CAMPBELL COUNTY FISCAL COURT
MINUTES

SEPTEMBER 21, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, September 21, 2016 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

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager
Chief Craig Sorrell	Campbell County Police Department

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 September 7, 2016 were presented. Commissioner Lampe made a motion to adopt the minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery reminded the audience about the recently established protocol requiring individuals to sign in if they wish to address the Fiscal Court.

Judge Pendery introduced Tom Fromme, City Manager, Newport, Kentucky, who was present to talk about the state of Newport in 2016. Mr. Fromme first thanked the Fiscal Court for its cooperation and assistance with the City's economic development projects. He then listed the City's strategic goals and advised that in 2015 40 new business and 300+ new jobs were added in the City. Based on building permits issued, there has been over $200 million in new development in the City since 2006. He then provided updates on the Aqua on the Levee,

Hampton Inn, Wooden Cask mini-brewery, the skywheel, New Riff Whiskey campus and brewery and introduced the City of Newport's new logo and branding. Mr. Fromme then talked about the Smart City Initiative, a partnership between the City and Nexigen. This project will place 9-foot high kiosks with 55" screens at strategic locations in the City offering wi-fi, internet access and charging stations to assist with wayfinding. He then talked about plans to designate parts of York and Columbia Streets as an historic district, planned $900,000 infrastructure investment, Route 9 corridor expansion, four red bike stations installed last year and a tree planting program. Mr. Fromme listed the City's fiscal and economic development goals for 2016 and the challenges it faces. He answered questions from the audience and Fiscal Court. Judge Pendery congratulated Mr. Fromme on the City's successes. Mr. Fromme closed by saying that Newport has lost businesses to Cincinnati because of incentives offered by Cincinnati. He again thanked the Fiscal Court for its involvement.

Jim Thaxton and Priscilla Elders, coach of Kentucky Thorough-Breasts dragon boat racing team and the Saddle and Paddle dragon boat racing team addressed the Fiscal Court. For the last eight years, Campbell County has allowed the groups to use A J Jolly Park lake twice a week for practices and for the last 7 years has hosted the Paddling for the Pink dragon boat festival attended by about 40 teams. Ms. Elders stated that every year after their festival/race they give the County a small donation, but this year they presented a check for $5,000 to help get floating docks at the Park. Mr. Thaxton stated that northern Kentucky boasts the nation's first racing team composed of recovering heroin addicts which was formed four years ago.

Kerry Moore, Chief, Campbell County Fire District No. 1, presented the district's tax rate and a copy of its budget. The tax rate is unchanged from last year - 20 cents per $100 assessed valuation. He stated that Fire District No. 1 has seven full-time employees, part-time employees and volunteers. It covers a wide, mostly residential area of Campbell County and struggles with higher costs every year. Their FY2016-2017 budget is just over $1 million

Judge Pendery called on individuals who had signed up to address the Fiscal Court.

Kevin Gordon, Wilder, questioned the new public comment protocol. He stated that in the past there have been walk-on agenda items that were not published and asked how they will be handled if there are questions. Judge Pendery stated that in the past they have allowed people to talk about items that were not originally on the agenda and he expects that they will continue to do so. Mr. Gordon stated that in the past people were asked to hold off questions on items further down the agenda until later – how will those questions be handled – should they be posed up front. Judge Pendery stated that they'd like to have the questions asked upfront. Mr. Gordon objects to the new protocol.

Kevin Gordon complimented Chase Law School for deciding to stay in Campbell County, however he is troubled about its statements that it is not economically feasible at this point. He stated that he hopes that the two people on the Fiscal Court that socialize with people from Chase Law School talk to them about the interests of Campbell County and remind them that they should stay.

Pat Anderson, former City Clerk/Treasurer of Woodlawn, Kentucky, stated that she'd like to voice her displeasure with the way that people acted at the last two meetings. She stated that at the June special meeting people acted like a lynch mob to kill something that they were against.

At the last meeting she felt that Commissioner Coleman was disrespectful to Cindy Minter and that he picks on Kim Serra – she watches every meeting on television. She thinks that Commissioner Coleman should learn how to conduct himself in the meetings. Commissioner Coleman stated that he represents the citizens of Campbell County and the group from Camp Springs that attended the special meeting were concerned about an ordinance that was on the agenda. He is their voice and he expresses that. He believes in what they were saying, but regardless he would relay their concerns to the court. He stated that at the last meeting he said that he was concerned that he heard on the radio that employees weren't getting a raise; he shouldn't hear that on the radio, he should hear it from the Judge. When he gets upset about things it's because he represents the citizens and they have a right to be heard. He stated that he is surprised that Ms. Anderson didn't mention the meeting held about needle exchange where the audience got out of line. It seems that that was permitted because that was what the Fiscal Court, except him, wanted.

Jim Cole, Southgate, stated that he has some concerns about the new policy and wishes that they'd consider revamping it. Especially regarding comments later in the meeting. It would be advantageous to take another look at it.

Keith Hehman addressed the Fiscal Court regarding the communication system upgrade in all three Northern Kentucky counties. He stated that in 2013-2014 they were forced by the FCC to upgrade the systems adding more subscribers to a single channel. This resulted in inability to communicate among Fire Departments and dispatch and made communication with other counties impossible. The upgrade to an 800MHz system will allow interoperability between Campbell County police and fire departments, school systems, public works and Boone and Kenton Counties. He stated that currently there are dead spots in Campbell County which is a safety issue for firefighters, EMS and police officers. He stated that it would behoove Campbell County to upgrade along with Boone and Kenton Counties. In response to questions from Commissioners Painter and Lampe, Chief Hehman explained the difference between the current system and the 800MHz system, how communications were hampered during the March 2, 2012 tornado event, how the current system is at its end-of-life usefulness, benefits of working with Boone and Kenton Counties on the RFP, design, cost and maintenance of a new system and the various agencies that they'll be able to communicate with using the new system.

Matt Elberfeld talked about the current analog UHF/VHF radio system that was first used in 1968 and the fact that the police and fire departments in Campbell County cannot communicate with each other, poor coverage in parts of the county, poor building penetration, and technology that is at its end-of-life and subject to future narrow banding by the FCC. He then explained the benefits of the 800 MHz digital trunked system: multiple conversations can be carried at the same time, any local agencies using radios will be able to talk to each other and agencies in Ohio, Indiana and CVG airport, allows use of multiple brands of equipment, and the infrastructure cost is similar to the cost to upgrade and narrow band the current analog system. Mr. Elberfeld stated that the project is not a consolidation of dispatch operations. It is a joint design, procurement and maintenance of the radio system. It is only for the dispatch infrastructure and the user agencies are responsible for purchasing their own subscriber units, the same relationship as it is now. Boone and Kenton Counties hired consultants to analyze their current systems and make a recommendation; both consultants overwhelmingly recommended moving to a digital system. All three County radio systems are at a similar stage in their life, therefore Campbell County did not feel it necessary to hire a consultant. The three

Judge/Executives decided that it would be best to proceed jointly because it retains three county interoperability throughout the process and a cost savings. Mr. Elberfeld stated that two consultants were hired to create the RFP for the system. The timeline is: execution of the Memorandum of Understanding (MOU), the RFP will be released in the beginning of October and will be out for about 4-5 months, proposals will be due in February, a recommendation will be made in March followed by negotiations of the contract tower sites and hopefully launch the new system in late 2018. Mr. Elberfeld stated that they do not know the cost; it is a very complex RFP that the vendors will spend a lot of time and money responding to. He advised that the three County Administrators, three Dispatch Directors and others have drafted the MOU which has already been approved by Boone and Kenton Counties. Mr. Elberfeld explained key points of the MOU which is a precursor to a formal interlocal cooperation agreement. He then explained the allocation of costs. Campbell County is responsible for 27.8% of the shared costs.

Paula Spicer presented Resolution R-89-16 by title and summary. R-89-16 approves a Memorandum of Understanding with Boone and Kenton Counties, acknowledging its desire and intent to participate in a joint endeavor to design, bid, construct and operate a regional 800 megahertz public safety Communication System for the Northern Kentucky Region. Commissioner Lampe made a motion to adopt R-89-16, seconded by Commissioner Painter. In response to Commissioner Coleman's question, Mr. Elberfeld stated that Kenton County estimates that it will cost about $10 million pursuant to their consultant's estimate to do the project on their own. Commissioner Coleman stated that this project is necessary, but has there been thought as to how to pay for it. It is an expense that the County needs to bear and they need a plan on how to pay for it. Judge Pendery stated that they will have a plan. He stated that the County has played out the string as far as possible. Much of the rest of the world has converted to 800MHz already, the County is dealing with end-of-life issues and the fact that narrow banding is going to render our equipment obsolete. The new system will provide much improved technology and greater functionality. All voted "AYE" and the motion passed.

Paula Spicer presented old business with a second reading of Ordinance O-12-16 by title and summary. O-12-16 authorizes amendments to the Local Participation Agreement for the City Center Development Area within the City of Newport, Kentucky. Commissioner Lampe made a motion to adopt O-12-16, seconded by Judge Pendery. All voted "AYE" and the motion passed.

New business was presented with a first reading of Ordinance O-13-16 by title and summary. O-13-16 updates the official County Maintained Road List in Campbell County, Kentucky to reduce the length of Cold Stream Road (CR 1536) maintained by the County from 3,142 to 1,575 feet. Mr. Elberfeld explained that in 1991 the City of Cold Spring annexed the land containing a portion of Cold Stream Road, however the County maintained road list was not updated at that time. No vote was taken on the first reading of the ordinance.

Resolution R-91-16 was read by title and summary given. R-91-16 authorizes the Judge/Executive to apply for 2017 Litter Abatement funding from the Kentucky Division of Waste Management. Commissioner Painter made a motion to adopt R-91-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to advance Police Officer Jacob Daley from Grade 2 ($19.82 per hour or $41,200 annually) to Grade 3 ($20.60 per hour or $42,848 annually) effective October 12, 2016

in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to advance Police Officer Robert Latham from Grade 2 ($19.82 per hour or $41,200 annually) to Grade 3 ($20.60 per hour or $42,848 annually) effective October 12, 2016 in accordance with the current Fraternal Order of Police working agreement. 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 Tina Fetters, Animal Technician, effective September 26, 2016. 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, accept applications and interview to fill the Animal Technician position. Motion was made by Judge Pendery, seconded by Commissioner Painter. Judge Pendery stated that staff is looking at everything regarding reducing expenditures where possible, however this position needs to be filled due to the new community cat diversion program and ongoing work with cities on animal control issues; it would be hard to be short staffed at this point. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation for Patricia Meek, Tax Compliance Officer, effective October 14, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, accept applications and interview to fill the Tax Compliance Officer position. Motion was made by Judge Pendery, seconded by Commissioner Painter. Judge Pendery stated that this position was also considered as a way to reduce staff. However, the Occupational Tax Department currently collects taxes for 7 cities and may add additional cities in the coming year. All voted "AYE" and the motion passed.

Commissioner Coleman thanked the members of the committee on Chase Law School: Jim Cole, Kevin Gordon, Ken Moellman, Jack Snodgrass, Terry Mann, Jason Steffen, Greg Meyer, Larry Robinson, Fred Otto and Seth Cutter. He would like to thank them for their work behind the scenes and talking to the right people.

Commissioner Coleman asked about the status of Krift Road. Mr. Elberfeld advised that he and Luke Mantle, Road Supervisor, conducted a site visit and prepared estimates for the cost of different things on the road. All of the information was sent to the Fiscal Court and he is waiting to hear from them as to how to proceed. Commissioner Coleman asked if he has a recommendation. Judge Pendery suggested that the Fiscal Court members need to talk about it.

Commissioner Coleman spoke about cost of living raises for employees earlier. He stated that in June the Fiscal Court thought it would have a deficit, but did not finish the fiscal year with a deficit. Mr. Elberfeld agreed that at the time the recommendation about raises was made it was believed there would be a deficit. Judge Pendery added that a deficit is projected for the coming year during which people would be paid. That weighed on the Fiscal Court's mind when passing the budget without raises. Commissioner Coleman asked about bonuses. Mr. Elberfeld stated that bonuses are not allowed under state law. Commissioner Coleman asked that the Fiscal

Court consider a small cost of living raise; most private sector companies give about 3%. He's not suggesting 3%, maybe 1 or 1 ½%. He bases this on the fact that they ended the year with a surplus so the employees must be doing a good job with being frugal. Judge Pendery stated that while the County did do better by the close of the year, most of what was done to correct the deficit situation expected was due to timing such as putting off expenses and doing some better with tax collections than expected but it is not expected to be a big enough change to get us out of a deficit position during which the raise would be paid. Things that were put off will need to be paid for in the year/years to come. He told Mr. Coleman that he'd be happy to sit down with him and explain particulars. Commissioner Coleman stated that they were able to find $10,500 quickly for the Campbell County High School project, but can't find money for small raises. Mr. Elberfeld stated that it would cost the Fiscal Court about $150,000 including pension and FICA costs for each 1% raise. Commissioner Coleman stated that he thinks they can afford a 1% raise and would like to make a motion. Judge Pendery stated that in the last two years Commissioner Coleman voted against changes necessary in the tax structure to pay for the budget, yet he has been willing to vote for raises. He stated that if Commissioner Coleman is not willing to pay then he should not be making a suggestion like this. Commissioner Coleman stated that he has voted against excessive raises when a deficit was projected and one employee got a 15% raise. Judge Pendery stated that they have eliminated positions and redistributed work to other people and under those circumstances raises are in order. Raises were also given to employees that the Fiscal Court is contractually obligated to pay. Commissioner Coleman stated that in that case the raise was warranted because he was given more responsibility; duties were taken from another employee who did not get a reduction in salary. Judge Pendery stated that these types of discussions should take place before the meeting when everybody has the paperwork in front of them. He stated that the raise was explained at the meeting at the time it was approved. Judge Pendery stated that he would be happy to talk to Commissioner Coleman about this in private and he can bring it up again at the next meeting. He is not confident that they'll be in good enough shape in the coming year to give such a raise. Commissioner Coleman made a motion to give employees a 1% raise. Judge Pendery asked if the motion was a personnel issue. Steve Franzen opined that it is not something that needs to be discussed in executive session. He does think that such a motion can be made by a Commissioner and doesn't have to come from the Judge/Executive. Judge Pendery stated that he objects to the motion because it was sprung on the other Fiscal Court members at a meeting and they've already voted on the budget. They could all be reached by phone instead of introducing it at a meeting. Commissioner Coleman stated that he did not think it was an issue because the $10,500 to the high school was sprung on them at a meeting. Judge Pendery stated that that situation was dealt with that way for a reason. Judge Pendery stated that he has not heard a second to the motion. He suggested that if Commissioner Coleman wants the support of the other Commissioners or him, he should talk to them ahead of time. Commissioner Coleman stated that when he was first elected a meeting was set up on Thursdays before the Wednesday meeting and they would review things with him. However, he was never invited back. During the entire first calendar year of his term he was never invited except one time to the jail meeting. Since he is not invited, he has to bring things up at the Fiscal Court meeting. Judge Pendery stated that there is a regular rotation for Commissioners to attend meetings. Commissioner Coleman stated that there is now, and explained how he got added to the meeting rotation in January. Mr. Franzen pointed out that the Commissioners never come at the same time. Judge Pendery stated that he does not recall ever purposely excluding Commissioner Coleman, nor does he recall Commissioner Coleman asking to be included in meetings. Judge Pendery stated that he would expect that after the first few months Commissioner Coleman would have felt welcome to come to meetings whenever he felt

like it. Judge Pendery stated that the motion died for lack of a second. He stated that it would be appropriate to review the budget results from the prior year and talk about Commissioner Coleman's proposal.

Commissioner Lampe stated that the Fiscal Court did finish with a surplus, but the outlook for the coming year is very difficult, expenditures are rising. He is not prepared to make a quick decision on this issue. Commissioner Coleman stated that he appreciated the response but they made a quick decision on the $10,500 for the high school. Commissioner Lampe stated that the two issues are not relative. The $10,500 would have prevented a $6 million development project for the school.

Commissioner Lampe announced that at last week's Chamber of Commerce dinner Bob Heil, a Campbell County resident and owner of KLH Engineering in Campbell County, was named as Chairperson of the Northern Kentucky Chamber of Commerce. Mr. Heil will bring great leadership to the region and have Campbell County's interest in mind as well. He has already added three new board members from Campbell County to the Chamber's Board of Directors.

Commissioner Lampe thanked Northern Kentucky University President Mearns, his administration, the Board of Regents and other important members of the community for keeping the lines of communication open about the potential moving of Chase Law School. They announced last week that they will not move the School from Campbell County.

Commissioner Painter announced that the actual attendance at this year's Alexandria Fair was 13,500.

Judge Pendery announced that the 49th Annual Campbell County Senior Citizens Picnic will be held tomorrow, September 22, 2016 from 11am to 4pm at Pendery Park rain or shine. Tickets may be purchased at the gate for $15.

Judge Pendery announced upcoming events at the County's parks:

September 30	Weekend only camping at A J Jolly Park
October 21-22	County Clean Up
October 22	Halloween Spooktacular at A J Jolly Park
October 29	All camping ends at A J Jolly Park
December 5	Park Winter Hours/Access begins
December 16-18	Bethlehem Nights at A J Jolly Park

Judge Pendery announced that the Campbell County Planning & Zoning Department has been busy. Just this week, the construction value of building permits issued for our communities (unincorporated areas, Alexandria, Bellevue, California, Cold Spring, Crestview, Dayton, Highland Heights, Melbourne, Silver Grove, Southgate and Woodlawn) topped $100 million for the calendar year. Through Labor Day, this is a 250% year-to-date increase in values over 2015. Keep building, Campbell County!

Marie Schenkel requested a motion to authorize staff to advertise a request for proposals for group insurance/benefits broker services. She stated that it is considered good practice to periodically obtain proposals for such services to insure maximum value for the County and its

eligible and covered employees. Motion was made by Commissioner Painter seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-90-16 was read by title and summary given. R-90-16 authorizes the Judge/Executive to execute a contract with the Campbell County Board of Education for fiscal year 2017 for the provision of bus transportation of parochial school students in the amount of $250,921.01. Ms. Schenkel advised that last year the Fiscal Court paid the Board of Education approximately $283,000 and was reimbursed the entire amount from the State. Commissioner Painter made a motion to adopt R-90-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ms. Schenkel requested a motion to approve budget transfers for September 21, 2016. The transfers move funds between accounts and do not increase the net budget. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for September 21, 2016. 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 Lampe. 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 Painter. All voted "AYE" and the meeting adjourned at 7:12 p.m.

Attachments:

Ordinance O-12-16	Amend Local Participation Agreement
Ordinance O-13-16	Update Official County Maintained Road List
Resolution R-91-16	Application for Litter Abatement Funding
Resolution R-89-16	Regional Public Safety Communication System MOU
Resolution R-90-16	Contract with Board of Education for Bus Transportation
Budget Transfers	September 21, 2016
Claims and Supplemental Claims	September 21, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk