

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

April 16, 2014

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 16, 2014, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. to receive public comment on the application for Land and Water Conservation 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
Robert Horine, County Administrator
Paula Spicer, Fiscal Court Clerk
Matt Elberfeld, Finance Director
Cindy Minter, Planning and Zoning Director
Colonel Keith Hill, Police Chief
Kim Serra, Human Resources Director
Pat Dressman, Human Services Manager
David Plummer, Administrative Analyst/Solid Waste Program Manager

David Plummer, Administrative Analyst/Solid Waste Program Manager opened the public hearing. The Land and Water Conservation Fund offers a 50/50 matching grant for recreation and conservation projects. The Fiscal Court shall apply for the maximum amount of \$75,000 for resurfacing of approximately \$2.5 miles of A J Jolly Park campground roadway. The total project cost is estimated at \$150,000. The application is recommended by Larry Harrod, Parks and Recreation Manager and supported by the Jolly Community Development Council. Mr. Plummer stated that depending on the cost of resurfacing, it may be less expensive to bid out the work rather than perform it in-house. There being no further comments, the public hearing was closed at 5:37 p.m.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS

PETE GARRETT

BRIAN PAINTER

KENNETH RECHTIN

Robert Horine
Steve Franzen
Matthew Elberfeld
Paula Spicer
Cindy Minter
Kim Serra
Pat Dressman
David Plummer
Colonel Keith Hill

County Administrator
County Attorney
Finance Director
Fiscal Court Clerk
Planning and Zoning Director
Human Resources Director
Human Services Manager
Administrative Analyst/Solid Waste Program Manager
Police Chief

The meeting was called to order at 5:37 p.m. by Judge Pendery. Cable Access was present to film the meeting.

Minutes from the Fiscal Court regular meeting of April 2, 2014 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 none, he proceeded with the agenda.

Judge Pendery administered the Oath of Office to Campbell County Police Officer Matthew Jones.

Paula Spicer presented old business with a second reading of Ordinance O-08-14 by title and summary. 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; 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. The bonds will be used to fund the jail renovation/expansion project. Dirk Bedarff, bond counsel, and Joe Lakofka, fiscal agent, were present to answer any questions. Commissioner Garrett made a motion to adopt O-08-14, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

Ordinance O-07-14 was presented for a second reading by title and summary. O-07-14 enacts and adopts the 2014 S-28 supplement to the Code of Ordinances of the County of Campbell, Kentucky. This supplement updates the Code of Ordinances by incorporating legislation adopted from July 1, 2013 through December 31, 2013. Commissioner Rechtin made a motion to adopt O-07-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

New business was presented with Resolution R-32-14 by title and summary. R-32-14 allocates Mental Health/Intellectual Disability Tax funds for FY2015. The total amount allocated for FY

2015 is \$732,000. Commissioner Rehtin made a motion to adopt R-32-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-33-14 was read by title and summary given. R-33-14 allocates Senior Citizens' Tax funds for FY2015. The total amount allocated for FY 2015 is \$309,065. Pat Dressman advised that the total amount allocated is about \$60,000 less than last year. Commissioner Garrett made a motion to adopt R-33-14, seconded by Commissioner Painter. Commissioner Rehtin recused himself from voting due to Senior Services of Northern Kentucky, his employer, receiving funds. Commissioners Garrett and Painter and Judge Penderly voted "AYE" and the motion passed.

Resolution R-34-14 was read by title and summary given. R-34-14 authorizes the Judge/Executive to execute a contract with Campbell County Fire District #1 to assist in the delivery of gravel to the Eastern Campbell Fire Station for parking lot repairs. The Fiscal Court will transport the gravel and provide labor necessary to repair the parking lot at 3707 Smith Road. Fire District #1 will pay for all materials and allow the Fiscal Court to use the facility at 3707 Smith Road for one year. Commissioner Rehtin made a motion to adopt R-34-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-36-14 was read by title and summary given. R-36-14 authorizes the Judge/Executive to apply for funding from the Land and Water Conservation Fund grant for the resurfacing of the A J Jolly Campground roadways. The required public hearing for this grant application was held prior to this meeting. Commissioner Garrett made a motion to adopt R-36-14, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Ordinance O-09-14 was read by title and summary given. O-09-14 updates the official zoning map for unincorporated Campbell County to add an Agricultural Cluster Development (ACD) Overlay within an A-1 Zone for an approximate 48.3 acre parcel located at 2251 Reis Ridge Road in unincorporated Campbell County. The requested zoning map amendment was reviewed and approved by the Campbell County and Municipal Planning and Zoning Commission on March 11, 2014. Cindy Minter explained that in 2010 a new zoning code was adopted that allowed for the Agricultural Cluster Development Overlay. This is the first request for use of the overlay. The property owners have met all requirements. Ms. Minter stated that a private road is allowed for access of the five parcels in exchange for a perpetual easement maintaining the agricultural use of the property. A written agreement for the maintenance of the private road will be attached to the deeds for each parcel. No vote was taken on this first reading of the ordinance.

Ordinance O-10-14 was read by title and summary given. O-10-14 updates the official zoning map for unincorporated Campbell County to rezone an approximate 32 acre parcel located at 5515 Dodsworth Lane in unincorporated Campbell County as described in the attached map, from R-1C (Residential) to A-1 (Agricultural). The requested zoning map amendment was reviewed and approved by the Campbell County and Municipal Planning and Zoning Commission on March 11, 2014. No vote was taken on this first reading of the ordinance.

Resolution R-39-14 was read by title and summary given. R-39-14 commends and thanks the members of the Campbell County Road Department for their extraordinary efforts to maintain

County roadways during the winter of 2013-2014. Commissioner Rehtin made a motion to adopt R-39-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-35-14 was read by title and summary given. R-35-14 approves changes to the Personnel Section, authorized position lists and organizational chart sections of Campbell County's Administrative Code. The Personnel Section and Appendices of the Administrative Code have been updated to better reflect current practices of the Fiscal Court and to comply with applicable state and federal laws. The amendments have been reviewed and approved by the County Attorney. Judge Pendery made a motion to adopt R-35-14, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to appoint Kristen Smith as a seasonal Golf Cashier/Clerk with compensation set at Pay Grade 7, \$10.35 per hour effective April 20, 2014 through the 2014 Park Season. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize the Campbell County Police Merit Board to establish a new Police Officer Eligibility List to replace the current list that expires on April 21, 2014. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Michael Jackson to the Campbell County Board of Assessment Appeals for a three year term effective June 1, 2014 through May 31, 2017. Mr. Jackson fills a vacancy on the Board due to the expiration of the term of Susan Yelton. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to recommend to the Campbell County Local Board of Health the reappointment of Tara Knipper MD and Richard Schuck OD to the Northern Kentucky Independent District Health Board for a two year term effective July 1, 2014 through June 30, 2016. The District Board nominations will be presented to the Local Board of Health for approval at its May 5, 2014 meeting. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Robert Horine presented Ordinance O-06-14 for a second reading by title and summary. 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 known as the City Center Development Area within the City of Newport, Kentucky. The agreement establishes the Tax Increment Financing District (TIF) to support infrastructure improvements and redevelopment of properties within the Development Area. The TIF will be in effect for 30 years. Jim Parsons, attorney, was present to answer any questions. Commissioner Rehtin made a motion to adopt O-06-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-37-14 was read by title and summary given. R-37-14 authorizes the County Judge/Executive to execute a grant agreement with the Commonwealth of Kentucky, Department for Local Government for a Community Development Block Grant for the Scholar House Project

in the City of Newport, Kentucky. The agreement between the Fiscal Court and Department of Local Government secures the \$500,000 that will be used for the development of the Scholar House Project, in particular the child care center portion of the project. Tom Guidugli of the Newport Millennium Housing Corporation and Dennis Elrod, Atkins-Elrod were present to answer any questions. Atkins-Elrod will provide grant administration services for this project. Commissioner Rehtin made a motion to adopt R-37-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-38-14 was read by title and summary given. R-38-14 authorizes the Judge/Executive to execute a Development Agreement with the Newport Millennium Housing Corporation III and the Northern Kentucky Scholar House Limited Partnership for the Northern Kentucky Scholar House Project. The Newport Millennium Housing Corporation and the Northern Kentucky Scholar House Limited Partnership are responsible for planning, management and execution of the project and the Fiscal Court is basically the conduit to deliver funding for the project. The Development Agreement was drafted by the County Attorney and is still being finalized. Mr. Horine requested approval of the agreement subject to any final changes as agreed to by the County Attorney. Commissioner Rehtin made a motion to adopt R-38-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

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 Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

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.

Judge Pendery announced that a "Players for the Planet" electronics recycling event will be held on Sunday, May 4, 2014 from 10:00 am to 2:00 pm at the Newport Pavilion. The event is free, however donations will be accepted.

Judge Pendery announced that a Tire Amnesty event will be held on May 14, through 17, 2014 from 8:00 am to 5:00 pm each day at the Campbell County Transportation Center.

Matt Elberfeld presented Resolution R-40-14 by title and summary given. R-40-14 requests the Kentucky Transportation Cabinet to reimburse the Fiscal Court for transportation of non-public school students for the 2013-2014 school year. The Fiscal Court previously authorized resolutions providing a total of \$350,090.12 in funding to the Campbell County School District and Southern Cardinal LLC for transportation of non-public school students. The current resolution authorizes application to the State for reimbursement of these costs. The Fiscal Court usually receives between 65-85% of the amount spent. Robert Horine stated that the amount of money available for reimbursement was increased by the General Assembly yesterday in the

State's Transportation Budget. Commissioner Rehtin made a motion to adopt R-40-14, 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 16, 2014. 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.

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 Garrett made a motion to adjourn, seconded by Commissioner Rehtin. All voted "AYE" and the meeting adjourned at 6:40 p.m.

Attachments:

Ordinance O-08-14	Issuance of Bonds for Jail Expansion/Renovation
Ordinance O-07-14	Adopt Code of Ordinances Supplement
Resolution R-32-14	Allocate MH/ID Tax Funds for Fiscal Year 2105
Resolution R-33-14	Allocate Senior Citizens Tax Funds for Fiscal Year 2015
Resolution R-34-14	Contract with Fire District No. 1
Resolution R-36-14	Application for Land and Water Conservation Fund Grant
Ordinance O-09-14	Amend Zoning Map – 2251 Reis Ridge Road
Ordinance O-10-14	Amend Zoning Map – 5515 Dodsworth Lane
Resolution R-39-14	Commend Road Department Personnel
Resolution R-35-14	Amend Personnel Policy
Ordinance O-06-14	Authorize Local Participation Agreement with City of Newport
Resolution R-37-14	Authorize Grant Agreement with Department for Local Government
Resolution R-38-14	Authorize Development Agreement for Scholar House Project
Resolution R-40-14	Application for Reimbursement of Non-Public School Student Busing
Claims and Supplemental Claims	April 16, 2014

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk