

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**August 21, 2013**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, August 21, 2013, 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 RECHTIN

Robert Horine	County Administrator
Steve Franzen	County Attorney
Melissa Williams	Director of Administration
Matthew Elberfeld	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Chief of Police
Pat Dressman	Human Services 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 7, 2013 were presented. Motion was made by Commissioner Garrett, seconded by Commissioner Painter to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public. There being no comments at this time, Judge Pendery proceed with the agenda.

Judge Pendery administered the Oath of Office to new Police Officer Jonathan Gemmell. Officer Gemmell introduced his wife, father and friends that were present.

Florence Tandy, Executive Director of the Northern Kentucky Community Action Commission, presented the Community Action Commission's "Housing Partner of the Year" award in recognition of the Fiscal Court's funding of the Senior Home Repair Program. The award was

first presented at the Community Action Commission's 2013 Annual Dinner held on July 22, 2013.

Kristine Frech, Manager of Strategic Initiatives at Vision 2015, addressed the Fiscal Court on the Licking River Greenway and Trails project. Ms. Frech stated that currently there is about 1.5 miles dense grade aggregate trails running along the Licking River in Covington from behind Holmes High School north to Randolph Park in addition to about ¾ mile of paved trail. There are 8 murals along the trail provided by Artworks with another 9 murals to be completed by the end of the summer. Ms. Frech described plans for future trails running south to 47<sup>th</sup> Street in Covington and access to the river. She next discussed the trails planned in Campbell County. They are working with the City of Wilder where the trails will be anchored at Frederick's Landing; all trails in Wilder will be paved. Ms. Frech stated that just over \$700,000 has been leveraged to date for the Licking River Greenway Trails. Kara Williams, VP Communications and Strategic Initiatives at Vision 2015, explained that Vision 2015 is a 10 year strategic plan for growth funded by local foundations and the local business community in northern Kentucky and Cincinnati. Ms. Williams and Ms. Frech answered questions from the Fiscal Court and the public.

Melissa Williams presented old business with a second reading of Ordinance O-09-13 by title and summary. O-09-13 amends Chapter 90: Animals of the Campbell County Code of Ordinances. The amendment changes the titles of Director and Assistant Director to Manager and Assistant Manager. Commissioner Rehtin made a motion to adopt O-09-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Ms. Williams then presented new business beginning with Resolution R-117-13 by title and summary. R-117-13 designates Matt Elberfeld as the Applicant Agent for the Campbell County Fiscal Court for purposes of obtaining certain Federal financial assistance under the Disaster Relief Act or otherwise available from the President's Disaster Relief Fund. Commissioner Rehtin made a motion to adopt R-117-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Officer Josh Johnson from the Campbell County Police Department effective August 27, 2013. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to approve the promotion of Jack Shurley from Road Maintenance Level I to Road Maintenance Level II with compensation set at \$23.1396 per hour (\$48,130.43 annually) effective August 22, 2013 in accordance with the current AFSCME Local #286 working agreement. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to appoint Michael Carpenter to the position of full time Building Inspector II with the Campbell County Planning and Zoning Department effective September 9, 2013 with compensation set at Pay Grade 14, \$54,000 annually (total annual benefit cost of \$19,773.27). Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Commissioner Garrett expressed his appreciation to the Jolly Park Community Development Council, the County Road Department, Parks and Recreation Department and volunteers for their hard work on the A J Jolly Park 50<sup>th</sup> Anniversary Gala.

Judge Pendery announced that the 157<sup>th</sup> Alexandria Fair and Horse Show will be held August 28 through September 2, 2013. The Fair will start with the Alexandria Fair Parade on August 28 beginning at the Campbell County Middle School and proceeding to the Fair Grounds.

Judge Pendery requested a motion to change the date of the September 18, 2013 Campbell County Fiscal Court meeting to Thursday, September 19, 2013 at 5:30 PM in the Fiscal Court Chambers, County Administration Building, 1098 Monmouth Street, Newport, Kentucky. The original meeting date conflicts with the Campbell County Senior Picnic scheduled for August 18, 2013. Motion was made by Commissioner Garrett, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Judge Pendery read Resolution R-118-13 in its entirety. R-118-13 commends the Jolly Park Community Development Council for their successful planning and execution of the 50<sup>th</sup> Anniversary celebration of the opening of A J Jolly Park. Commissioner Garrett made a motion to adopt R-118-13, seconded by Commissioner Painter. All voted "AYE" and the motion passed. Judge Pendery stated that the anniversary celebration held on Saturday, August 17, 2013 was a wonderful event and he hopes that it refocuses attention on the Park. He thanked all of the volunteers that made it so successful.

Matt Elberfeld requested a motion to authorize staff to solicit bids for resurfacing of a section of cart paths at A J Jolly Golf Course. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. The Fiscal Year 2014 golf course budget includes \$45,000 for cart path repair. Staff recommends requesting bids to determine if it is in the best financial interest of the County to hire a contractor or have the work performed in-house as done in the past. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Bakerfield Road as recommended by Luke Mantle, Road Supervisor, to Mago Construction Company in the amount of \$41,294.35. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed. It is anticipated that all of the resurfacing projects will be completed before the end of this year.

A motion was requested to award the bid for resurfacing Boone Smith Road as recommended by Luke Mantle, Road Supervisor, to Mago Construction Company in the amount of \$75,128.56. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Losey Road as recommended by Luke Mantle, Road Supervisor, to Mago Construction Company in the amount of \$34,276.24. Motion was made by Commissioner Garrett, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Maddox Road as recommended by Luke Mantle, Road Supervisor, to Mago Construction Company in the amount of \$46,984.08. Motion was made by Commissioner Painter, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Gilbert Ridge Road as recommended by Luke Mantle, Road Supervisor, to Mago Construction Company in the amount of \$63,915.24. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Covert Run Pike as recommended by Luke Mantle, Road Supervisor, to Eaton Asphalt Company in the amount of \$26,566.50. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Crestview Lane as recommended by Luke Mantle, Road Supervisor, to Eaton Asphalt Company in the amount of \$17,090.00. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Joann Lane as recommended by Luke Mantle, Road Supervisor, to Eaton Asphalt Company in the amount of \$30,086.00. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to award the bid for resurfacing Royal Oak as recommended by Luke Mantle, Road Supervisor, to Eaton Asphalt Company in the amount of \$30,257.50. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. Robert Horine explained that Royal Oak is a concrete street that will get an asphalt overlay. The worst concrete portions will be replaced before the asphalt overlay is placed. The concrete will also be milled to aid with drainage problems. All voted "AYE" and the motion passed.

Ordinance O-10-13 was read by title and summary given. O-10-13 authorizes the issuance of General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$9,105,000 (which amount may be decreased as necessary) to refund in advance of maturity a portion of the outstanding principal amount of County of Campbell, Kentucky General Obligation Public Project Bonds, Series 2006, the proceeds of which were used to permanently finance the acquisition, construction and installation of a detention facility and restricted custody center and the acquisition of real property; approving the form of bonds; authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a bond payment fund; authorizing an escrow trust agreement; maintaining the heretofore created sinking fund; authorizing acceptance of the bid of the bond purchaser for the purchase of the bonds; and repealing inconsistent ordinances. Mr. Elberfeld explained that this is the next step in the potential refunding of outstanding jail bonds. No vote is required on the first reading of this ordinance.

Resolution R-115-13 was read by title and summary given. R-115-13 establishes the 2013 ad valorem tax rates for Campbell County. Matt Elberfeld stated that the resolution proposes the compensating rate for real property at 15.10 cents per \$100 assessed value, tangible personal property at 23.76 cents, motor vehicles at 13.10 cents and watercraft at 13.10 cents. Judge Pendery explained that the state-calculated compensating rate is designed to produce the same amount of revenue for the coming year that was received in the last year. He stated that due to cutbacks in so many consecutive years, there is an agenda of needs to be addressed. He listed several examples. The property tax rate only covers about 10-15 percent of the County's budget. Commissioner Rechtin made a motion to adopt R-115-13, seconded by Judge Pendery. Commissioner Rechtin stated that it would be fiscally irresponsible to pass anything less than the proposed rate; the Fiscal Court has already passed a budget which demands that they pass this rate. Commissioner Painter proposed a real property tax rate of 15.0 cents per \$100 which he believes would adequately meet the budget. He acknowledged the needs mentioned by Judge Pendery and talked about other needs and how they are being addressed. Commissioner Painter stated that he is waiting to see how the adoption of the new 911 fee impacts the budget. Commissioner Painter made a motion to adopt a 15.0 cents property tax rate and the adjusted tangible personal property rate. Judge Pendery stated that one of the reasons that the tax rate is up is the increase in the homestead exemption this year that took \$22 million more out of the County's assessed valuation than previous years. Commissioner Painter complimented the County employees for staying within the budget. Commissioner Garrett seconded the motion to adopt a 15.0 cents per \$100 tax rate. Judge Pendery pointed out that the original motion and second for a rate of 15.1 cents was still on the table. He called for a vote on the staff recommendation of a rate of 15.1 cents. Commissioner Rechtin and Judge Pendery voted "AYE", Commissioners Painter and Garrett voted "NAY". Commissioner Painter then made a motion to set the ad valorem rate at 15.0 cents with the corresponding tangible personal property tax rate, seconded by Commissioner Garrett. Commissioner Rechtin reiterated that the budget has been set and the 15.1 cents rate as recommended by Judge Pendery and staff is what meets the budget; he will vote against the lower rate. The Fiscal Court heard comments from the public. Commissioner Painter stated that he would not make the recommendation of a 15.0 cents rate if he thought it would undermine the budget. Judge Pendery called for a vote on the motion of Commissioner Painter to set the tax rate at 15.0 cents per \$100 valuation. Commissioners Garrett and Painter and Judge Pendery voted "AYE", Commissioner Rechtin voted "NAY" and the motion passed. Judge Pendery stated that he voted "AYE" only because they need to pass a tax rate. He stated that the difference between the two rates may only be \$57,000; however it is that much less that they have to spend on something important and cuts may be necessary.

Resolution R-116-13 was read by title and summary given. R-116-13 approves the Campbell County Health Department tax rate for the fiscal year 2014 for the Campbell County Public Health Taxing District. The rate is 2.1 cents per \$100 of assessed value of real property, personal property and all motor vehicles; it is the same rate as last year. Commissioner Rechtin made a motion to adopt R-116-13, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims and supplemental claims as presented for August 21, 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 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 Painter.

Charles Coleman asked what tax rate was approved. Judge Pendery replied that it was 15.0 cents per \$100 valuation; the compensating rate is 15.1 cents. Matt Elberfeld stated that the previous rate was 14.3 and the new rate is 15.0. Mr. Coleman stated that that is about a 4.9 percent increase. Commissioner Rehtin pointed out that it will actually be a decrease in income to the County from the prior year.

Commissioner Rehtin made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 7:55 p.m.

Attachments:

- Ordinance O-09-13 Amend Code of Ordinances Chapter 90: Animals
- Resolution R-117-13 Designate Applicant Agent for FEMA
- Resolution R-118-13 Commend Jolly Park Community Development Council
- Ordinance O-10-13 Refunding of 2006 Bond Issue
- Resolution R-115-13 Establish 2013 Ad Valorem Tax Rates
- Resolution R-116-13 Approve Tax Rate for Campbell County Public Health Taxing District Claims and Supplemental Claims August 21, 2013

Approved:

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STEVE PENDERY  
Judge/Executive

Attest:

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Paula K. Spicer, Fiscal Court Clerk