

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

August 15, 2012

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, August 15, 2012, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
PETE GARRETT
BRIAN PAINTER
KENNETH L. RECHTIN

Robert Horine	County Administrator
Steve Franzen	County Attorney
Melissa Williams	Director of Administration
Richard Lucas	Interim Fiscal Director
Paula Spicer	Fiscal Court Clerk
Chief Keith Hill	Campbell County Police Department
David Plummer	Solid Waste Coordinator
Peter Klear	Planning and Zoning Director

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting.

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 regular meeting of August 1, 2012 were presented. Motion was made by Commissioner Garrett, seconded by Commissioner Rechtin to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Erik Hermes, Campbell County resident and business owner, thanked Robert Horine for speaking to his group regarding the state pension. Mr. Hermes then stated that he wanted to talk about taxes. He stated that the percentage of increase in taxes by the Fiscal Court in 2010-2011 was by far the highest increase compared to the school district, health district, library, conservation district and fire district. He stated that over the last two years his taxes have increased almost 9%. Judge Pendery stated that he'd like to see Mr. Hermes' calculations; there

are many variables that affect the rate. He stated that last year on average the assessments went down and the County had to compensate when setting its rate.

Jim Pfister stated that he wanted everyone to know that the proposed Library Board appointments have already been approved by the Library Board. The Fiscal Court should be looking out for the best interest of the residents, not the interest of the Library, when accepting or rejecting the appointments. Mr. Pfister stated that he doesn't understand the reason for raising the pay for poll workers. He is a poll worker and doesn't do it for the money and doesn't know anybody who works the polls for the money. He stated that they should not have to raise taxes to pay an additional \$25 to poll workers. Judge Penderly stated that it is hard to recruit people to work at the polls. This adjustment will bring Campbell County in line with the compensation paid to poll workers in other counties.

Lloyd Rogers stated that we do not need add \$85 to tax bills to pay for 911 services like Kenton County has done.

Larry Robinson thanked Robert Horine for attending his meeting last Thursday. Mr. Robinson stated that residents can not afford to pay any more taxes. He asked Commissioners Garrett and Painter to live up to the promise that they made when the people helped to get them elected to not raise taxes. The compensating rate is a tax increase. The Tea Party is going to fight hard for change in the next legislative session. Mr. Robinson requested that they not raise taxes, but rather cut spending.

There being no old business, Melissa Williams presented new business beginning with Resolution R-87-12 by title and summary. R-87-12 adopts the NKADD Regional Hazard Mitigation Plan. William Turner, Director of Emergency Management, recommends adopting this plan so that the County can apply for and receive FEMA Hazard Mitigation Funds. The full text of the plan can be viewed on the NKADD website. Commissioner Rehtin made a motion to adopt R-87-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-88-12 was read by title and summary given. R-88-12 approves an increase in pay of \$25.00 to poll workers working on Election Day in Campbell County, Kentucky. This increase brings the total compensation to poll workers to \$150. Commissioner Rehtin made a motion to adopt R-88-12, seconded by Judge Penderly. Commissioner Rehtin pointed out that the pay increase was requested by Jack Snodgrass, County Clerk, who knows best what is needed to attract poll workers. All voted "AYE" and the motion passed.

Resolution R-89-12 was read by title and summary given. R-89-12 authorizes the Judge/Executive to apply for Litter Abatement Funding from the Division of Waste Management for 2013. In FY12 the County received \$57,000 in funding. These funds require no match from the County and are used to operate the Trash for Cash program. Commissioner Rehtin made a motion to adopt R-89-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-90-12 was read by title and summary given. R-90-12 adopts the Northern Kentucky Solid Waste Management Plan 2012-2016 update. This plan covers Boone, Campbell

and Kenton Counties and is required by the State to be updated every five years. Commissioner Rehtin made a motion to adopt R-90-12, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-91-12 was read by title and summary given. R-91-12 adopts and approves the execution of a contract between the City of Cold Spring, Kentucky and the Campbell County Fiscal Court to provide for planning, zoning administration and building inspection services for the City on an as needed basis. Robert Horine explained that for a number of years, Cold Spring contracted with the Northern Kentucky Area Planning Commission for these services and recently contacted the Fiscal Court expressing interest in utilizing the County’s planning and zoning services. The Fiscal Court has a similar arrangement with Dayton. The County collects the fee for any applications as its compensation for conducting the work on behalf of the City. This arrangement will be beneficial for the citizens and others doing work in Cold Spring. Commissioner Rehtin made a motion to adopt R-91-12, seconded by Commissioner Painter. Commissioner Rehtin asked why Cold Spring isn’t joining the County in a planning body. There are numerous planning bodies, what about becoming part of a larger group. Mr. Horine stated that Cold Spring has made it clear that they wish to keep their own Planning Commission and Board of Adjustment; this is fairly common among cities in Campbell County. However, this is a step in the direction of a joint planning commission. Commissioner Rehtin stated that control still rests with the individual city’s legislative body. He encourages more discussion in cooperative ventures. All voted “AYE” and the motion passed.

Resolution R-94-12 was read by title and summary given. R-94-12 authorizes the Judge/Executive to execute an agreement with the Commonwealth of Kentucky Transportation Cabinet, Department of Highways for funding to resurface the following County roads: Dodsworth Lane, Uhl Road, Gary Lane and Clay Ridge Road. Under this agreement, the County will be reimbursed up to \$455,000 for these road projects. Commissioner Garrett made a motion to adopt R-94-12, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-95-12 was read by title and summary given. R-95-12 approves and adopts a Memorandum of Agreement (MOA) with the City of Wilder, Kentucky regarding providing road fund dollars for paving Center Street. The Fiscal Court will provide up to \$43,000 in county road funds for this paving project. Terry Vance, Wilder City Administrator, thanked the Fiscal Court and Ms. Williams for their efforts to secure this funding. Commissioner Garrett made a motion to adopt R-95-12, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-96-12 was read by title and summary given. R-96-12 approves and adopts a Memorandum of Agreement (MOA) with the City of Dayton, Kentucky regarding providing road fund dollars for street slippage repair on Locust Street. The Fiscal Court will provide up to \$200,000 in county road fund dollars for this project. Commissioner Rehtin made a motion to adopt R-96-12, seconded by Commissioner Garrett. All voted “AYE” and the motion passed.

Resolution R-97-12 was read by title and summary given. R-97-12 approves and adopts a Memorandum of Agreement (MOA) with the City of Highland Heights, Kentucky regarding providing road fund dollars for street replacement, repair and resurfacing in Knollwood

Subdivision. The Fiscal Court will provide up to \$212,000 in county road fund dollars for this project. Commissioner Garrett made a motion to adopt R-97-12, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-98-12 was read by title and summary given. R-98-12 authorizes the Judge/Executive to execute an agreement with the Commonwealth of Kentucky Transportation Cabinet to approve use of "Flex Funds" from the FY2013 Rural Secondary Road Program to resurface Shaw Goetz Road and Yelton Road. Ms. Williams explained that the Fiscal Court has been advised that its application to use \$152,898 in Flex Funds has been approved and is waiting for the agreement from the State. Commissioner Rehtin made a motion to adopt R-98-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Judge Pendery explained that the state legislature has allocated funds to the Fiscal Court with the understanding that it would give funding to the Cities of Wilder, Dayton and Highland Heights. The total amount of \$455,000 is to be split among the three Cities. Rep. Dennis Keene worked this out on the state level. Dennis Redmond, City Administrator of Dayton, and Greg Meyer, Mayor of Highland Heights thanked the Fiscal Court and complimented Ms. Williams on her efforts to ensure that all of the paperwork and details were completed to the satisfaction of the State.

A motion was requested to appoint Kyle Gray to the position of Patrolman Grade I with the Campbell County Police Department effective September 4, 2012 with compensation set at Grade 9A, \$36,332 annually (\$17.4675 per hour). Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Jim Seibert, Fiscal Affairs Director, effective July 31, 2012. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. Judge Pendery explained that he was required by law to appoint an interim sheriff when John Dunn retired. At the same time, several other people in the sheriff's office left, including its finance officer. He asked Jim Seibert to handle the financial work in the sheriff's office to make sure that the transition goes smoothly. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Helen Emerson from the full time Parks Laborer I position in the Parks and Recreation Department effective August 15, 2012. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to reappoint Paul Johnson to the Campbell County Public Library Board of Trustees for a four year term effective October 1, 2012 through September 30, 2016. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to appoint Cathy Howard to the Campbell County Public Library Board of Trustees for a four year term effective October 1, 2012 through September 30, 2016. Ms. Howard replaces Don Grosenbach whose term expires on September 30, 2012. Judge Pendery explained that the State forwards two recommendations for appointment to the Library Board

and the Judge/Executive recommends one to the Fiscal Court. Motion was made by Judge Pendery, seconded by Commissioner Garrett. Commissioner Rehtin stated that people interested in serving on the board first apply to the local library, the names are sent to Frankfort and then recommendations are sent to the Judge/Executive for appointment by the Fiscal Court. If this method of appointment needs to be changed, it must be done by the legislature. All voted "AYE" and the motion passed.

Steve Franzen stated that he is proud of the work done by the Campbell County Child Support Office. The Child Support Office will again hold a workshop at the Fiscal Court Chambers on September 13, 2012 at 6:30 p.m. regarding establishing paternity cases. He urged anybody who has child support issues or questions to attend.

Judge Pendery announced that the next Campbell County Mayor's meeting will be held on August 28, 2012 at 6:00 p.m. in the Fiscal Court Chambers. Northern Kentucky University's new President will be at the meeting and there will be a discussion on public pension.

Judge Pendery announced that a dedication ceremony for the new Campbell County Courthouse addition will be held on Thursday, August 30, 2012 at 4:00 p.m. at the Courthouse.

Judge Pendery announced that the Campbell County Senior Picnic is scheduled for September 19, 2012 from noon to 5:00 p.m. at Pendery Park. Tickets are on sale now and are available the day of the picnic. This year's theme is "Pirates at Pendery".

Richard Lucas requested a motion to award surplus property bids as presented in a report from Diane Bertke, County Treasurer. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to approve bids for resurfacing of the following county roads: Dodsworth, Yelton Road, Uhl Road, Uhl Road (alt), Gary Lane, Clay Ridge, Shaw Goetz and Jerry Wright. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. Ms. Williams explained that the alternate bid for Uhl Road is for the portion of the road that is in Silver Grove and the City of Silver Grove will reimburse the County for the cost of the resurfacing. All voted "AYE" and the motion passed.

Resolution R-86-12 was read by title and summary given. R-86-12 establishes the 2012 Ad Valorem Tax rates for Campbell County. Mr. Lucas explained that the proposed tax rate established by the State Local Finance Officer is the compensating tax rate. He read the tax rates per \$100 of assessed value: 14.30 cents for real property, 21.97 cents for tangible personal property, and 13.10 cents for motor vehicles and watercraft. Judge Pendery advised that according to state statute the compensating rate will yield the same amount of revenue in the coming year as the year prior, not including new property. Judge Pendery made a motion to adopt R-86-12, seconded by Commissioner Garrett. Commissioner Painter stated that when they passed the budget, he talked about a constant and consistent conservative effort. He explained that this effort is made up of two parts: a political will to do it, and having a professional staff to carry it out. He stated that the staff has done a good job in meeting and exceeding the budget over the last year and thanked them for their efforts. Commissioner Painter stated that last year

the Fiscal Court took a little over the compensating rate, and this year will take the compensating rate. In response to a question, Richard Lucas advised that the current rates are 13.6 cents for real property, 22.29 for tangible and motor vehicle and watercraft stayed the same. Judge Penderly explained that the rate goes up 5%, but on average according to the state the average person will pay the same. He stated that the County has to base its budget assumptions on its revenue. Kevin Gordon stated that there is discussion in the legislature about regulating the tax rate allowed by counties; people need to put pressure on their legislator to get this changed. Judge Penderly stated that according to the State's calculations the compensating rate will provide the same amount of revenue, except for new property, as the previous year. He stated that each year 1/3 of real estate in the County is reassessed which at times seems uneven, but over time it averages out. Mr. Gordon stated that there are certain areas where the County can not cut back, but one way to control pension expenses is to outsource as much as possible. Lloyd Rogers stated that small businesses have had to cut back and the Fiscal Court should do the same. Judge Penderly stated and the Fiscal Court does live within its budget. The budget is a fair reflection of financial activity in the County. He advised that because the County is taking the compensating rate they can adopt the rate by resolution rather than ordinance, and there is no publishing or public hearing requirements. Commissioner Rehtin stated that the burden of paying for government is not on property owners, the majority of revenue does not come from real estate taxes. The burden has been shifted to employees and employers in the County since most revenue comes from payroll tax. As a fiscally responsible person he wants to match the revenues to the needs of the County. If the property tax is lowered it puts more of the burden on the payroll taxes. All voted "AYE" and the motion passed.

A motion was requested to authorize the purchase of a 2013 Chevrolet Equinox from Bachman Commercial, Louisville, Kentucky, in the amount of \$21,312.00 based on the State Contract price. The vehicle will be used by the Housing Inspector. Motion was made by Judge Penderly, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Lucas then requested a motion to approve the claims and supplemental claims as presented for August 15, 2012. County Attorney Steve Franzen stated that he has reviewed the claims and determined that all appear appropriate. Motion was made by Commissioner Garrett, seconded by Commissioner Painter. 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 Garrett. All voted "AYE" and the meeting adjourned at 6:35 p.m.

Attachments:

- Resolution R-87-12 Adopt Northern Kentucky Regional Hazard Mitigation Plan
- Resolution R-88-12 Approve \$25 Pay Increase for Poll Workers
- Resolution R-89-12 Application for 2013 Litter Abatement Funds
- Resolution R-90-12 Adopt 2012-2016 Update of N. Ky. Solid Waste Management Plan
- Resolution R-91-12 Contract with Cold Spring for Planning, Zoning Administration and Building Inspection Services
- Resolution R-94-12 Contract with Transportation Cabinet for Road Resurfacing
- Resolution R-95-12 Memorandum of Agreement with Wilder for Paving

Resolution R-96-12 Memorandum of Agreement with Dayton for Street Repairs
Resolution R-97-12 Memorandum of Agreement with Highland Heights for Paving
Resolution R-86-12 Set 2012 Ad Valorem Tax Rates
Claims and Supplemental Claims of August 15, 2012

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk