

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**October 20, 2010**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, October 20, 2010, at 5:30 p.m. at the Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

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
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Chief, Campbell County Police Department
William Turner	Office of Emergency Management Director
Sarah Collins	Housing Department Director

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

Judge Pendency asked for a moment of silence, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. Cable Access was present to film the meeting.

Minutes from the Fiscal Court meeting held on October 6, 2010 were presented by Judge Pendency. Motion was made by Commissioner Otto, seconded by Commissioner Rechtin to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendency invited comments from the audience.

Tim Nolan, California, Kentucky, stated that brochures that were "Paid for by the Otto Campaign" which say "Vote No on the Justice of the Peace Issue" have been distributed. He asked if Commissioner Otto knew that it was illegal to use his commission funds to advocate against an issue. Commissioner Otto stated that the brochures simply state "Vote No". Mr. Nolan stated that he intends to file a complaint with the Registry of Election Finance office.

Cara Stewart, Covington resident, stated that having smoke-free workplaces is long overdue. Her husband is a bartender at Brio's and his health is being affected (by second-hand smoke). Ms. Stewart has heard the arguments for property-owners' rights, however there is no constitutional right to smoke, but there is a constitutional right to health and to clean air. She requested that the Fiscal Court provide clean air for workers in Campbell County and Northern Kentucky.

JR Roth, Campbell County resident and property-owner, is against a smoking ban. He hopes that there is opportunity for public comment on this issue. He stated that workplace safety is governed by OSHA, and the EPA has not said that tobacco is illegal. If he chooses to have a smoking bar/restaurant he should be allowed to have it. The government is already too intrusive in people's lives.

Lloyd Rogers, Chairman of the Committee to Restore Good Government, stated that Commissioner Otto sent brochures through the mail, and he is not allowed to do that. He stated that he is going to file a complaint with the Board of Elections. Mr. Rogers stated that Commissioner Otto is not allowed to send out such brochures unless he has a committee; he checked with the Board of Elections, and there is no such committee.

Jenny Bienstubben, a resident and worker in Campbell County, grew up in Campbell County and loves it but goes to Ohio when she goes out. She does not believe that smoking regulations hurt businesses. She stated that government should regulate things that are harmful to citizens, such as seatbelt and lead free paint regulations. She hopes that the Fiscal Court does the right thing.

Commissioner Hayden stated that the Fiscal Court has received 100's of letters over the last 3-4 years on smoking issues, and people have spoken on the smoking issue over the last few years. He believes that the Fiscal Court needs to vote on it once and for all. Judge Pendery stated that when they do take action, there will be ample time for people to comment. Commissioner Rehtin stated that some of the cities in Campbell County feel that the County will impose a law that would affect all of the cities. Newport Mayor Peluso has made such comments to the press. He recommended that a poll be taken of the cities on how they feel about it. Judge Pendery stated that the issue will be on the agenda for the next Mayors and Administrators meeting. Commissioner Hayden stated that public input is important, but it is important to vote since this issue has been around for four years. Commissioner Otto stated that he can not recall Mayor Peluso attending a Mayors meeting for a long time; he would have had opportunity to discuss the smoking issue there. Unfortunately the next quarterly Mayors meeting was cancelled due to poor attendance, however it will be rescheduled.

Chuck Kreimer, Greater Cincinnati Crime Stoppers, presented his annual Crime Stoppers report to the Fiscal Court. He first explained the new more efficient texting system whereby they can receive text messages 24 hours/7 days. The report given to the Fiscal Court showed a breakdown of rewards paid for each year, with over \$100,000 being paid out each of the last six years. Mr. Kreimer recounted recent cases that were solved using Crime Stopper tips, including several Campbell County cases. He then referred to the reward tables listing the amount of rewards based on the type of crime; the maximum reward given is \$1,000. The report also contained a list of rewards issued broken down by location, type of crime and arresting agency from January 2009 through the present. The treasurer's report and copies of literature distributed to the public were also included. Mr. Kreimer invited everyone to a fundraiser on November 28, 2010 to benefit the Crime Stoppers reward fund. He stated that it is tougher every year to get funds for the program.

There being no old business, Melissa Williams presented Ordinance O-10-10 by title and summary given. O-10-10 enacts and adopts the 2010 S-21 Supplement to the Code of Ordinances of the County of Campbell, Kentucky (January 1, 2010 through June 30, 2010). The County's Code of Ordinances is updated every six months. This is a first reading and therefore does not require a vote.

Resolution R-112-10 was read by title and summary given. R-112-10 authorizes the Judge/Executive to apply for Litter Abatement Grant funding from the Division of Waste Management for 2011. This Grant is offered by the State to cities and counties, and the level of funding depends on the number of applicants. In 2009 the Fiscal Court received \$50,000. Commissioner Rehtin made a motion to adopt R-112-10, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Resolution R-113-10 was read by title and summary given. R-113-10 authorizes the Judge/Executive to execute a Memorandum of Understanding with Creative Recycling Systems to supply electronics recycling at the fall and spring cleanups. Creative Recycling Systems takes the electronic items that are brought to the spring and fall cleanups at no cost to the County. Commissioner Rehtin made a motion to adopt R-113-10, seconded by Commissioner Otto. Judge Pendery stated that it is hard to dispose of electronic items and the County is pleased to be able to provide this service to the community. Commissioner Rehtin pointed out that Creative Recycling agrees to properly dispose of the electronics and holds the County harmless. All voted "AYE" and the motion passed.

Resolution R-114-10 was read by title and summary given. R-114-10 revises the payment standards to be used in Campbell County under the Campbell County Housing Choice Voucher Program. The County is required by the US Department of Housing and Urban Development (HUD) to annually adjust the fair market rents which must fall within the HUD guidelines. Commissioner Rehtin made a motion to adopt R-114-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-115-10 was read by title and summary given. R-115-10 revises the payment standards to be used in Pendleton County under the Campbell County Housing Choice Voucher Program. This is similar to the previous resolution, but covers rental rates in Pendleton County. Commissioner Rehtin made a motion to adopt R-115-10, seconded by Judge Pendery. Sarah Collins explained that the Campbell County Housing Department has jurisdiction over both Campbell and Pendleton Counties except for the City of Newport. Pendleton County is a more rural area and the rental amounts are different. All voted "AYE" and the motion passed.

Resolution R-116-10 was read by title and summary given. R-116-10 authorizes the County Judge/Executive to renew an Order of Affiliation with the Greater Cincinnati Crime Stoppers. Melissa Williams advised that a one dollar charge added to court fees goes to fund the Crime Stoppers program. The agreement with Crime Stoppers has been in effect since July 2006. Commissioner Otto made a motion to adopt R-116-10, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-117-10 was read by title and summary given. R-117-10 authorizes the Judge/Executive to enter into a contract with the Commonwealth of Kentucky to accept Emergency Management Performance Grant funds in the amount of \$47,107.13 to support operation of the Campbell County Office of Emergency Management for FY 2011. These federal funds are used to support emergency preparedness activities in Campbell County. Commissioner Hayden made a motion to adopt R-117-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-118-10 was read by title and summary given. R-118-10 authorizes the Judge/Executive to execute a lease agreement with Toshiba Business Solutions for the lease of a copier for the Campbell County Police Department. The lease is for a term of 36 months with monthly payments of \$235. This is a decrease in the cost from the previous lease. Commissioner Otto made a motion to adopt R-118-10, seconded by Commissioner Rehtin. Chief Hill explained that they have never gone over the 4,000 page copy limit in the last five years, and the most that they've ever paid for color copies is \$21 per month, usually the color copy charge is zero. He stated that he is not aware of a Toshiba Business Solutions located in Greater Cincinnati/Northern Kentucky. The previous copier lease was with this same company. Chief Hill stated that the bid submitted by the local company that serves other County offices was higher than Toshiba. All voted "AYE" and the motion passed.

Resolution R-119-10 was read by title and summary given. R-119-10 authorizes the Judge/Executive to execute a Purchase Order Agreement with the Commonwealth of Kentucky in the amount of \$6,000 to be used for the purchase of body armor for the Campbell County Police Department. These funds will be used to purchase eight vests for the Police Department. Judge Pendery made a motion to adopt R-119-10, seconded by Commissioner Hayden. Chief Hill explained that the Police Policy and Procedure Manual provides that vests must be replaced every 10 years. The vests cost about \$800 each. Local police agencies are required to turn over to the State Police any confiscated guns. These guns are then auctioned by the State Police to registered dealers and the proceeds fund the grant which may be used by local departments to buy vests, guns or tasers. All voted "AYE" and the motion passed.

A motion was requested to appoint Timothy Lukes to the position of Patrolman Grade III with the Campbell County Police Department under the Lateral Entry Provisions with compensation set at Grade 11A (\$19,2580/hr) effective November 7, 2010. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. Chief Hill explained the process used to hire police officers, both new recruits and lateral entry officers, in Campbell County. He explained the purpose of the Police Merit Board, the creation of an eligibility list, the tests which must be passed, interview and training of new recruits. If an individual successfully accomplishes the testing and training, he/she is assigned to a Field Training Officer for 12 weeks and is then considered an "at-will" employee for the first year. Judge Pendery stated that the system is designed to ensure the hiring of highly qualified officers. All voted "AYE" and the motion passed.

A motion was requested to reappoint Ralph Cooper, David Wormald, Timothy Seaman, Robert Keller, James Doepker, Michael Hargis and Justin M. Verst to the Campbell County Building Appeals Board effective November 1, 2010 through October 31, 2014. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to appoint Paul H. Johnson to the Campbell County and Municipal Board of Adjustment for a term effective immediately and through March 1, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Commissioner Rehtin stated that he participated in the Camp Springs Herbst Tour on October 17. He enjoyed seeing about 20 great stone houses in Campbell County were open for the public to tour.

Judge Pendery announced that there will be a Household Waste Collection event on Saturday, November 6, 2010 at Turfway Park in Florence, Kentucky, from 9:00 a.m. to 2:00 p.m. He pointed out that no paint will be accepted at this event.

Judge Pendery announced that the Campbell County Fall Clean-up will take place on November 12, 13 and 14, 2010. This is always a successful event.

Jim Seibert stated that the inventory was not yet complete for the sale of surplus property, and that they are still reviewing the bids for snow removal services. He requested that both of these items be tabled.

Mr. Seibert then requested a motion to approve the claims as presented for October 20, 2010. County Attorney Jim 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.

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 6:20 p.m.

**Attachments:**

Ordinance O-10-10 Adopt S-21 Supplement to Code of Ordinances  
Resolution R-112-10 Application for 2011 Litter Abatement Grant  
Resolution R-113-10 Memorandum of Understanding with Creative Recycling Systems  
Resolution R-114-10 Payment Standards for Campbell Co. Housing Choice Voucher Program  
Resolution R-115-10 Payment Standards for Pendleton Co. Housing Choice Voucher Program  
Resolution R-116-10 Agreement with Greater Cincinnati Crime Stoppers  
Resolution R-117-10 Contract for Emergency Management Assistance Funds  
Resolution R-118-10 Lease with Toshiba Business Solutions for Lease of Copier  
Resolution R-119-10 Execute Purchase Order for Police Department Body Armor  
Claims of October 20, 2010

Approved:

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STEVE PENDERY  
Campbell County Judge/Executive

Attest:

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Paula K. Spicer  
Fiscal Court Clerk