

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

November 20, 2013

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, November 20, 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**

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| Robert Horine | County Administrator |
| Steve Franzen | County Attorney |
| Melissa Williams | Director of Administration |
| Matthew Elberfeld | Finance Director |
| Paula Spicer | Fiscal Court Clerk |
| Kim Serra | Human Resources Director |
| Colonel Keith Hill | Police Chief |
| Cindy Minter | Planning and Zoning Director |
| Steve Penrod | IT Director |
| Jeff Kidwell | Campbell County Sheriff |

The meeting was called to order at 5:40 p.m. by Judge Pendency. Cable Access was present to film the meeting.

Judge Pendency asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. Commissioner Garrett was not present when the meeting was called to order, but arrived later at 6:08 p.m.

Minutes from the Fiscal Court special meeting of October 29, 2013 and regular meeting of November 6, 2013 were presented. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendency invited comments from the public.

Jerry Neltner requested that the Road Department put Lauren Lane, Alexandria on the list for road repairs next year. There are 19 homes on the street and there are numerous deep holes and

ruts in the street. Judge Pendery stated that the Road Department reviews the condition of streets every year and a list is compiled of needed repairs.

Al Shoemaker questioned an abbreviation on his tax bill. Judge Pendery explained that taxes from other taxing districts are included on the County tax bill. The item on Mr. Schoemaker's tax bill was an abbreviation for the Conservation District. Mr. Shoemaker then asked if the Fiscal Court was responsible for the Library Board; if the Court appoints the Board it should be responsible for ensuring that the Board follows the law. Steve Franzen explained how members are appointed to the Library Board. Mr. Shoemaker stated that he has been following the news about the Library Board and the lawsuit in the newspaper.

Melissa Williams presented old business with a second reading of Ordinance O-12-13 by title and summary. O-12-13 amends Chapter 111: Alcoholic Beverages in the Campbell County Code of Ordinances. Ms. Williams explained that during the 2013 General Assembly session, changes were made to allow sale of alcoholic beverages on election days if approved by the local government. This amendment will allow sales in unincorporated Campbell County on election days. Commissioner Rehtin made a motion to adopt O-12-13, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-13-13 was read by title and summary given. O-13-13 updates the official list of roads in Campbell County, Kentucky that will be controlled and maintained by the Campbell County Fiscal Court, and amends Ordinance O-07-12 to add the following road to said official list: Kensington Drive, and also to correct the spelling of Chalk Road. Kensington Drive has been inspected and meets all requirements. Commissioner Rehtin made a motion to adopt O-13-13, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-14-13 was read by title and summary given. O-14-13 amends the Interlocal Agreement for the provision of public safety-911 communication services originally approved by Campbell County Fiscal Court on January 9, 2001 and amended previously by Ordinances O-9-2002 and O-14-05, by replacing Section V – Funding. This agreement is with the Cities of Newport and Ft. Thomas for county-wide dispatching operations. The amendment adds the new 911 fee and deletes the fee on telephone land lines. Commissioner Painter made a motion to adopt O-14-13, seconded by Judge Pendery. Commissioner Painter and Judge Pendery voted "AYE", Commissioner Rehtin voted "NAY" and the motion passed.

Ordinance O-15-13 was read by title and summary given. O-15-13 amends Ordinance O-11-86 originally approved by Campbell County Fiscal Court on October 15, 1986 and amended previously by Ordinances O-27-2000 and O-13-05, by deleting the fee per telephone access line. Commissioner Painter made a motion to adopt O-15-13, seconded by Judge Pendery. All voted "AYE" and the motion passed.

New business was presented with a first reading of Ordinance O-16-13. O-16-13 updates the official zoning map for unincorporated Campbell County to rezone an approximate 4.01 acre lot located along the east side of Licking Pike, one mile from the AA Highway in unincorporated Campbell County, Kentucky, as described in the attached map, from R-CO (River Recreation/Conservation) to R-RE (Residential Rural Estate). The map amendment was

requested by Gary and Amanda Walters. The Campbell County and Municipal Planning and Zoning Commission held a public hearing on the request and recommend its approval. Cindy Minter explained that the site was formerly used as a parking lot for the Knotty Pine restaurant which was located across the road. No vote was taken on this first reading of the ordinance.

Resolution R-148-13 was read by title and summary given. R-148-13 commends and thanks the Kentucky Transportation Cabinet for completing the successful reconstruction of pavement on Interstate Highway 275 and Interstate Highway 471 in Campbell County. Judge Pendery made a motion to adopt R-148-13, seconded by Commissioner Painter. Judge Pendery stated that the Transportation Cabinet has spent millions of dollars on the road system in Campbell County to survive the circumstances of traffic diverting to Campbell County if the Brent Spence Bridge is improved or not improved. The County is also grateful for the taxes paid by contractors while working in the County. All voted "AYE" and the motion passed.

Resolution R-150-13 was read by title and summary given. R-150-13 authorizes the Campbell County Animal Shelter to apply for the Holiday Wishes Grant presented by The Petco Foundation and Halo Natural Pet Foods. If received, the grant funds will be used to make improvements at the Animal Shelter. Commissioner Rehtin made a motion to adopt R-150-13, seconded by Commissioner Painter. All voted "AYE" and the motion passed. Melissa Williams expressed appreciation to Commissioner Rehtin for informing staff of this grant opportunity.

Resolution R-149-13 was read by title and summary given. R-149-13 updates position descriptions and authorizes corresponding amendments to the Administrative Code. This resolution updates descriptions for 24 positions. The new position descriptions have been available for review in the Commissioners' Office. Judge Pendery made a motion to adopt R-149-13, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to increase the compensation of Matthew W. Elberfeld from \$67,352 per year to \$80,000 per year effective December 2, 2013. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Painter stated that Mr. Elberfeld has a very impressive record since coming to the Fiscal Court and has some new software that will be put in place soon. Robert Horine listed a number of Mr. Elberfeld's accomplishments during his year of employment with the Fiscal Court. He stated that Mr. Elberfeld is a key member of the leadership team and provides invaluable input. Commissioner Painter and Judge Pendery voted "AYE", Commissioner Rehtin voted "NAY" and the motion passed.

A motion was requested to nominate to the Kentucky Cabinet for Health and Family Services the reappointment of Dr. Daniel Sheridan DDS, Dr. Larry Brennan MD and Beth Healy RPH to serve on the Campbell County Local Board of Health for a two year appointment effective January 1, 2014 through December 31, 2015. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Commissioner Rehtin stated that he voted "No" on two items this evening and didn't explain his vote at the time. He stated that the County had a great opportunity to renegotiate an 11-year old interlocal agreement for 911 dispatching services based on landlines. The agreement states that funding shall be okayed by the parties to the agreement. The Fiscal Court passed the new

\$45 fee prior to amending the agreement. He stated that the Fiscal Court has paid about \$3.5 million to subsidize dispatch services. The money is passed directly to the board that governs the dispatch services. He is not saying that the Board does a bad job, however fiscal responsibility should be retained by the Fiscal Court.

Commissioner Rehtin stated that he has no issue with Matt Elberfeld's performance; he is an excellent employee who has done terrific work for the County. The raise is not a budgeted item. He is not opposed to performance-based salaries or performance-based rewards, but they should be built into the agreement prior to the person starting employment. He cannot agree to an increase like this in mid-term.

Commissioner Rehtin stated that Al Shoemaker exemplifies a real problem within the existing library district system. He does not know where to go to complain about the tax increase and taxes within the library system because the board are unelected officials levying taxes on constituents in Campbell County. The Library Board asks people to come to them, they then pick the ones that they want to serve on the Board and send the names to the State Librarian who in turn sends two names to the Judge/Executive. The Judge/Executive appoints one of the two nominations which is then ratified by the Fiscal Court. There is no opportunity for voters to say whether the Board members are doing a good job.

Judge Penderly announced that a Celebration of Stewardship ceremony for the St. Anne Woods and Wetlands will be held on November 21, 2013 to acknowledge purchase of the woods and wetlands by the Campbell County Conservation District. The Conservation District was able to purchase the property through a grant from the Kentucky Heritage Land Conservation Fund Board. This land will be preserved in perpetuity through a conservation easement.

Judge Penderly stated that Northern Kentucky has a tremendous heroin addiction problem. The natural reaction of local government is heightened enforcement of the laws. However a broader response including education, enforcement and treatment, is needed for a problem like this. The Heroin Impact Response Leadership Team released its plan to deal with this crisis to the public on November 14, 2013. It has been determined that it will take years and a great deal of money to solve this problem.

Matt Elberfeld requested a motion to award bids for the sale of surplus property. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to accept the bid of Mago Construction Co. to resurface/mill 1.8 miles of Dead Timber Road in the amount of \$90,023.58. Mago submitted the low bid for this project. The County received \$82,008.00 in Flex Funds from the State to assist in paying for the project. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to solicit a request for proposals for the purchase of a new phone system for the Campbell County Fiscal Court. This purchase is included in the FY2014 budget. Motion was made by Commissioner Garrett, seconded by Commissioner

Painter. Commissioner Rechtin asked if they have considered leasing a phone system instead of a purchase. Mr. Elberfeld stated that they will look at all options. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims and supplemental claims as presented for November 20, 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. Commissioner Rechtin recused himself from voting to approve any payments made to Senior Services of Northern Kentucky, his employer. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rechtin made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 6:20 p.m.

Attachments:

- Ordinance O-12-13 Amend Chapter 111: Alcoholic Beverages
- Ordinance O-13-13 Update Official Road Maintenance List
- Ordinance O-14-13 Amend Interlocal Agreement for 911 Communication Services
- Ordinance O-15-13 Delete 911 Telephone Fee
- Ordinance O-16-13 Zoning Map Amendment
- Resolution R-148-13 Commend Kentucky Transportation Cabinet
- Resolution R-150-13 Application for Grant for Animal Shelter
- Resolution R-149-13 Update Position Descriptions
- Claims and Supplemental Claims November 20, 2013

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk