CAMPBELL COUNTY FISCAL COURT
MINUTES

NOVEMBER 18, 2015

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, November 18, 2015 at 5:30p.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
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Matthew Elberfeld	County Administrator
Steve Franzen	County Attorney
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Craig Sorrell	Campbell County Police Department
Cindy Minter	Director of Planning and Zoning
Seth Cutter	Economic Development Officer

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 November 4, 2015 were presented. Commissioner Lampe made a motion to adopt the minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public. There being none, he proceeded with the agenda.

Chief Craig Sorrell introduced Police recruits Carl Harris and Amanda Bray who recently graduated from the Police Academy. Judge Pendery administered the Oath of Office to Mr. Harris and Ms. Bray. He welcomed them to the Police Department and the Campbell County government family. Commissioner Coleman stated that Carl Harris is a former student of his

and a graduate of Bellevue High School; he is very proud of him. Officer Bray introduced her family members that were present.

Bill St. Pierre, a resident of northern Kentucky and the northern Kentucky representative to the Kentucky Native American Heritage Commission, part of the Kentucky Heritage Council, addressed the Fiscal Court. He advised that November has been proclaimed as American Indian Heritage Month in the Commonwealth of Kentucky to celebrate the contributions of native people of Kentucky in arts, culture and history over a span of 12,000 years. All northern Kentucky counties document a rich archeological and historical record of that presence. Mr. St. Pierre listed some of the activities to mark this month. He referenced the resolution that is on the Fiscal Court's agenda which defines for official purposes a definition of American Indian. He read the definition and explained that it is the same definition used by the US Census Bureau. The resolution does not grant special privileges, has no mandate, has no cost to County government and no controversy has arisen in any Fiscal Court that has approved this resolution. Mr. St. Pierre advised that the resolution was passed unanimously by both the Boone and Kenton County Fiscal Courts. In response to a question, Mr. St. Pierre stated that American Indians have lived in Kentucky for 12,000 years. The Kentucky Native American Heritage Commission was formed in 1996 for preservation efforts. He advised that 200 people in Campbell County identify as Native Americans. Paula Spicer read Resolution R-146-15 by title. R-146-15 relates to legal recognition of the definition of "American Indian". Commissioner Painter made a motion to adopt R-146-15, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Bruno Giacomuzzi, Senior Vice President and COO St. Elizabeth Medical Center, Florence/Ft. Thomas/Covington/Falmouth, and Harry Watson of St. Elizabeth addressed the Fiscal Court. Mr. Giacomuzzi explained the mission, vision and core values of the Medical Center. St. Elizabeth operates six hospitals in Covington, Edgewood, Falmouth, Florence, Ft. Thomas and Grant County and employs 7,400, has 1,200 volunteers and over 1,200 physicians on its medical staff. He then presented statistics on numbers of patients, births, outpatient visits, surgeries, skilled nursing units and emergency room visits. In addition the St. Elizabeth Physicians group employs 420 physicians covering 37 different specialties, supported by 1,500 staff at 117 locations. St. Elizabeth provides over $112 million in uncompensated care per year. Mr. Giacomuzzi stated that St. Elizabeth recently partnered with the Northern Kentucky University Health Innovations Center with an $8 million dollar investment over 20 years. He talked about their many community-wide outreach efforts. He stated that the 617 jobs at St. Elizabeth's Ft. Thomas facility generates approximately $37.5 million in annual payroll. Mr. Giacomuzzi talked about the improvements made to the Ft. Thomas facilities since the merger of St. Luke and St. Elizabeth Medical Center. He named the leadership team of St. Elizabeth and explained its accreditations and designations. He then presented some statistics regarding the region's heroin epidemic. Mr. Giacomuzzi closed by discussing St. Elizabeth's strategic plan for the future. Commissioner Lampe stated that northern Kentucky is fortunate to have Messrs. Giacomuzzi and Watson. He recalled the St. Elizabeth/St. Luke merger and the investment and transformation of Ft. Thomas to a state-of-the art facility. He pointed out that ranked by payroll tax, St. Elizabeth is the number two employer in Campbell County. Mr. Giacomuzzi answered questions from the audience.

There being no old business, Paula Spicer presented new business with a first reading of Ordinance O-13-15 by title and summary. O-13-15 authorizes the issuance of General Obligation Refunding Bonds, Series 2016, in an aggregate principal amount not to exceed $6,985,000 (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 2008, the proceeds of which were used to permanently finance the acquisition, construction and installation of a new administrative facility for the County; 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. Matt Elberfeld explained that this is a refinancing of existing debt and does not increase the current debt obligations of the County. It is estimated that the County will save about $320,000 over the life of the remaining debt. Passage of this ordinance will allow the County to sell the bonds when the market is at its best. All associated costs are included in the bond issue. No vote was taken on this first reading.

Resolution R-125-15 was read by title and summary given. R-125-15 adopts guidelines for public use of Fiscal Court facilities. This policy applies to the County Administration building and its parking lot at 1098 Monmouth Street, Newport and the Alexandria Courthouse located at 8352 East Main Street, Alexandria, Kentucky. This resolution had been tabled at the last meeting; Commissioner Painter made a motion to bring R-125-15 to the table, seconded by Commissioner Lampe. All voted "AYE" and the motion passed. Judge Pendery made a motion to adopt R-125-15, seconded by Commissioner Lampe. Commissioner Coleman questioned the language in the resolution regarding donations to a bona fide charity. Steve Franzen stated that he considers a bona fide charity a non-profit organization. Commissioner Coleman stated that the Tea Party meets here and he is unsure if they are a 501(c)(3) corporation; can they continue to pass the hat at their meetings. Mr. Franzen stated that regardless of how it is worded it can mean different things to different people. He did not intend to exclude existing users of the facility. Judge Pendery offered that if this became a problem in the future, they could revisit it and change that provision. He stated that the point is that a public facility cannot be used for a fundraising effort that is not for a charitable purpose. Mr. Franzen stated that the intent is to not allow donations to promote political candidates. Judge Pendery suggested that they see how this policy works and amend it if needed. Commissioner Coleman stated that he is good with it. Kim Serra addressed concerns from a member of a group that meets regularly in the Fiscal Court Chambers. She stated that the only change for that group is reserving the room online rather than by phone call. She offered to meet after the meeting to discuss the policy if needed. All voted "AYE" and the motion passed.

Resolution R-143-15 was read by title and summary given. R-143-15 requests that the Kentucky Economic Development Finance Authority (KEDFA) adopt a resolution providing for the issuance of revenue bonds in one or more series in an aggregate principal amount of approximately $70,000,000 the proceeds of which will be loaned to Baptist Convalescent Center, Inc. which owns and operates long term care facilities located within the boundaries of the County, to provide for the financing or refinancing of the acquisition, construction and equipping of certain facilities consisting of healthcare and health related facilities. Dr. Robert Long,

President/CEO Baptist Life Communities, advised that approximately $50 million will be spent in Campbell County on the Alexandria campus which will replace the Newport campus. The remaining funds are a refinancing of existing debt and other costs. Dr. Long explained that the existing operation in Newport will move to a brand new facility in Alexandria which he described. Dirk Bedarff, Attorney at Law, explained that the bonds will be issued by KEDFA and this supporting resolution is a requirement of KEDFA. The County is not obligated in any way. Commissioner Coleman made a motion to adopt R-143-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-144-15 was read by title and summary given. R-144-15 authorizes a transfer of $15,000 in FY16 Mental Health/Intellectual Disability Tax Funds from NorthKey Community Care's Adolescent Outpatient Program to its Adult Outpatient Program. NorthKey has requested that the funds be transferred to the Adult Outpatient Program due to greater need for the services provided by that program. Commissioner Painter made a motion to adopt R-144-15, seconded by Judge Pendery. All voted "AYE" and the motion passed.

A motion was requested to appoint Joia Wolfe to the part time Maintenance Worker position with compensation set at pay grade 8, $12.86 per hour, effective November 19, 2015. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Lori Zombek, Human Resources Director, effective December 2, 2015. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for the position of Human Resources Director. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Matt Elberfeld presented Resolution R-138-15 by title and summary. R-138-15 amends the policy for acceptance of certain existing roads located in Campbell County, Kentucky. The County has a program whereby homeowners on an existing road that is not on the County maintained road list can go through a process to get the road accepted for maintenance. The policy has been amended to match the current subdivision regulations so that if an existing road can be brought to meet the subdivision regulations, then it can be considered for maintenance by the County. Mr. Elberfeld stated that this was brought to a previous meeting and the policy was amended based on comments made at that meeting. One provision that was added allows homeowners to apply to the County Board of Adjustment to get a waiver of the current subdivision regulations. The County would sponsor the application and an engineering report would be made. This would allow more flexibility for the process. Commissioner Painter made a motion to adopt R-138-15, seconded by Judge Pendery. Cindy Minter stated that the new policy will accept roads built to higher standards than what the County maintained roads are, and have the ability to offset funding if additional funding sources become available to keep the costs down. All voted "AYE" and the motion passed.

Commissioner Coleman stated that he feels very strongly that Senior Services of Northern Kentucky (SSNK) needs to make a statement to the public explaining its closure; he asked if anything has been learned about it. Judge Pendery stated that there was a meeting attended by their attorneys who explained what happened and why, but there has not been an examination of the books. He expects to hear some explanation at some point. He stated that everybody has adjusted and seniors are getting served but it could have been managed better. Commissioner Coleman asked who is paying the directors' salaries at the senior centers. Matt Elberfeld advised that the Northern Kentucky Area Development District has taken over operations of those centers previously run by SSNK through the end of the year. SSNK was paid through a contract to operate the centers. Judge Pendery stated that SSNK failed because it was not covering its administrative costs with the fees collected to operate the centers. There had been a lot of criticism of SSNK spending too much on salaries for upper ranks of the agency, but a lot of those issues had been addressed. He is disappointed at how the closing was managed.

Commissioner Coleman advised that the committee is still meeting about Chase Law School's possible move. He urged every Campbell County citizen to get involved so that Campbell County does not lose the school; it would be devastating to the City of Highland Heights to lose that tax base. Judge Pendery stated that if Chase Law School left, Northern Kentucky University assured that they would fill the vacancy with other jobs. He stated that the move may not happen for a couple of years if it ever happens. Commissioner Coleman stated that a document was presented to the Chamber of Commerce to make the Chase Law School project a priority for the legislature. Judge Pendery stated that many proposals are submitted to the legislature. Unless there is enough money found to make it difficult for NKU to refuse, he doesn't think that a move will happen. He stated that NKU is not pursuing this issue with the legislature, they are focusing on getting funding for the university based on outcome. Kenton County may be pursuing this with the legislature but the University is not. He stated that Campbell County is partners with NKU. If a proposal were made that he felt was not in the best interest of Campbell County he would oppose it; there is nothing on the table for him to oppose at this time. He stays in regular contact with the university.

Judge Pendery announced that the Giving Fields informed him that the vegetable garden at the jail produced 5,780 pounds of vegetables for charity this year.

Judge Pendery announced that Northern Kentucky University will host "Campbell County Day" during Norse basketball games on November 21, 2015. Campbell County residents may purchase discount tickets for games that day with proof of residency.

Marie Schenkel presented Resolution R-145-15 by title and summary. R-145-15 authorizes the County Judge/Executive to execute a managed services agreement with Global Business Solutions for occupational tax software support. Global Business Solutions has supported the OTIS (Occupational Tax Information System) software since it was developed. Staff wishes to continue this contract which has been reduced from $18,900 to $15,400 per year. The Fiscal Court receives 2 percent of what is collected to cover the cost of the system. Commissioner Coleman made a motion to adopt R-145-15, seconded by Commissioner Lampe. Commissioner Painter stated that there is still a lot of interest in a regional way to collect taxes; this software is the basis for doing that. Mr. Elberfeld explained that the old system allowed a limited number of

users. Two years ago new software was developed which has unlimited capacity. The system cost about $393,000 to develop. The Fiscal Court gets a two percent collection fee from the 7 cities it serves, which will be approximately $175,000 this year. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and election claims as presented for November 18, 2015. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Commissioner Coleman. All voted "AYE" and the meeting adjourned at 7:00 p.m.

Attachments:
Resolution R-146-16 Definition of American Indian
Ordinance O-13-15 Bond Issue Refinancing
Resolution R-125-15 Adopt Guidelines for Use of Fiscal Court Facilities
Resolution R-143-15 Support Bond Issue for Baptist Convalescent Center Project
Resolution R-144-15 Transfer Mental Health/Intellectual Disability Tax Funds
Resolution R-138-15 Amend Policy for Acceptance for Roads for County Maintenance
Resolution R-145-15 Agreement with Global Business Solutions
Claims and Election Claims November 18, 2015

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk