

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

April 2, 2014

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 2, 2014, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

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| Pat Walsh | Assistant Campbell County Attorney |
| Robert Horine | County Administrator |
| Matt Elberfeld | Finance Director |
| Paula Spicer | Fiscal Court Clerk |
| Colonel Keith Hill | Campbell County Police Chief |
| Kim Serra | Human Resources Director |
| Terry Jolly | Golf Professional |

The meeting was called to order at 7:00 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 March 19, 2014 were presented. Motion was made by Commissioner Garrett, seconded by Commissioner Painter to approve the minutes. All voted "AYE" and the motion passed.

Gretchen Vaughn, Campbell County Conservation District, addressed the Fiscal Court on the following upcoming events of the Conservation District: (1) the Right To Farm meeting on April 7, 2014 at the Campbell County Environmental Education Center, (2) Soil and Water Conservation Week April 27 through May 4, 2014, (3) Stewardship Hike at Hawthorne Crossing Conservation Area on April 27, 2014, and (4) the Campbell County Backroads Farm Tour on July 19, 2014. Ms. Vaughn distributed fliers on each event. She then read a proclamation declaring April 27 through May 4, 2014 as Soil and Water Conservation Week in Campbell County. Motion was made by Judge Pendery to adopt the proclamation, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

Matt Elberfeld presented O-08-14 for a first reading. O-08-14 authorizes the issuance of General Obligation Bonds, Series 2014 in an aggregate principal amount not to exceed \$2,500,000; 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; maintaining the heretofore established sinking fund; authorizing acceptance of the bid of the bond purchaser for the purchase of the bonds; and repealing inconsistent ordinances. Dirk Bedarff, bond counsel was present to answer any questions. Mr. Elberfeld stated that the bonds will fund the renovation of the former District Court building to provide additional beds for the jail. It is estimated that the new space will generate an additional \$130,292 in cash flow which will be used to pay the debt service. Commissioner Rehtin stated that this proposal is different than what was discussed previously. Judge Pendery stated that originally they planned to convert the District Court building to a minimum security facility and hoped that they could get \$32 per day for housing Class D felons. However, with the increasing number of heroin cases, the space may be used for a substance abuse program. Northern Kentucky has fewer treatment beds than other urban areas. The architect has changed the plans from a minimum security facility to a maximum security facility. Commissioner Rehtin questioned the ability to cover the debt service due to the changes. Judge Pendery stated that the new facility will pay for itself, but the County may need to pay for a treatment program.

Judge Pendery invited comments from the public.

Anna Zinkhon, on behalf of the residents of Camp Springs, addressed the Fiscal Court on the Ash Street forced main project. She asked for a resolution opposing the proposed route of the sewer through Camp Springs. She stated that many things were not taken into consideration when this project was planned. SD1 is taking the shortest route for the sewer which will affect 700 acres of prime farm land. The proposed route provides no benefit to the citizens and no economic benefit to the County. She stated that the sewer line will damage the farm land and a breakage would hurt business.

Mike Enzweiler, 1951 Upper Tug Fork Road, asked for an update on the bridge replacement on Upper Tug Fork. Robert Horine stated that the County has looked at the situation with the creek at Mr. Enzweiler's property. He acknowledged that during heavy rains the water from the creek washes over the road. Improvements that would move the water through the culvert under the road more quickly would move the water downstream creating the same problem at another location. Mr. Horine stated that this has been a long-standing problem. The County has evaluated improvements estimated at \$50,000 with no guarantee that a larger culvert would eliminate water over the road. The County has not taken action to make any changes. Mr. Enzweiler described the damage caused by the flooding. Judge Pendery stated that there are flooding and slippage problems throughout the County. He stated that there are solutions to many problems; however the costs will exceed the County's budget. Commissioner Painter stated that he was on the road tour with the Road Supervisor and others and they saw many situations in need of repairs. He stated that the costs are a big concern.

Keith Neltner, Four Mile Road, stated that SD1's finding that the Ash Street forced main sewer project will have no significant impact on Camp Springs is insulting. The farmland is viable to the County and the property owners need the Fiscal Court's help on this issue. Ken Perry, 2

Timberline Drive, questioned the judgment behind the location and expenditure of funds for a project that provides no new capacity or future service. It could have been put in a location that would produce an immediate return on the investment. Brandon Voelker stated that there is a lack of planning on SD1's part. He stated that a resolution of the Fiscal Court would go a long way. Anna Zinkhon and others have regularly attended the SD1 meetings; they have been lied to and they can never get straight answers. Claire Neltner expressed concerns about the pipeline running through her family's farm. Several unidentified individuals expressed their opinions about the SD1 Board and the project's lack of benefit to the residents of Camp Springs. J. Brosz spoke about the work stoppage on sewer projects in Cincinnati.

Paula Spicer presented old business beginning with a second reading of Ordinance O-04-14 by title and summary. O-04-14 amends the text of the official zoning ordinance for Campbell County at Article XIX Schedule of Fees. The amendment updates the fees charged by the Planning and Zoning Department for copying and reproduction (plotting) services. Commissioner Rehtin made a motion to adopt O-04-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Ordinance O-05-14 was presented for a second reading by title and summary. O-05-14 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-19-13 to modify the following roads to said official list: modify Boyd Road, Bud Pogue Way, Cooper Bain, Craft Road East, Craft Road West, East Nagel Road, West Nagel Road, Golf Road, Herringer Road, Hillview Road, West Short Siry, East Short Siry, Siry Road, Parklake Road and add Short Summer Road. These roadways will be adopted for County maintenance as a result of the US 27 reconstruction. Commissioner Garrett made a motion to adopt O-05-14, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

New business was then presented beginning with Resolution R-25-14 by title and summary. R-25-14 authorizes a transfer of the Mental Health/Intellectual Disability Payroll Tax allocation for New Perceptions for Fiscal Year 2014. New Perceptions' Executive Director has requested that \$5,000 be transferred from the Work Services Program to the Support Employment Services Program for the remainder of Fiscal Year 2014. Commissioner Rehtin made a motion to adopt R-25-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-26-14 was read by title and summary given. R-26-14 authorizes the County Judge/Executive to execute two-year renewal agreements with towing and recovery operators. The Campbell County Police Department currently has agreements with five operators to provide wrecker, towing and recovery services which expire on April 4, 2014. Chief Keith Hill recommends renewing the agreements and adding a sixth provider. The Agreements have been reviewed and revised by the County Attorney. Commissioner Rehtin made a motion to adopt R-26-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-27-14 was read by title and summary given. R-27-14 authorizes the Judge/Executive to execute an agreement with the Kentucky Department of Housing, Buildings and Construction granting HVAC permitting and inspection responsibility to Campbell County, Kentucky. The agreement provides that Campbell County will continue to perform primary plan

review and inspection, and to enforce the Department's regulations relating to heating, ventilation and air conditioning. Commissioner Rehtin made a motion to adopt R-27-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Ordinance O-07-14 was read by title and summary given. O-07-14 enacts and adopts the 2014 S-28 Supplement to the Code of Ordinances of the County of Campbell, Kentucky (July 1, 2013 through December 30, 2013). The Code of Ordinances is updated biannually. This update contains legislation adopted from July 1, 2013 through December 31, 2013. No vote was taken on the first reading of this ordinance.

A motion was requested to proclaim April 4, 2014 as Arbor Day in Campbell County, Kentucky. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to appoint the following seasonal parks and Recreation Department employees effective April 3, 2014 through the 2014 Park season: Jeremiah Harrod as Parks and Recreation Maintenance Worker at \$10.35 per hour, and Mike Tillett, Mitch Aldridge and Sarah Mullen as Camping and Concessions Workers at \$9.96 per hour. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint the following seasonal Golf Course employees effective April 6, 2014 through the 2014 Park season: Nicole Freyberger as Clubhouse Concession Worker at \$9.09 per hour and Jacob Ripberger as Golf Starter at \$9.03 per hour. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to increase the compensation of Ryan Doll, IT Specialist to \$22.6857 per hour (\$41,288 annually) effective April 20, 2014. Mr. Doll will complete one year of service on April 15, 2014 and this budgeted increase will bring him to the minimum of the position's current pay grade. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-28-14 was read by title and summary given. R-28-14 authorizes the addition of a seasonal Building Maintenance Assistant to the position list for the Building Maintenance Department and corresponding amendment to the Administrative Code. Due to the increasing workload of the Building Maintenance Department, staff has determined that the addition of a seasonal position will improve the efficiency and timely delivery of building maintenance services. The resolution also adopts a position description for Building Maintenance Assistant. Judge Pendery made a motion to adopt R-28-14, seconded by Commissioner Garrett. Kim Serra stated that this is not a budgeted position. The position is seasonal meaning that the person may work nine months of the year. Mr. Horine stated that this position has been recommended for the fiscal year 2015 budget, however the Facilities and Fleet Manager would like to fill the position earlier. Commissioners Garret and Painter and Judge Pendery voted "AYE", Commissioner Rehtin voted "NAY" and the motion passed. Commissioner Rehtin stated that he will vote for some things if a pay increase is budgeted, but will not increase the payroll when

it is not budgeted. This position is in the budget process for the coming year, and that's where it should be.

A motion was requested to authorize staff to advertise, interview and hire a seasonal Building Maintenance Assistant. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-29-14 was read by title and summary given. R-29-14 deletes the position of Golf Pro Shop Clerk from the Golf Course Department authorized position list and authorizes the addition of an Assistant Golf Professional position and further authorizes corresponding amendments to the Administrative Code. Adding the Assistant Golf Professional position in lieu of the Golf Pro Shop Clerk is being done in connection with organizational changes at the Golf Course. The resolution also adopts a position description for Assistant Golf Professional. Judge Pendery made a motion to adopt R-29-14, seconded by Commissioner Painter. Commissioner Rehtin wanted to clarify that there was no financial impact with the new position – it is just a change in the title and position description. Terry Jolly stated that there is no change to the budget. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire an Assistant Golf Professional. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Douglas W. Neyman, III to the Campbell County Board of Assessment Appeals for a term effective April 3, 2014 through June 4, 2015. Mr. Neyman fills the unexpired term of Ken Perry who resigned from the Board. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Commissioner Rehtin announced that he attended a nice event at Tom Gill Chevrolet on April 1, 2014 for Child Abuse Awareness Month. The Family Nurturing Center presented a certificate in recognition of the Fiscal Court's support of the Center's efforts to end the cycle of child abuse.

Robert Horine presented Ordinance O-06-14 by title and summary given. O-06-14 approves the execution of a Local Participation Agreement relating to the establishment and implementation of a Development Area Tax Increment Financing District (TIF) known as the City Center Development Area within the City of Newport, Kentucky. Mr. Horine summarized the three changes to the Agreement since the ordinance was presented at the last meeting: (1) the base revenues will be adjusted annually for inflation based on the Consumer Price Index, (2) the County shall appoint two representatives to the Incentive Review Committee, and (3) any City or County payroll taxes committed to support an incentive through a state or local program shall be excluded from the payroll taxes pledged to the Development Area. No further changes to the Agreement are anticipated and a second reading will be held on April 16, 2104. Mr. Horine explained that tax-exempt properties will not be calculated in the base – they have a zero value. He stated that the Housing Authority property value was changed before the Ovation project TIF was established. Commissioner Rehtin pointed out that there is a considerable amount of tax-exempt property in the new TIF. No vote was taken on this reading of the ordinance.

Mr. Horine requested that the Fiscal Court meet in executive session at the end of regular business, pursuant to KRS 61.810(1)(e) collective bargaining negotiations between public employers and their employees or their representatives. He anticipates that no action will be taken following the executive session. Motion was made by Commissioner Garrett, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Matt Elberfeld presented Resolution R-31-14 by title and summary given. R-31-14 authorizes the Judge/Executive to execute an agreement with SHI International for renewal of Microsoft licenses for a term of three years at a total cost of \$35,081.02. The cost is from the State contract and is payable over the three year term of the agreement. Commissioner Garrett made a motion to adopt R-31-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-30-14 was read by title and summary given. R-30-14 adopts guidelines for the 2013-2014 Northern Kentucky Area Development District Funds Project. The Fiscal Court has been awarded \$12,340 in capital improvement funds from the NKADD for fiscal years 2013 and 2014. As a recipient, the Fiscal Court is required to establish a selection committee, adopt project rating criteria and set a timetable. Mr. Elberfeld stated that this funding is made available every other year by NKADD. Commissioner Rehtin made a motion to adopt R-30-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to acknowledge receipt of the fiscal year 2013 Campbell County Fiscal Court audit from Adam Edelen, Auditor of Public Accounts. Mr. Elberfeld highlighted several items in the audit. The audit is available on the County's website. 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 and supplemental claims as presented for April 2, 2014. Assistant County Attorney Pat Walsh stated that County Attorney Steve Franzen has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Judge Pendery announced that the Campbell County Spring Clean Up will take place on April 11 through 13, 2014 at Pendery Park, Campbell County Police Station and the Campbell County Transportation Department. Details are on the County's website.

Judge Pendery announced that the Campbell County Solid Waste division is sponsoring a Shred Day event on April 19, 2014 from 9:00 am to 1:00 pm at the Disabled American Veterans parking lot at US 27 and Rt. 1998 in Cold Spring, Kentucky.

Judge Pendery announced that a Campbell County Mayors' meeting will be held on Tuesday, April 22, 2014 at 6:00 pm in the Fiscal Court Chambers of the County Administration Building.

The Fiscal Court met in Executive Session pursuant to motion previously made.

Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett to adjourn the executive session and reconvene in regular session. 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 9:16 p.m.

Attachments:

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| Proclamation | Soil and Water Conservation Week |
| Ordinance O-04-14 | Amend Zoning Ordinance Schedule of Fees |
| Ordinance O-05-14 | Update County Maintained Road List |
| Resolution R-25-14 | Transfer of MH/ID Tax Allocation for New Perceptions |
| Resolution R-26-14 | Agreements for Towing and Recovery Services |
| Resolution R-27-14 | Agreement with State of Local Jurisdiction HVAC Program |
| Ordinance O-07-14 | Adopt Supplement to Code of Ordinances |
| Proclamation | Arbor Day |
| Resolution R-28-14 | Building Maintenance Assistant Position |
| Resolution R-29-14 | Assistant Golf Professional Position |
| Ordinance O-06-14 | Local Participation Agreement with Newport |
| Resolution R-31-14 | Microsoft License Agreement |
| Ordinance O-08-14 | Issuance of Bonds for Jail Renovation/Expansion |
| Resolution R-30-14 | Adopt Guidelines for NKADD Capital Improvement Funds |
| Claims | April 2, 2014 |

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk