben Adams, the new administrative intern, to the court members. He will be working on Tuesdays, Wednesdays and Thursdays.

Commissioner Rehtin made a motion to enter executive session, pursuant to KRS 61.810(1)(c), possible pending litigation. Commissioner Otto seconded the motion. All vote "AYE" and the motion passed unanimously.

Commissioner Otto made a motion to leave executive session, seconded by Judge Pendery. All vote "AYE" and the motion passed unanimously.

There being no further business before the Court, motion was made by Commissioner Otto and seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 7:01 PM.

Attachments:

- Resolution R-78-08 Agreement with NKADD regarding Senior Center
- Resolution R-79-08 Contract with Joni Mallery for cleaning at Senior Center
- Resolution R-80-08 Agreement with Campbell County Conservancy
- Resolution R-81-08 Agreement with H.C. Nutting for geotechnical study
- Resolution R-82-08 Increase in vehicle allowance for Director of Planning, Jailer and Deputy Jailer
- Resolution R-83-08 Agreement with State Board of Elections for new voting Machines

Transfers July 16, 2008
Claims July 16, 2008

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

MELISSA WILLIAMS
Director of Administration

Transcribed by:

LYNN FARRIS
Acting Fiscal Court Clerk