

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

March 17, 2010

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, March 17, 2010, at 5:30 p.m. at the Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:15 p.m. for the purpose of receiving public comments on the Annual Agency Plan for the Campbell County Housing Department. Present at the hearing were:

Steve Pendery, Campbell County Judge Executive
David Otto, County Commissioner
Kenneth Rehtin, County Commissioner
Mark Hayden, Commissioner
James Daley, County Attorney
Robert Horine, County Administrator
Melissa Williams, Director of Administration
Paula Spicer, Fiscal Court Clerk
Jim Seibert, Director of Fiscal Affairs
Colonel Keith Hill, Campbell County Police Department
Sarah Collins, Director of Housing Department
Peter Klear, Director of Planning and Zoning
Pat Dressman, Director of Human Services
Greg Buckler, Jailer
John Austin, President, Campbell County Economic Progress Authority

Sarah Collins, Housing Department Director, opened the public hearing on the Campbell County Department of Housing Annual Plan and Five Year Plan as required by the U.S. Department of Housing and Urban Development (HUD). The Plan addresses policy and procedural changes and implementation or cancellation of services. If approved, the Plan will take effect July 1, 2010 and expire on June 30, 2011. The Plan has been available for review by the public in the Housing Department since January 28, 2010. Ms. Collins invited questions or comments. There being none, the public hearing was closed at 5:28 p.m.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH REHTIN
MARK HAYDEN

James Daley, County Attorney
Robert Horine, County Administrator
Melissa Williams, Director of Administration
Paula Spicer, Fiscal Court Clerk
Jim Seibert, Director of Fiscal Affairs
Colonel Keith Hill, Campbell County Police Department
Sarah Collins, Director of Housing Department
Peter Klear, Director of Planning and Zoning
Pat Dressman, Director of Human Services
Greg Buckler, Jailer

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

Judge Pendery asked for a moment of silence recalling that Don Johnson, a former State Representative and local attorney passed away the previous week. The Pledge of Allegiance followed. Following roll call, a quorum was declared present. Cable Access was present to film the meeting.

Minutes from the Fiscal Court meeting held on March 3, 2010 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.

Judge Pendery asked if there were any guests who wished to address the Fiscal Court. There were none so Judge Pendery called on Rob Hans to begin his report.

Rob Hans, Kentucky Highway Department District Six Chief Engineer, opened his presentation of the Fiscal Year 2010-2011 Rural Secondary Road Program for Campbell County by introducing staff from the District Six Office: Greg Kreutzjans, Rob Franxman, Andy Yeager and Tim Guenther. Mr. Hans announced that Campbell County's allotment this year was increased slightly to \$600,082. The total amount recommended by District Six for rural secondary road projects is \$354,818. He explained that "Flex Funds" are 20% (\$120,016) of the allotted funds, and the County can determine the best use of these funds. Mr. Hans listed the recommended projects for rural secondary roads: resurfacing portions of Tollgate Road and two sections of Clay Ridge Road, and slide repairs to Racetrack Road at mile point 0.70. He then gave their recommendations for "Flex Funds" projects: slide repairs to Racetrack Road at mile point 2.6 and Persimmon Grove at mile point 6.3. Mr. Hans stated that one project to be considered if funds are available is a slide repair to Winters Lane at mile point 0.75. Commissioner Hayden asked how the District prioritizes slide repairs. Mr. Hans stated that it is based on the condition of the slide, how much it is moving and if it is a cost effective repair. Commissioner Rehtin stated that he's always known KY 1936 as Pond Creek Road and that Clay Ridge Road is farther up on the hill, and asked if that is correct. Mr. Hans explained that Pond Creek Road is KY 536 and described its route. Mr. Kreutzjans stated that another consideration of slide repairs is that if a road is slated for resurfacing, they will correct the slide first. Commissioner Rehtin asked if District Six is studying the backups onto eastbound I-275 at the AA Highway/Wilder exit which are still occurring as recently as two weeks ago. Mr. Hans advised that the backups onto I-275 are a concern and they have recommended that the project be considered for interchange reconstruction and interchange improvement in the highway plan; the

plan is currently being reviewed by the State Senate. He stated that they have attempted to ease the problem by adjusting the traffic signal timing, but he will look into it again. Judge Pendery stated that District Six's recommendations will be forwarded to Ken Schultz, Road Supervisor, for his review and recommendation.

Jack Moreland, President of Southbank Partners, addressed the Fiscal Court on current activities of Southbank Partners. Mr. Moreland gave a brief background on the mission of Southbank and the cities and counties that it serves, and provided a copy of its proposed budget for fiscal year 2009-2010. He next described Southbank's Primary Projects including the Riverfront Commons Project. He announced that the Corps of Engineers has completed a reconnaissance study for the project and is now prepared to enter into a contract with the Northern Kentucky Port Authority for a feasibility study at a cost of \$700,000. He outlined the responsibility for funding and possible sources from both the Federal and State governments for this year-long study. He stated that Congressman Geoff Davis is very supportive of Southbank and this project; his staff has been very helpful. Mr. Moreland stated that Southbank did not host its annual Developers' Day event last summer and may not have one this year due to the economy; he hopes that they will be able to have this event next year. Mr. Moreland went on to discuss Southbank's new "Imagination 2020" project, advising that they have hired Marshall Slagle to work on the project and he is proceeding with Phases 1 and 2. He hopes to have a final document ready in September 2010 so that it can be presented at the Developers' Day event in 2011. Mr. Moreland then described Southbank's facilitation activities: monthly City Managers' meetings with member Cities and Counties, the River Cities Government Coalition meetings with elected officials from member Cities and Counties, and the Partners Organization for businesses and other interested persons. He then discussed Southbank's four Standing Committees: transportation, marketing, public relations and economic development. Mr. Moreland talked about convening services that Southbank provides, for example coordinating and promoting discussions between the Cities of Bellevue and Dayton regarding the Manhattan Harbour Project. Mr. Moreland complimented John Austin, President of the Campbell County Economic Progress Authority; he is very impressed with Mr. Austin's knowledge and skills. He then touched on Southbank's involvement with special projects such as the EB-5 for foreign investors, TIF (Tax Incremental Financing) for Manhattan Harbour, and monitoring State and Federal legislation. Mr. Moreland explained that Bill Scheyer, former President of Southbank, had approached several organizations in an effort to raise funds to hire a lobby group in Washington, DC. The premise was that when the stimulus money was available, funds could be secured for Northern Kentucky with the assistance of the lobbyist. However, the stimulus funds were allocated to the states. Some of the money collected was spent on the lobbyist and the remaining \$90,000-\$100,000 is in an account. Commissioner Otto stated that some business owners in Bellevue and Dayton have told him that the Cities are not communicating with them regarding the Manhattan Harbour Project work and how it affects them and their businesses. Mr. Moreland advised that a communications group has been formed to address this, however if that is not working, he will discuss it at the next City Managers' meeting. In response to Commissioner Rehtin's question, Mr. Moreland explained that Southbank Partners is a 401(c)(3) nonprofit corporation governed by a five-member board. In an attempt to remain nonpolitical, none of the board members are elected officials. Commissioner Rehtin asked if the remaining funds from the lobbyist could be used for the Riverfront Commons project study. Mr. Moreland stated that he hopes that they will get funding from the State for the study and that the money will be used for its original intent and

to further their position under the Water Resources Development Act. Commissioner Otto asked if funds were coming to Southbank from its members for general operations. Mr. Moreland stated that everyone is in a stressed situation regarding finances and face tough decisions on how to spend money. If he can demonstrate that Southbank has been able to accomplish something on their behalf, the members will be more willing to write a check to Southbank. Commissioner Otto pointed out that both Southbank and John Austin have spent a lot of time on the Manhattan Harbour project and thinks that the developer should make a contribution to Southbank. Mr. Moreland stated that he is not embarrassed to ask them for money, but now is not the right time. Mr. Moreland concluded by saying that he is watching the State budget very closely at this time, and he wants the Fiscal Court to continue to be involved with Southbank Partners.

Melissa Williams presented old business beginning with a second reading of Ordinance O-03-10 which was read by title and summary given. O-03-10 adopts a revised fee schedule to include additional building plan review and inspection services resulting from the Kentucky Department of Housing, Building, and Construction approving expanded jurisdiction for Campbell County. Commissioner Rehtin made a motion to adopt O-03-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

New business was presented next with a proclamation requested by the Family Nurturing Center to proclaim April 2010 as Child Abuse Prevention Month in Campbell County. A Blue Ribbon Ceremony will be held on April 1 to raise awareness and promote Child Abuse Prevention Month. Motion was made by Commissioner Hayden, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-30-10 was read by title and summary given. R-30-10 adopts the Agency Five Year/Annual Plan for the Department of Housing. This resolution was the subject of the public hearing held prior to the regular meeting. Once the Plan is adopted it will be submitted to the U.S. Department of Housing and Urban Development (HUD). The Plan has been available for public inspection since January 28, 2010. Commissioner Otto made a motion to adopt R-30-10, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-31-10 was read by title and summary given. R-31-10 approves a transfer of Mental Health/Mental Retardation Tax Funds for Holly Hill Children's Home for Fiscal Year 2010. This action will transfer \$5,000 from the Supervised Visitation Program to the Residential Treatment Program due to greater use of the Residential Treatment Program. Commissioner Hayden made a motion to adopt R-31-10, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-32-10 was read by title and summary given. R-32-10 approves a transfer of Senior Citizens' Tax Funds for Lifeline Homecare, Inc. for Fiscal Year 2010. This resolution will authorize a transfer of \$2,000 from the Personal Care Program to the Homemaker Program due to a greater need for those services. Commissioner Rehtin made a motion to adopt R-32-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-33-10 was read by title and summary given. R-33-10 approves a transfer of Senior Citizens' Tax Funds for Visiting Angels Homecare for Fiscal Year 2010. Visiting Angels has

requested a transfer of \$8,550 from the Personal Care Program and \$2,543 from the Respite Program to the Homemaker Program due to a greater need for homemaker services. Commissioner Rehtin made a motion to adopt R-33-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-34-10 was read by title and summary given. R-34-10 approves a transfer of Mental Health/Mental Retardation Tax Funds for New Perceptions, Inc. for Fiscal Year 2010. This resolution will approve the transfer of \$10,000 from the Infant Stimulation Program with \$7,000 to be put into the Supported Employment Program and \$3,000 to be put into the Work Services Program. This request is a result of a large number of clients seeking employment services. Commissioner Otto made a motion to adopt R-34-10, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-35-10 was read by title and summary given. R-35-10 approves the Interfaith Hospitality Network of Northern Kentucky as the non-profit organization to administer the Emergency Shelter Grant Program for 2010-2011. This certification is needed by Interfaith Hospitality Network in connection with its application for Emergency Shelter Grant Funds. Commissioner Rehtin made a motion to adopt R-35-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-36-10 was read by title and summary given. R-36-10 authorizes the County to accept title to ownership and maintenance responsibility for the right-of-way and permanent easement used during the construction of the replacement bridge over Dodsworth Road. Ms. Williams explained that the Transportation Cabinet is preparing to replace the County-owned bridge which is part of Dodsworth Road over Duck Creek and requested that the County accept title and ownership of 1.393 acres of right-of-way and 16,148 square feet of permanent easement used during construction which the County will use in connection with maintenance. Commissioner Rehtin made a motion to adopt R-36-10, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-37-10 was read by title and summary given. R-37-10 notes the annual review of the Campbell County Detention Center Policy and Procedure Manual. The Kentucky Department of Corrections requires that the Detention Center Policy Manual be reviewed regularly. The Manual has been available in the Commissioners' office for review for the past month. Commissioner Rehtin made a motion to adopt R-37-10, seconded by Commissioner Otto. Commissioner Rehtin stated that they received a note regarding a significant reduction in health care costs at the jail, and he commended Greg Buckler and his staff for their persistence in getting this paid. He also expressed his appreciation for the work done by Mr. Buckler to minimize the County's losses regarding Federal inmates. Greg Buckler explained that there is a State statute that provides that the Department of Corrections maintain a fund to pay any medical claim over \$2,000 for State inmates; however the fund has not been increased in over 10 years. The County was faced with a \$134,000 bill for an inmate who was hospitalized. Mr. Buckler has been arguing with the Department of Corrections for the last two years to get funding for this medical bill. When the Department finally approved the County's application, it announced that it had no funds. In the meantime, Mr. Buckler reported that the medical bill was reduced by the provider from \$134,000 to \$11,000. After numerous contacts, money was put in the fund and the

County received a check from the Department of Corrections to pay the bill. The County still was responsible for the first \$2,000. Mr. Buckler explained that once an inmate is taken into custody, the County is responsible for providing medical coverage for that inmate. The County is responsible for all costs associated with County inmates, the first \$2,000 for State inmates and nothing for Federal inmates. He stated that every time the County files a claim with the State, the requirements seem to be different. Judge Pendery thanked Mr. Buckler for his persistence. He stated that this is one example of how the State saves money by shifting costs to local governments. He stated that the State's fund for medical expenses is underfunded and it is nearly impossible for Counties to collect anything; most of them give up trying. All voted "AYE" and the motion passed.

Ms. Williams requested a motion to extend 2009 overflow vacation for certain employees to extend the deadline for use of 2009 vacation day from April 1, 2010 to June 30, 2010. If they do not use the vacation days before June 30, 2010, the time is lost. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was requested to appoint the following seasonal employees effective March 22, 2010 through the 2010 Park Season: Michael Tillett, Timothy Heil, Elizabeth Holtz and James Herald as Camping/Concession workers at \$9.54 per hour, and Dennis Feinauer and William Fuller as Park Maintenance workers at \$9.91 per hour. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was requested to accept the letter of resignation for retirement of Pat Dressman, Human Services Director, effective March 30, 2010. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed. Judge Pendery stated that in some Fiscal Courts around the State there is a lot of competition among agencies seeking Senior Citizen or Mental Health funds, but Campbell County has avoided that due to their confidence in Ms. Dressman's recommendations. He stated that Ms. Dressman will be sorely missed.

A motion was then requested to reappoint Justin M. Verst to the Campbell County and Municipal Planning and Zoning Board for a four-year term retroactive to March 21, 2009 through March 20, 2013. Due to an oversight the reappointment was not made last year and therefore is retroactive. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Jim Daley, County Attorney, announced that Cameron Blau received the Kentucky Assistant County Attorney of the Year Award this year. He stated that Mr. Blau started with the County Attorney's office in 2005. He handles all criminal complaints, maintains the office computers, and was instrumental in establishing the E-Warrant system in Campbell County which is now being implemented throughout the State. Mr. Blau thanked Mr. Daley for nominating him for the award; he was unaware of the nomination until he got to the conference. He thanked Mr. Daley and the Fiscal Court for the privilege of serving Campbell County and its citizens.

Commissioner Rehtin stated that he recently learned about the duties of the Master Commissioner's office. He stated that in Boone and Kenton Counties one can go online and

view properties that are coming up for sale, however in Campbell County it is posted at the Courthouse and advertised in the newspaper as required by law. George Kolentse, Campbell County Master Commissioner, would like to provide this service, but has no funding for it. Commissioner Rehtin wondered if the Fiscal Court could help him. He suggested that Brett Ruschman meet with Mr. Kolentse to determine the feasibility of having a link on the County's website for a listing of properties, and the costs involved.

Commissioner Hayden stated that the County has made some progress in increasing transparency, however they need to do more. He would like to see information about the Fiscal Court meetings put on the website prior to the meeting so that citizens can look at it ahead of time. He suggested that a committee be formed to study this; he would gladly serve on it. Commissioner Hayden also suggested drafting a resolution regarding transparency in County government. Judge Pendery stated that that is a good suggestion. He pointed out that a meeting is being held prior to the Fiscal Court meeting to answer questions about items on the agenda.

Judge Pendery announced that people will be receiving a 10-question Census questionnaire in the mail soon. He urged people to complete it and return it as soon as possible. The census information determines eligibility for funds for local governments over the next 10-year period, so it is important to get a complete count. The government expects a return rate of only 66-67%, however they would save a lot of money if people return their forms.

Judge Pendery announced that the Campbell County Spring Clean-up will be held on March 26, 27 and 28, 2010 from 8:00 a.m. to 6:00 p.m. each day at the following locations: Pendery Park, Campbell County Police Department and Transportation Center.

Judge Pendery further announced that Campbell County Solid Waste is sponsoring a "Shred Day" on Saturday, May 1, 2010 from 9:00 a.m. to 12:00 noon at a location to be determined. This event is an opportunity for citizens to dispose of documents containing personal information. More details about the event will be forthcoming.

Jim Seibert presented Resolution R-38-10 which was read by title and summary given. R-38-10 adopts and approves the execution of a County Road Aid Coop Program Contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Governmental Relations, for the fiscal year beginning July 1, 2010, as provided in the Kentucky Revised Statutes and accepting all roads and streets referred to therein as being a part of the County Road System. Commissioner Hayden made a motion to adopt R-38-10, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to approve the budget transfers as presented for March 17, 2010. Motion was made by Commissioner Rehtin, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims and supplemental claims as presented for March 17, 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 Judge Pendery. All voted "AYE" and the meeting adjourned at 7:07 p.m.

Attachments:

Ordinance O-03-10 Revised Fee Schedule for Building Plan Review and Inspection
Proclamation Child Abuse Prevention Month – April 2010
Resolution R-30-10 Adopt Housing Department Five Year/Annual Plan
Resolution R-31-10 Transfer of Funds for Holly Hill Children's Home Programs
Resolution R-32-10 Transfer of Funds for Lifeline Homecare, Inc. Programs
Resolution R-33-10 Transfer of Funds for Visiting Angels Programs
Resolution R-34-10 Transfer of Funds for New Perceptions Programs
Resolution R-35-10 Authorize Interfaith Hospitality Network to Administer ESG Funds
Resolution R-36-10 Accept for Maintenance New Right-of-Way at Dodsworth Road
Resolution R-37-10 Annual Review of Detention Center Policy/Procedure Manual
Resolution R-38-10 Approve County Road Aid Coop Program Contract
Transfers of March 17, 2010
Claims and Supplemental Claims of March 17, 2010.

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk