

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

June 18, 2014

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, June 18, 2014, 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**

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

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 June 4, 2014 and Mayors' meeting of April 22, 2014 were presented. Motion was made by Commissioner Painter seconded by Commissioner Garrett to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Dan Hull distributed letters to the members of the Fiscal Court. He requested a copy of the minutes from this meeting. Judge Pendery stated that Mr. Hull's letter is a request for clarification on the right of way on Barrs Branch Road. Mr. Hull stated that he wanted it for the entire road, but especially for the section of the road in the vicinity of his residence. He gave Judge Pendery his phone number.

Kevin Gordon asked if there were any additions or changes to the budget ordinance since the first reading and if a summary would be given of the budget when it is read. There have been no

changes and Judge Pendery stated that they can give highlights of the budget once it is read. Mr. Gordon asked about the subsidy for the golf course in this year's budget. He stated that there is an increase in the amount of funding for the Transit Authority of Northern Kentucky (TANK) for this year and asked several questions about the proposed cross-county route. Judge Pendery stated that the cross county route is included in TANK's budget. Mr. Gordon then asked if there had been any follow up on his previous comments about problems during the primary election and how some things that could be changed. Judge Pendery stated that he has talked to the County Attorney about Mr. Gordon's comments and then advised that a lawsuit had been filed regarding placement of political signs within 300 feet of a polling place. Mr. Gordon stated that it seems that there are problems every year regarding electioneering and sign placement within 300 feet of polling places. Steve Franzen stated that the regulation is set by State statute and he did not think that the regulation was unclear or that it posed a problem. Mr. Gordon suggested that the 300 foot area be measured and marked off prior to election day to eliminate any problems. Judge Pendery and Steve Franzen agreed that due to the infrequency of problems, it would be more trouble than it's worth to draw a perimeter line for each of the polling precincts.

Ron McCormick, Chairman of the Campbell County Conservation District Board presented his annual report to the Fiscal Court. Mr. McCormick explained that the mission statement of the Conservation District is for improvement and conservation of the soil, water and related natural resources. Conservation Districts' activities historically were rooted in agriculture, but they now serve all citizens with a variety of projects. Mr. McCormick listed the types of projects that the District works on, its education programs about natural resources, programs for children, scholarships, grants and awards that they administer. He explained how the Kentucky Agriculture District Program can benefit farmers. Mr. McCormick announced that the Backroads Farm Tour will be held on July 19, 2014 this year and that the Farm to Fork dinner will be held at the Alexandria Fairgrounds. He then talked about the Hawthorn Crossing and St. Anne Woods and Wetlands properties that are both owned by the Conservation District. He announced that the District recently acquired 11 acres adjacent to Hawthorne Crossing. Mr. McCormick thanked the Fiscal Court for allowing them to move the District's offices to the Alexandria Courthouse. Mary Katherine Dickerson who works with the Boone, Campbell and Kenton Counties Conservation Districts was present with Mr. McCormick. Judge Pendery thanked Mr. McCormick for his presentation and for the District's efforts in preserving the Hawthorn Crossing and St. Anne Woods and Wetland properties.

Paula Spicer presented old business with a second reading of Ordinance O-11-14. O-11-14 relates to the annual budget and appropriations of Campbell County, Kentucky for the fiscal year 2014-2015 (FY15). Matt Elberfeld stated that the total budget this year is about \$37.7 million as compared to last year's budget of \$34.5 million. The increase is due to the inclusion of three new funds this year: the golf course was previously a component unit but is now accounted for in the Fiscal Court budget, \$500,000 in CDBG funds for the Scholar House Project and the \$2.5 million bond proceeds for the jail renovation project. He stated that basically the ongoing routine expenditures are funded by the ongoing routine revenues. The budget deficit is created by capital investments. Mr. Elberfeld discussed anticipated revenues from property taxes, business taxes, insurance premium taxes, County road aid and jail fund revenue. He addressed personnel expenses including salaries, insurance and pension; this is the biggest part of the budget. He then listed capital investment projects the biggest of which is the jail renovation.

The most notable change in operating expenses is the increase in the contribution to TANK. Mr. Elberfeld stated that the Fiscal Court tries to budget for things that may come up during the year so that it doesn't have to amend the budget at a later time. All items in the budget are still subject to normal Fiscal Court approval. Judge Penderly stated that if the three additions to the budget this year were removed, the budget would be basically flat. He stated that the County overestimates its expenses and underestimates revenues so that transfers of funds are not constantly needed. Mr. Elberfeld stated that the County's contingency fund is \$600,000. The Fiscal Court does not carry a balance from year to year. Last year's reserves were about \$10.2 million at the end of the year, and Mr. Elberfeld expects that to increase by about \$400,000 - \$500,000 this year. Judge Penderly stated that the Fiscal Court has maintained an exceptional bond rating among governments in Kentucky. In response to Commissioner Rehtin's question, Mr. Elberfeld stated that the loss for the golf course in Fiscal Year 2013 was about \$402,000. The budgeted loss for the golf course for Fiscal Year 2015 is \$235,000. Commissioner Rehtin stated that the anticipated income increase on property tax is four percent above the compensating rate. Mr. Elberfeld stated that they have not received the compensating rate yet, but it is four percent more dollars than received this year. Judge Penderly made a motion to adopt O-11-14, seconded by Commissioner Painter. Commissioner Painter stated that the Fiscal Court is consistently conservative with the budget. He stated that the Road Supervisor recommended a maintenance schedule to pave 15-20 miles of road per year, however this year only nine miles were paved. He supported increasing the budget for paving in order to keep up with the road maintenance. Commissioners Garrett and Painter and Judge Penderly voted "AYE", Commissioner Rehtin voted "NAY" and the motion passed.

New business was presented with Ordinance O-12-14 by title and summary. O-12-14 provides for a credit of Campbell County Fiscal Court's occupational license fee for new employees as part of an economic development project by Gonzalez Enterprises, LLC d/b/a Ferrous85" Company under the Kentucky Business Investment Program (KRS 154.32-010—KRS 154.32-100). Ferrous85" Company has been approved to participate in the Kentucky Business Investment Program making it eligible for a 1.5% Kentucky personal income tax credit for new Kentucky resident jobs for 10 years. The program requires a corresponding 0.5% credit of local Occupational License Fees to be provided jointly by the County (0.2%) and the City of Wilder (0.3%). No vote is required on the first reading of this ordinance.

Resolution R-72-14 was read by title and summary given. R-72-14 authorizes the Judge/Executive to execute an Advisory Team Memorandum of Agreement with the Campbell County Conservation District and the Campbell Conservancy regarding the management of the Hawthorne Crossing Conservation Area and St. Ann Woods and Wetland. In 2009 the Fiscal Court entered into a similar agreement after the acquisition of the Hawthorne Crossing property. The new agreement adds the St. Anne Woods and Wetland property acquired last year, and replaces the 2009 agreement. Commissioner Rehtin made a motion to adopt R-72-14, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-64-14 was read by title and summary given. R-64-14 relates to the annual review of the Campbell County Administrative Code. KRS 68.005 requires the Fiscal Court in June of each year to review the Administrative Code. The Fiscal Court has reviewed the Code and no

changes are recommended at this time. Judge Pendery made a motion to adopt R-64-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-65-14 was read by title and summary given. R-65-14 authorizes a contract with Anthem Blue Cross and Blue Shield to provide medical and life insurance plans to all eligible employees of the Campbell County Fiscal Court and Detention Center. The contract is for a one year period beginning July 1, 2014. Judge Pendery made a motion to adopt R-65-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-66-14 was read by title and summary given. R-66-14 authorizes a contract with Dental Care Plus to offer Dental Insurance through payroll deduction to all eligible employees of the Campbell County Fiscal Court and Detention Center. The contract is for a one year period beginning July 1, 2104. The cost of the insurance is paid by the employee through payroll deduction. Judge Pendery made a motion to adopt R-66-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-67-14 was read by title and summary given. R-67-14 authorizes a contract with Chard Snyder to serve as third party administrator of S125 flexible benefit accounts through payroll deduction to all eligible employees of the Campbell County Fiscal Court and Detention Center. The contract is for a one year period beginning July 1, 2014. Judge Pendery made a motion to adopt R-67-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-68-14 was read by title and summary given. R-68-14 updates the compensation schedule and authorizes corresponding amendments to position descriptions for all employees of the Fiscal Court and Detention Center who are not covered by a working agreement and amends the Administrative Code effective July 1, 2014. The compensation schedule is being updated to coincide with a two percent cost of living adjustment for all non-represented staff of the Fiscal Court and Detention Center. Judge Pendery made a motion to adopt R-68-14, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to approve a two percent cost of living adjustment for all non-supervisory employees of the Road and Recreation Departments, excluding seasonal employees, effective June 29, 2014. The increase is provided for in the working agreement with Local #286, American Federation of State, County and Municipal Employees. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to approve a two percent cost of living adjustment for all employees of the Campbell County Detention Center effective June 29, 2014. Jim Daley, Campbell County Jailer recommends the increase which is included in the Jail's fiscal year 2015 budget. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to approve a two percent cost of living adjustment for all non-represented Fiscal Court employees and authorizing one increase above two percent for a position that was determined to be compensated below market effective June 29, 2014. Motion

was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-70-14 was read by title and summary given. Resolution updates the Animal Technician position description and authorizes corresponding amendments to the Administrative Code. The Animal Shelter Manager has determined that it is operationally necessary for the Animal Technician to be authorized to act as an Animal Control Officer. Judge Pendery made a motion to adopt R-70-14, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to approve the annual compensation set for Judge/Executive Steve Pendery and Jailer James Daley as prescribed by KRS 64.5275 for the 2014 calendar year. The compensation is set by the State salary schedule and is retroactive to January 1, 2014. The salaries for 2014 are \$105,596.47 for the Judge/Executive and \$97,774.51 for the Jailer. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to set the compensation for the 2014 calendar year for the Campbell County Commissioners, County Coroner and County Attorney as calculated by the Kentucky Department of Local Government. The Commissioners’ compensation is set at \$37,942.16, the Coroner at \$44,241.68 and the County Attorney at \$44,971.70. All are retroactive to January 1, 2014. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Painter pointed out that two years ago the County Commissioners did not take an increase due to the economy. All voted “AYE” and the motion passed.

A motion was requested to approve contracts with Greg Popham and Mark Dill to serve as School Resource Officers for the 2014-2015 school year. Compensation is at the rate of \$22.8099 per hour not to exceed 1,496 working hours or 187 working days per fiscal year. Total annual compensation shall not exceed \$34,125.00. The School Resource Officers receive no benefits. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to appoint Rodney Crook to the Northern Kentucky Convention and Visitors Commission for a three year term effective August 1, 2014 through July 31, 2017. Mr. Crook’s appointment was recommended by the Northern Kentucky Hotel and Lodging Association. He will take the place of Nick Ellison. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to reappoint Pam Pangburn to the Northern Kentucky Area Development District Council on Aging for a two year term effective July 1, 2014 through June 30, 2016. Due to a revision of the Council on Aging By-Laws, Campbell County’s representation on the Council has been reduced from five to four members. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to reappoint Clarence Martin to the Central Campbell Fire District Board of Trustees for a three year term effective July 1, 2014 through June 30, 2017. Motion

was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to reappoint Maurice “Dutch” Hehman to the Campbell County Fire Protection District #6 Board of Trustees for a three year term effective July 1, 2014 through June 30, 2017. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Judge Pendery requested a motion for an executive session pursuant to KRS 81.610(1)(e) collective bargaining negotiations between public employers and their employees or their representatives, to be held at the end of regular business. He stated that they will likely take action after the session. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Judge Pendery announced that the annual Riversweep event will be held on Saturday, June 21, 2014 at Pendery Park beginning at 10:00 a.m. Volunteers are needed to help clean up the Ohio River bank.

Matt Elberfeld presented Resolution R-71-14 by title and summary given. R-71-14 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, 2014, 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. This is the County’s annual funding agreement for roads that are determined to be in urban areas of the unincorporated County. The amount allocated for fiscal year 2015 is \$83,048 which may be used for the construction, reconstruction and maintenance of certain roads. Commissioner Rehtin made a motion to adopt R-71-14 seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-63-14 was read by title and summary given. R-63-14 authorizes adoption of the Fiscal Year 2014-2015 Housing Department Budget. The Housing Department operates as a component unit and is not included in the regular Fiscal Court budget. The Department is funded entirely with federal monies. Commissioner Rehtin made a motion to adopt R-63-14, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-73-14 was read by title and summary given. R-73-14 approves funding for the Transit Authority of Northern Kentucky for Fiscal Year 2015. The funding amount recommended this year is \$4,113,087 which is about an \$181,373 increase from last year. Judge Pendery made a motion to adopt R-73-14. Commissioner Painter stated that he does not like any increases; he may vote for the funding but does not want to second the motion. Commissioner Painter then seconded the motion to promote discussion. Commissioner Painter stated that the County’s TANK contribution in the last two years has gone down \$500,000. The TANK board has requested the increase this year because it wants to run an hourly cross-town service from Florence to Northern Kentucky University (NKU) and possibly the St. Joseph Church park and ride lot. The Fiscal Court has some good conservative members on the TANK Board. He stated

that Andrew Aiello, TANK General Manager, advised that the new route will change the formula on how much Campbell County pays as opposed to Boone and Kenton because it will put more service into Boone and Kenton Counties. Commissioner Painter stated that Campbell County's contribution to TANK may decrease next year also due to the reevaluation of underutilized routes. Judge Pendery stated that the proposed route is the first that will cross the three northern Kentucky counties. It will provide a link to NKU and the Northern Kentucky Industrial Park. He stated that it is a good idea and worth a try. Commissioner Rechtin stated that he does not oppose this at all. He sat in on many of the planning sessions as a representative of Senior Services and in recognition of the need of the elderly to have good adequate transportation. He believes that this route will be utilized. He recommended that the TANK staff and board be open to suggestions from the public about increasing ridership. Commissioner Garrett stated that there has never been an east-west route in northern Kentucky. He stated that there is a stop for the general public in both Boone and Kenton Counties. The only stop in Campbell County is Northern Kentucky University for students. He suggested that they open a park and ride at NKU but was told there was not enough room. He stated that they have changed the proposed route so that there is public access on Route 27 just off of NKU campus for the general public. He also stated that Campbell County has been pretty much assured that its funding share will go down next year. Commissioner Garrett stated that he will vote for this but wants to ensure that the route continues to have access for the general public. All voted "AYE" and the motion passed.

A motion was requested to approve funding for the Campbell County Attorney for Fiscal Year 2015. The amount budgeted for Fiscal Year 2015 is \$10,820 per month, the same amount as last year. Motion was made by Commissioner Rechtin, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Mr. Elberfeld requested a motion to approve the budget transfers as presented for June 18, 2014. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims as presented for June 18, 2014. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Rechtin. Commissioner Rechtin recused himself from voting to approve any payments made to Senior Services of Northern Kentucky, his employer. Commissioner Rechtin noted that he will be retiring from Senior Services of Northern Kentucky as of June 25, 2104. All voted "AYE" and the motion passed.

The Fiscal Court met in executive session pursuant to motion previously made.

Motion was made by Commissioner Rechtin, seconded by Commissioner Painter to adjourn the executive session and reconvene in regular session. All voted "AYE" and the motion passed.

At the conclusion of the executive session, Judge Pendery made a motion to execute an agreement on wages with the Fraternal Order of Police Lodge #10 for the year beginning July 1, 2014, and to approve a two percent cost of living adjustment for Campbell County Police

Officers covered by said agreement effective June 29, 2014. Commissioner Painter seconded the motion. 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. All voted “AYE” and the meeting adjourned at 7:05 p.m.

Attachments:

Ordinance O-11-14	Annual Budget for Fiscal Year 2015
Ordinance O-12-14	Credit of County Occupational License Fees
Resolution R-72-14	Agreement with Conservation District and Campbell Conservancy
Resolution R-64-14	Acknowledge Annual Review of Administration Code
Resolution R-65-14	Contract for Employee Medical and Life Insurance
Resolution R-66-14	Contract for Employee Dental Insurance
Resolution R-67-14	Contract for Employee Flexible Spending Accounts
Resolution R-68-14	Update Compensation Schedule, Descriptions & Administrative Code
Resolution R-70-14	Update Animal Technician Position Description
Resolution R-71-14	Contract for Municipal Aid Co-op Program
Resolution R-63-14	Adopt FY 2015 Housing Department Budget
Resolution R-73-14	Approve Funding for Transit Authority of Northern Kentucky
Budget Transfers	June 18, 2014
Claims	June 18, 2014

Approved:

/s/ Steve Pendery

STEVE PENDERY

Judge/Executive

Attest:

/s/ Paula K. Spicer

Paula K. Spicer, Fiscal Court Clerk