

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**September 17, 2009**

A special meeting of the Campbell County Fiscal Court was held on Thursday, September 17, 2009, at 4:00 p.m. at the Fiscal Court Offices, 24 West Fourth Street, Newport, Kentucky 41071.

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
James Seibert	Director of Fiscal Affairs
James A. Daley	County Attorney
Paula Spicer	Fiscal Court Clerk
Brett Ruschman	IT Director

The meeting was called to order at 4:00 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 special Fiscal Court Meeting held on September 2, 2009 were presented. Motion was made by Commissioner Otto, seconded by Commissioner Hayden, to approve the minutes. All voted "AYE" and the motion passed unanimously.

There were no guests scheduled to speak, so Judge Pendery opened the floor for comment. J. R. Roth asked if the Fiscal Court had considered his suggestion regarding using inmates to move the various offices to the new administration building. Robert Horine replied that he would address that issue later in the meeting when they discuss the move.

Brian Cox advised the Fiscal Court that he must resign as County Surveyor as he has taken a full-time position as a surveyor with the Kentucky Transportation Cabinet District Six. He initially thought that he would be able to remain as County Surveyor while working for the Transportation Cabinet, but was notified by the State that he could not do both. Judge Pendery

expressed the Fiscal Court's appreciation for Mr. Cox's service to the County, and congratulated him on his new position.

There being no old business, Melissa Williams presented new business beginning with R-115-09 which was read by title and summary given. Resolution authorizes the Judge/Executive to enter into a contract with Campbell County Fire District #1 to provide information technology related services. Commissioner Rehtin made a motion to adopt R-115-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

R-116-09 was read by title and summary given. Resolution authorizes the Judge/Executive to enter into a contract with Campbell County Cable Board to provide information technology related services. Commissioner Otto made a motion to adopt R-116-09, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

R-117-09 was read by title and summary given. Resolution creates a flu policy to provide Fiscal Court and Detention Center employees reasonable protection from exposure and spread of flu in the workplace. This policy, drafted by Naguanda Deaton, Personnel Director, in conjunction with Department Directors, sets forth precautions that employees should take and the sick leave that would be available to them if they need to take off during the upcoming flu season. Commissioner Rehtin made a motion to adopt R-117-09, seconded by Commissioner Otto. Ms. Williams explained that the Health Department recommended that workplaces advise employees in advance of what kind of sick leave they are entitled to, and that if they are sick they should not come to work. Flu shots will be available for employees on September 29, 2009. All voted "AYE" and the motion passed.

A motion was requested to appoint Timothy Schweitzer to the position of Mechanic in the Campbell County Road Department. Motion was made by Judge Pendery, seconded by Commissioner Otto. Judge Pendery and Commissioners Otto and Hayden voted "AYE", Commissioner Rehtin voted "NAY" and the motion passed. Ms. Williams added that the effective date of appointment is September 21, 2009, with compensation set at \$22.76 per hour.

A motion was requested to accept the resignation of Jim Callahan from the Transit Authority of Northern Kentucky (TANK) Board of Directors. As a result of that resignation, staff is prepared to make a recommendation for a new appointment. Motion was made by Commissioner Rehtin to accept the resignation of Jim Callahan, seconded by Commissioner Otto. All voted "AYE" and the motion passed. Robert Horine stated that information regarding a replacement for Mr. Callahan was previously provided to the Fiscal Court, and Judge Pendery recommends the appointment of Brian Ellerman to serve on the TANK Board. Mr. Ellerman is a Newport resident and is an attorney with the law firm of Adams, Stepner, Woltermann and Dusing, has a good history of community involvement and is eager to serve on the TANK Board. Mr. Ellerman would fill the unexpired term of Mr. Callahan through June 30, 2010. James Daley stated that he had a concern with this appointment and requested a brief Executive Session to discuss it. Commissioner Rehtin made a motion for Executive Session, seconded by Commissioner Hayden. It was then agreed to hold the Executive Session at the end of the meeting, as there will be no action taken as a result of the Executive Session.

Robert Horine presented R-118-09 which was read by title and summary given. Resolution authorizes the County Judge/Executive to execute Change Order Number 7-8 to the Contract with Norwood Hardware and Supply for construction of the Campbell County Administration Building and Health Clinic. Mr. Horine explained that there were a number of minor change orders that the Fiscal Court was notified of previously, however this change order exceeds the 5% limit. The current change order in the amount of \$7,607 is for door frames, doors and hardware for rooms to be added in the west stairwell of the building. He further explained that the original plans called for a maintenance room on the third floor in the west stairwell, but the State Building Inspector advised that it was not allowed as planned. In order to keep the maintenance room, another door to the stairwell was required and the new wall had to be continued down to the first floor and another storage room was incorporated on the second floor. Mr. Horine stated that they intend to require the architect to pay for any changes made after the Building Inspector discovered the problem. The total of change orders associated with this was around \$32,000 a portion of which will be paid by the architect. Judge Pendery made a motion to adopt R-118-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

R-119-09 was read by title and summary given. Resolution authorizes the County Judge/Executive to execute an agreement with Ray Hamilton Company for moving services. This contract will be to move all offices into the new administration building at the end of November. The proposal of Ray Hamilton Company in the amount of \$18,466 was the lowest of four quotes received. Ray Hamilton Company is very experienced in moving offices. In response to Mr. Roth's suggestion to use inmates for the move, Mr. Horine stated that this is a professional service and requires a professional moving company. They will assign about 20 people to this job and will work from 8:00 a.m. to 9:00 p.m. on Friday and Saturday, November 20 and 21 to accomplish the move in the most expeditious manner and minimize disruption to public services. The County offices will be closed on Friday the 20<sup>th</sup> for the move. Mr. Horine stated that Ray Hamilton Movers will move vertical file cabinets to the new building where the files can be transferred to new filing systems and then the empty file cabinets will be removed the next week. A project manager will be assigned by the movers who will then meet with each department to coordinate the move. Mr. Horine advised that the contract with Ray Hamilton includes moving the County Clerk, PVA, Sheriff and Health Clinic as well as the Fiscal Court Offices. Since the move takes place during tax season the Sheriff however, will stay in the Courthouse until about March 2010, and the portion of the moving cost for that office will be deducted from the total. Commissioner Hayden asked how they will maintain confidentiality with files containing personal information, particularly with health department records. Brett Ruschman explained that the Health Department's boxes will be sealed and they will be able to tell if someone tampers with them, and Linda Eads will accompany the movers as they go back and forth with the occupational tax records. He stated that the Health Department will be paying for their portion of the moving costs. Commissioner Otto made a motion to adopt R-119-09, seconded by Judge Pendery. All voted "AYE" and the motion passed.

R-120-09 was read by title and summary given. Resolution authorizes the Judge/Executive to execute an extension to the Lease Agreement for space at 231 Sixth Avenue, Dayton, Kentucky. This lease is for the space where the voting machines are stored. The lease will be on a month to month basis until the old machines are disposed of and arrangements are made for the storage of

the other machines. Commissioner Rehtin made a motion to adopt R-120-09, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Commissioner Otto stated that he had a good time at the Senior Picnic.

James Daley apologized for missing the last two Fiscal Court meetings.

James Seibert advised that they have sold 20 of the 90 old voting machines and the rest of them will be scrapped as they have no value. Robert Horine stated that the machines were advertised on a national government sale website, but unfortunately there is no market for the old machines since they don't meet the federal requirements.

Mr. Seibert requested a motion to accept the 2009 tax rates for the County-wide taxing districts as required by Kentucky Revised Statutes. The Districts include the Library, Soil Conservation, Extension Service and Health District. Motion was made by Commissioner Rehtin, seconded by Judge Pendery. Judge Pendery and Commissioners Otto and Rehtin voted "AYE", Commissioner Hayden voted "NAY" and the motion passed.

A motion was requested to approve the budget transfers as presented for September 17, 2009. 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 September 17, 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.

Motion was previously made by Commissioner Rehtin, seconded by Commissioner Hayden for Executive Session pursuant to KRS 61.810(1)(f) for discussion that might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that individual's right to a public hearing. All voted "AYE" and the motion passed. Judge Pendery advised that there will be no action taken by the Fiscal Court as a result of the executive session.

Commissioner Otto made a motion to adjourn the Executive Session, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was made to table the appointment of Brian Ellerman to the Transit Authority of Northern Kentucky (TANK) Board of Directors by Commissioner Otto, seconded by Commissioner Hayden. 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 4:40 p.m.

**Attachments:**

Resolution R-115-09 Contract with Fire District No. 1  
Resolution R-116-09 Contract with Campbell County Cable Board  
Resolution R-117-09 Adopt Flu Policy  
Resolution R-118-09 Change Order for Campbell County Administration Building  
Resolution R-119-09 Contract for Professional Moving Services  
Resolution R-120-09 Extend Term of Lease for 231 6<sup>th</sup> Avenue, Dayton, Kentucky  
Budget Transfers of September 17, 2009  
Claims and Supplemental Claim of September 17, 2009

Approved:

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STEVE PENDERY  
Campbell County Judge/Executive

Attest:

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Paula K. Spicer  
Fiscal Court Clerk