

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**April 15, 2009**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 15, 2009, 5:30 p.m. at the Fiscal Court offices, 24 West Fourth Street, Newport, Kentucky.

Preceding the opening of the Fiscal Court meeting, two public hearings were held at 5:15 p.m. for the purpose of receiving public comments regarding the applications for Entertainment Permits by Donna Stull d/b/a J & G, for the premises located at 4184 Mary Ingles Highway, Highland Heights, Kentucky, and by Kristina Bihl and Sheila Beatty d/b/a One More Bar, for the premises located at 6680 Licking Pike, Cold Spring, Kentucky. Present at the hearing were:

Steve Pendery, Campbell County Judge Executive  
David Otto, County Commissioner  
Kenneth Rehtin, County Commissioner  
James Daley, County Attorney  
Robert Horine, County Administrator  
Melissa Williams, Director of Administration  
Paula Spicer, Fiscal Court Clerk  
John Austin, Government Relations Manager  
Jim Seibert, Director of Fiscal Affairs  
Ron Schneider, Interim Director of Office of Emergency Management  
Pat Dressman, Director of Human Services

Judge Pendery opened the public hearing. James Daley explained that an investigation was conducted by the Campbell County Police Department, who found no criminal history or reason to deny the application of Donna Stull d/b/a J & G for an entertainment permit. He recommends that the permit be issued without condition. Entertainment permits can be revoked if there are problems at the tavern. Mr. Daley noted that John Austin advised that the applicant has complied with the advertisement requirements. Ms. Stull was present at the hearing. There were no comments regarding this application. Mr. Daley presented the next Entertainment Permit application made by Kristina Bihl and Sheila Beatty for One More Bar at 6680 Licking Pike, Cold Spring. Again, an investigation was conducted and no criminal history or wrongdoing on the part of the applicants was found, and he therefore recommends issuance of the permit. Proof of the required advertisement has also been received from the applicant. Mr. Daley asked if there were any questions or comments from the public. Melissa Williams explained to Ms. Stull that Judge Pendery will take the information which was presented under submission and she will be notified in writing regarding approval of the permit. Ms. Stull was also advised that she must comply with the occupational license regulations. There being no further comments on either application, the public hearing was closed at 5:20 p.m.

In attendance at the regular 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
James Daley	County Attorney
Colonel Keith Hill	Chief, Campbell County Police Department
John Austin	Government Relations Manager
Paula Spicer	Fiscal Court Clerk
Ron Schneider	Interim Director of Office of Emergency Management
Pat Dressman	Director of Human Services

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

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

Minutes from the Fiscal Court Meeting held on April 1, 2009, were presented by Judge Pendery. Motion was made by Commissioner Otto, seconded by Commissioner Hayden to approve the minutes. All voted "AYE" and the motion passed unanimously.

Judge Pendery offered any guests the opportunity to address the Fiscal Court. Judy Hennessy, a social worker and resident of Campbell County and Newport, thanked the Fiscal Court for allowing her to speak on the subject of a comprehensive smoke free law in Northern Kentucky. Ms. Hennessy stated that whenever she is at a place where people are smoking she is always aware of the impact of their smoking on their health, the negative impact and the hazards, and the secondary smoke effects. She is particularly aware of smoking because she suffers from a lung impairment. She stated that she relates smoking to alcohol, in that it needs to be regulated because of the consequences to our environment. Ms. Hennessy stated every man, woman and child in the Northern Kentucky area has the right to breathe the best quality air that can be provided, and hopes that the Fiscal Court will consider that. Judge Pendery thanked Ms. Hennessy for her comments. Commissioner Otto stated that his wife works in the cardiac rehab department at Christ Hospital and works with people to help them stop smoking. He also has a lung impairment.

J. R. Roth, League of Kentucky Property Owners, announced that Jeff Eger will speak to their group on April 28 at 7:00 p.m. at the Cold Spring Library regarding the water shed approach for storm water and waste water.

There being no old business to attend to, Melissa Williams presented new business beginning with Resolution R-42-09 which was read by title and summary given. R-42-09 allocates Mental Health/Mental Retardation Tax funds for Fiscal Year 2010. Pat Dressman has made the recommended allocations of the \$939,170.00 in tax funds. Commissioner Hayden made a motion to adopt R-42-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-43-09 was read by title and summary given. R-43-09 allocates Senior Citizens' Tax funds for the Fiscal Year 2010. Total funds to be allocated are \$497,950.00, and Pat Dressman has recommended the allocations. Commissioner Otto made a motion to adopt R-43-09, seconded by Commissioner Rehtin. All voted "Aye" and the motion passed.

Resolution R-44-09 was read by title and summary given. R-44-09 approves the Women's Crisis Center as the non-profit organization to administer the Emergency Shelter Grant Assistance Program for Fiscal Year 2009-2010. Ms. Williams pointed out that the original information given to the Fiscal Court had the wrong fiscal year, which has been corrected to reflect 2009-2010 fiscal year. She explained that the Women's Crisis Center needs local government approval for their grant for funds to provide shelter for victims of violence. Commissioner Rehtin made a motion to adopt R-44-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Judge Pendery thanked Pat Dressman for her hard work in evaluating the recipients and making recommendations for the allocations of the Senior Citizen and Mental Health/Mental Retardation tax funds. Determining which agencies will be funded is a tough decision to make.

Ms. Williams then presented Resolution R-45-09 which was read by title and summary given. R-45-09 authorizes an application for a mitigation grant from Kentucky Emergency Management/FEMA for funds to purchase four emergency sirens to be installed in Campbell County. If received, this grant will allow Campbell County to purchase 4 sirens. The cost of each siren is approximately \$24,815.00 with the County paying \$3,220.00 for each. There are several sirens in the County that need to be replaced and Ron Schneider recommends applying for this grant to help with funding. Commissioner Rehtin made a motion to adopt R-45-09, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-46-09 was read by title and summary given. R-46-09 authorizes the Judge/Executive to execute a Memorandum of Agreement with the Kentucky Board of Emergency Medical Services/KCTCS for Fiscal Year 2009 Ambulance Service Block Grant funding. The Ambulance Service Block Grant funds will be equally distributed among the Alexandria Fire District, Fire Department of Bellevue/Dayton, Central Campbell Fire District, Fire District No. 1, Ft. Thomas Fire Department, Newport Fire Department, Southern Campbell Fire District and Southgate/Wilder Emergency Medical Service. Commissioner Rehtin made a motion to adopt R-46-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Ms. Williams requested a motion to proclaim the week of April 19 through 25, 2009 as Volunteer Appreciation Week in Campbell County. During this week all citizens are called upon to join the Fiscal Court in recognizing the many contributions that volunteers bring to the community, and thank them for making Campbell County a better place to live. In connection

with this, the members of the Fiscal Court are requested to sign letters thanking the volunteers who serve on various boards and committees for their service. Motion was made by Commissioner Rechtin, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to appoint the following to the seasonal position of Camping/Concession worker at A J Jolly Park for the 2009 Park Season: Elizabeth Holtz, Timothy Heil and Heidi Rawe. The rate of pay is \$9.54 per hour, and the appointments are effective April 15, 2009 through the 2009 park season. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Resolution R-41-09 was read by title and summary given. R-41-09 authorizes the distribution of 2009 Park Passes to the employees of the Campbell County Fiscal Court and Campbell County Detention Center. Judge Pendery made a motion to adopt R-41-09, seconded by Commissioner Rechtin. Commissioner Hayden stated that Fiscal Court and Detention Center employees should pay for their own park passes, the same as citizens are charged. Therefore, he can not support this resolution. Judge Pendery and Commissioners Otto and Rechtin voted "AYE", Commissioner Hayden voted "NAY" and the motion passed.

Ms. Williams next requested a motion to nominate to the Campbell County Local Health Board the reappointment of Dr. Dan Sheridan, a dentist, to serve on the Northern Kentucky District Health Board. Said appointment is for two years effective July 1, 2009 through June 30, 2011. Motion was made by Judge Pendery, seconded by Commissioner Hayden. Ms. Williams stated that Dr. George Hall has declined reappointment to the Board due to his busy schedule as a result of the merger of St. Luke and St. Elizabeth hospitals. Dr. Hall will however continue his term on the Local Board. All voted "AYE" and the motion passed.

Robert Horine presented his report beginning with Resolution R-47-09 which was read by title and summary given. R-47-09 accepts the bid of Coomer Contractors for construction of a 3-inch water line extension at A J Jolly Park. The County received 8 bids in response to its advertisement for this project, and the low bidder was considerably lower than the estimate. The project was bid with a base bid calling for PVC pipe and an alternate bid for polyethylene (PE) pipe which is more durable and longer-lasting. The PE pipe is more expensive, but since the bid came in lower than the construction estimate, staff recommends accepting the alternate bid using the PE pipe at a cost of \$48,345.95. This water line will replace a failed line that runs under the lake. Commissioner Rechtin made a motion to adopt R-47-09, seconded by Judge Pendery. Commissioner Hayden asked if the contractor's qualifications have been verified since their bid is quite a bit lower than the others that were received. Robert Horine explained that Cardinal Engineering did thoroughly check Coomer's references and they all came back good. Coomer has done quite a bit of work for the Northern Kentucky Water District. Cardinal Engineering will perform inspections during the course of the project, and the contractor has a 100% performance bond. All voted "AYE" and the motion passed.

Mr. Horine requested a motion to advertise for bids to construct a parking lot at 1002-1012 Saratoga Street and 1009-1011 Monmouth Street to provide employee parking for the new administration building. An illustration of the parking lot was included in the meeting packet. Cardinal Engineering provided the engineering services for this project. Motion was made by Commissioner Rechtin, seconded by Judge Pendery. Commissioner Rechtin thanked staff for

ensuring that this project conforms with Newport's regulations, and asked if anybody has met with a representative of the City of Newport. Mr. Horine stated that he talked to Tom Fromme, presented him with the plans and Mr. Fromme OK'd them. Commissioner Rehtin stated that he likes the fact that there is one ingress and egress on Monmouth and Saratoga. J.R. Roth, citizen, asked if the bid will contain an option for concrete pavement. Mr. Horine advised that the engineer recommended asphalt; one lot is already asphalt and will just need sealing. He stated that at this point the specifications are only for asphalt, but it could be changed. He will talk to the engineer about it and report back to the Fiscal Court. Mr. Roth stated that concrete worked well on Kramer Drive and that there are environmental reasons to use concrete vs. asphalt. All voted "AYE" subject to a report from the engineer regarding the use of concrete as an alternate.

John Austin provided the Fiscal Court with a written update on federal stimulus funds. He advised that they are keeping track of several water and sewer infrastructure projects in Campbell County, and are still waiting for Frankfort to rank these projects by priority. Mr. Austin stated that he is expecting an update on the health information technology funds as they relate to Northern Kentucky University. Mr. Austin advised that there is \$125.5 million available nationwide in the Byrne competitive grant program. David Wilkerson of Northern Kentucky University will write the grant application which may benefit the Mental Health Court. Mr. Austin stated that Congressman Geoff Davis has submitted funding requests from the Federal Fiscal Year 2010 Appropriations Bills on the following Campbell County projects: I-471 pavement rehabilitation project in the amount of \$2.8 million, the I-275/AA Highway interchange study in the amount of \$336,000, Northern Kentucky Riverfront Commons project and various projects for Northern Kentucky University. He stated that they are working on submissions for six projects under the 2009 Federal Highway Reauthorization Bill.

Robert Horine stated that he will request a motion at the end of the meeting to meet in executive session to discuss pending litigation.

Judge Pendery announced that Campbell County will hold a County Shred Day event on April 18, 2009 from 9:00 AM to 1:00 PM at the Alexandria Wal-Mart. There will be a Farm Oil Recycling event on May 2, 2009 from 9:00 AM to 1:00 PM at the Campbell County Transportation Center.

Judge Pendery advised that as of April 1, 2009 the County's expenditures in the Nolan lawsuit were \$43,162.00.

Judge Pendery announced that at its annual luncheon today OKI made two awards and the OKI In-Motion Award was presented to Peter Klear, Planning and Zoning Director. He congratulated Mr. Klear on receiving this award.

Jim Seibert requested a motion to authorize staff to solicit bids for the purchase of salt for the Campbell County Road Department. He stated that they are considering using the KACo-sponsored reverse auction program for this purchase. Motion was made by Commissioner Rehtin, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims and supplemental claim as presented for April 15, 2009. County Attorney James Daley stated that he has reviewed the claims and all

appear appropriate. Motion was made by Commissioner Otto, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Robert Horine requested a motion for Executive Session pursuant to KRS 61.810(1)(c) to discuss pending litigation against the public agency. He stated that there will be no action taken by the Fiscal Court after the executive session. Motion was made by Commissioner Rehtin, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was made by Commissioner Rehtin, seconded by Commissioner Otto to adjourn the executive session. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rehtin made a motion to adjourn, seconded by Commissioner Otto. All voted "AYE" and the meeting adjourned at 7:16 p.m.

Attachments:

Resolution R-42-09 Allocation of MH/MR Tax Funds FY2010  
Resolution R-43-09 Allocation of Senior Citizens' Tax Funds FY2010  
Resolution R-44-09 Women's Crisis Center – Emergency Shelter Grant Funds  
Resolution R-45-09 Ky. Emergency Management/FEMA Mitigation Grant  
Resolution R-46-09 Memorandum of Agreement – Ambulance Service Block Grant  
Proclamation Volunteer Appreciation Week  
Resolution R-41-09 A J Jolly Park Passes  
Resolution R-47-09 Accept bid of Coomer Contractors – A J Jolly Park waterline  
Claims and Supplemental Claim of April 15, 2009

Approved:

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STEVE PENDERY  
Campbell County Judge/Executive

Attest:

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Paula K. Spicer  
Fiscal Court Clerk