

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

May 15, 2013

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, May 15, 2013, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. for the purpose of receiving public comments on possible uses of the County Road Aid and Local Government Economic Assistance Funds. Present at the hearing were:

Steve Pendery, Judge Executive
Pete Garrett, County Commissioner
Brian Painter, County Commissioner
Kenneth Rehtin, County Commissioner
Steve Franzen, County Attorney
Paula Spicer, Fiscal Court Clerk
Matt Elberfeld, Director of Fiscal Affairs
Colonel Keith Hill, Chief of Police
Kim Serra, Director of Human Resources

Matt Elberfeld opened the public hearing regarding possible uses of the County Road Aid (CRA) and Local Government Economic Assistance (LGEA) funds. Mr. Elberfeld listed the three types of funds that the County may receive this year: Standard Road Aid, Municipal Road Aid and Local Government Economic Assistance Funds. He then explained what the funds can be used for. Mr. Elberfeld stated that the State is drafting maps designating the roads that certain funds can be used on. The public hearing was closed at 5:35 p.m.

In attendance at the regular meeting were:

**COUNTY JUDGE/EXECUTIVE
STEVE PENDERY**

**COUNTY COMMISSIONERS
PETE GARRETT
BRIAN PAINTER
KENNETH REHTIN**

Steve Franzen	County Attorney
Matthew Elberfeld	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Chief of Police
Kim Serra	Director of Human Resources

The meeting was called to order at 5:35 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 May 1, 2013 were presented. Motion was made by Commissioner Garrett, seconded by Commissioner Painter to approve the minutes. Commissioner Painter noted that he had requested a change to the minutes and that it has been made. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Erik Hermes presented a comparison of Sanitation District 1 (SD1) rate increases with the Consumer Price Index (CPI) over the last few years. SD1 had substantial increases compared to the CPI and the amount that people are earning. He stated that any rate increase requested by SD1 should not be approved until the CPI catches up with SD1 rates.

Kevin Gordon asked again that the Fiscal Court adopt a resolution opposing the use of tolls to fund a replacement of the Brent Spence Bridge.

Kevin Gordon asked what the proposed 911 service fee is going to be based on. He then asked for the purchase price and name of the purchaser for the Lakeside Terrace Apartment building.

Bill Woody stated that the proposed rate increase of SD1 is very unfair. He also stated that he supports the used property business regulations; however he thinks that pawn shops and similar businesses in Newport will get a windfall because their regulations do not require that payment be made by check.

Robert Horine presented old business with a second reading of Ordinance O-03-13 by title and summary. O-03-13 enacts and adopts the 2013 S-26 Supplement to the Code of Ordinances of the County of Campbell, Kentucky (July 1, 2012 through December 31, 2012). Commissioner Rehtin made a motion to adopt O-03-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Ordinance O-05-13 was read by title and summary given. O-05-13 establishes regulations for the operation of used property businesses in Campbell County, Kentucky. The ordinance was presented in two different versions: one with countywide applicability and the other excluding the City of Newport. Steve Franzen acknowledged the assistance of the Commonwealth's Attorney, Chief Daly, Chief Hill and Ken Moellman during the drafting of these regulations. He recommended that the Fiscal Court adopt the option which excludes the City of Newport since it has been enforcing its own ordinance for some years. Commissioner Rehtin made a motion to adopt O-05-13 which exempts the City of Newport, seconded by Judge Pendery. Mr. Franzen advised that the City of Bellevue has its own ordinance, but they will use the County's ordinance instead. Michelle Snodgrass, Commonwealth Attorney, and Mike Daly, Chief of the Ft. Thomas

Police Department and President of the Campbell County Police Chiefs Association, expressed their support of the ordinance. All voted "AYE" and the motion passed.

Mr. Horine then presented new business beginning with Resolution R-55-13 by title and summary. R-55-13 authorizes renewal of the Campbell County Horse Trails general liability insurance policy for the horse trails, pole barn and campground at A. J. Jolly Park. The cost of renewal of the policy is \$6,715.80. He explained that the separate policy is needed because the County's general liability insurance for the park excludes anything to do with horses. Commissioner Rehtin made a motion to adopt R-55-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to proclaim May 13, 2013 as Redwood Day in Campbell County, Kentucky. The proclamation was presented at an event on May 13, 2013 at Redwood School in recognition of Redwood's 60th anniversary. Motion was made by Commissioner Garrett, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-56-13 was read by title and summary given. R-56-13 authorizes the Judge/Executive to apply for grant funding from the Kentucky Cattleman's Foundation for renovations and improvements at the Campbell County Animal Shelter. The County will apply for \$2,000 to be used for general repairs at the Animal Shelter and may match it with donated funds. Commissioner Garrett made a motion to adopt R-56-13, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-59-13 was read by title and summary given. R-59-13 adopts and approves the execution of a Municipal Aid Co-op Program Contract between the Fiscal Court of said county acting for the Unincorporated Urban Place and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for the Fiscal Year beginning July 1, 2013 as provided in the Kentucky Revised Statutes and accepting all of the roads referred to therein as being urban roads which are a part of the Unincorporated Urban Place. Commissioner Garrett made a motion to adopt R-59-13, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to appoint Larry W. Harrod to the position of full time Parks and Recreation Manager with the Campbell County Parks and Recreation Department effective June 3, 2013 with compensation set at Grade 13M, \$54,372 annually (total annual benefit cost of \$19,872). Mr. Horine stated that the position was budgeted for this year and for FY2014. Mr. Harrod is a certified Parks and Recreation Professional with 20 years' experience. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Robert Horine presented O-04-13 by title and summary given. O-04-13 establishes a service fee for enhanced 911 emergency dispatch services to owners of real property in Campbell County, Kentucky. Mr. Horine stated that this fee has been discussed for some time to replace the telephone landline fee. The new fee shall be applied to all residential and commercial units – any property that has a building on it. It is not a tax, but will be included on the property tax bills as soon as this year. Mr. Horine stated that this year the annual fee will be \$45 and starting next

year will adjust automatically with the Consumer Price Index (CPI). An appeals board will be appointed by the Fiscal Court to consider and resolve any claims. If this ordinance is passed, all cities in Campbell County that have a fee on landlines will be asked to repeal that fee and adopt this fee. The County will likewise repeal its fee on landlines. Mr. Horine stated that the second reading of the ordinance will be held at the June 5, 2013 meeting. The County Clerk and Sheriff may choose to take a fee for collection of the 911 fee. County Clerk Jack Snodgrass and Sheriff Jeff Kidwell both stated that they will work out something. The proceeds of the 911 fee fund the operation of the Campbell County Consolidated Dispatch Center. Steve Franzen explained penalty for failure to pay the 911 service fee.

Resolution R-57-13 was read by title and summary given. R-57-13 authorizes the execution of an agreement for the sale of Lakeside Terrace Apartments. Mr. Horine explained that the agreement is with Northern Kentucky University (NKU). The sale price is \$1.4 million dollars which is based on two appraisals – a \$1.5 million appraisal obtained by the Fiscal Court and a \$1.45 million appraisal obtained by NKU. NKU will lease back the parking lot to the County for Senior Center parking. In addition, NKU has the option to purchase the Senior Center property if the County discontinues its use as a Senior Center. Judge Pendery made a motion to adopt R-57-13, seconded by Commissioner Garrett. Commissioner Rehtin proposed an amendment to R-57-13 designating the income from the sale of Lakeside to be deposited into and retained within the Senior Citizens payroll tax fund for future use for projects and/or programs for future aging population needs. The Fiscal Court then discussed possible uses for the proceeds of the sale and the designation of the funds for certain purposes. Commissioners Garret and Painter and Judge Pendery voted “AYE”, Commissioner Rehtin voted “NAY” and the motion passed. Mr. Horine and Judge Pendery addressed questions from the public.

Resolution R-58-13 was read by title and summary given. R-58-13 authorizes staff to advertise for proposals from qualified consultants to provide funding application preparation and project management services for a Community Development Block Grant (CDBG) for the Scholar House Development in the City of Newport, Kentucky. Mr. Horine explained that the Scholar House is a 48-unit apartment building located in the block bounded by Brighton, Sixth, Seventh and Patterson Streets in Newport. The project is designed to benefit full time students with young children by offering affordable housing, child care, counseling, workshops and support. The Newport Millennium Housing Corporation approached the County for assistance with CDBG funding because the City of Newport has an ongoing CDBG project making it ineligible to seek additional funds at this time. This resolution will allow the County to advertise for a consultant to prepare the application and provide project management services. The Fiscal Court will incur no cost associated with this project. Commissioner Garrett made a motion to adopt R-58-13, seconded by Commissioner Rehtin. All voted “AYE” and the motion passed.

Judge Pendery announced that the Campbell County Backroads Farm Tour will be on Saturday, July 27, 2013 from 9:00 a.m. to 5:00 p.m. Approximately 15 farms are participating.

Commissioner Painter announced that the A J Jolly Community Development Council has obtained 501(c)(3) status and can now accept donations. Robert Horine added that the Council is raising funds for the construction of a stage in A J Jolly Park in anticipation of the Park’s 50th Anniversary celebration in August. All donations are tax deductible.

Matt Elberfeld presented R-50-13 by title and summary given. R-50-13 authorizes the Judge/Executive to execute a Depository and Master Service Treasury Agreement with U.S. Bank to serve as the provider of comprehensive banking services to the Fiscal Court. The annual cost of this service is estimated at \$32,000 (depending on volume of transactions). Commissioner Rehtin made a motion to adopt R-50-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Ordinance O-06-13 was read by title and summary given. O-06-13 relates to the annual budget and appropriations of Campbell County, Kentucky for the Fiscal Year 2013-2014 (FY14). This is a first reading of the budget and no vote is required. Mr. Elberfeld advised that the budget will be available online tomorrow morning. Judge Pendery stated that the Fiscal Court is very conservative with its budget preparation; they use reasonable revenue numbers and overstate expenses. During his tenure, the County has managed to have a balanced budget at the end of each fiscal year. He recommended that when looking at the budget, people keep in mind the big picture; before you make a judgment on an increase or decrease in a line item, you need to know the base that you started from. Judge Pendery stated that this year they project expenses at \$34 million, about \$1 million less than last year so we have a virtually status quo budget. They anticipate slightly more revenues: property taxes are expected to increase about 4% depending on the tax rate and assessments, and a 3% increase is expected in insurance premium tax revenue. They are not budgeting any increase in payroll taxes. These are major sources of revenue but are less than half of the budget. Judge Pendery read some line items from the budget, and then talked about capital expenditures. He then answered questions from the public.

A motion was requested to adopt the annual standing order to pre-approve certain recurring expenses. KRS 68.275(3) allows the Fiscal Court to adopt an order each fiscal year to preapprove the payment of monthly payroll and utility expenses. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims as presented for May 15, 2013. County Attorney Steve Franzen stated that he has reviewed the claims and that they all appear appropriate. Motion was made by Commissioner Garrett, seconded by Commissioner Rehtin. 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 7:15 p.m.

Attachments:

Ordinance O-03-13	Adopt Code of Ordinances Supplement
Ordinance O-15-13	Used Property Business Regulations
Resolution R-55-13	Renewal of Insurance for Horse Trails, Pole Barn & Campground
Proclamation	Redwood Day
Resolution R-56-13	Application for Grant from Kentucky Cattleman's Association
Resolution R-59-13	Municipal Aid Co-op Program Contract with Transportation Cabinet

Ordinance O-04-13 Emergency 911 Dispatch Fee
Resolution R-57-13 Sale of Lakeside Terrace Apartments
Resolution R-58-13 Application for CDBG for Scholar House Development
Resolution R-50-13 Agreement with U.S. Bank for Banking Services
Ordinance O-06-13 Fiscal Year 2013-2014 Budget
Claims May 15, 2013

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk