

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**JUNE 15, 2016**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, June 15, 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  
Matt Elberfeld  
Marie Schenkel  
Paula Spicer  
Colonel Craig Sorrell  
Cindy Minter  
Frank Spataro  
Seth Cutter

County Attorney  
County Administrator  
Finance Director  
Fiscal Court Clerk  
Campbell County Police Department  
Director of Planning and Zoning  
Human Resources Director  
Economic Development Manager

The meeting was called to order at 5:30 p.m. by Judge Pendency. Cable Access was present to film the meeting.

Judge Pendency 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 1, 2016 and the Mayors meeting of April 26, 2016 were presented. Commissioner Painter made a motion to adopt the minutes, seconded by Commissioner Lampe. Commissioner Coleman stated that the minutes from the June 1, 2016 meeting state that Commissioner Painter said that Governor Bevin supports syringe exchange. He wanted to make note that Governor Bevin supports a one-to-one needle exchange, certainly not what was passed in Campbell County. He has a copy of the statement. Judge Pendency stated that he may not agree with that. He knows what the Governor said, but he's not sure that what the governor said is what the County ends up with. All voted "AYE" and the motion passed.

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

Chief Sorrell explained that recently a fatal accident occurred on US 27 in southern Campbell County involving a Rumpke truck colliding head-on with a vehicle that was traveling in the wrong lane. The Rumpke truck turned over and the other vehicle was engulfed in flames. Mr. Louis Scharold was driving by, saw the wreck and helped extract the Rumpke driver and attempted to extract the other driver who was deceased. Chief Sorrell presented a certificate of recognition to Mr. Scharold. Mr. Michael Puckett of Rumpke presented a plaque to Mr. Scharold and also stated that a donation of \$1,000 would be made to Northern Kentucky Special Olympics in his name in recognition of his heroic actions. Judge Pendery congratulated and thanked Mr. Scharold on behalf of the County officials and employees.

Paula Spicer presented old business with a second reading of Ordinance O-04-16 by title. O-04-16 relates to the annual budget and appropriations of Campbell County, Kentucky for Fiscal Year 2016-2017. Judge Pendery stated that the budget was worked on for some months and has been approved by the State Department of Local Government. For the first time in his 33 years of supervising government budgets there is a deficit budget. The new budget will be in deficit and the budget concluding this year will be in deficit. Judge Pendery explained that the budget is a plan for the future and fluctuates by the end of the year. The budget for the coming year will nominally show about a \$2.9 million deficit for the coming year. The Fiscal Court will do everything in its power to close the gap. He stated that due to the way that the State mandates that budgets be constructed, there is incentive to overestimate expenses so that there are no budget amendments which are expensive to do. Judge Pendery explained some of the reasons why there is a deficit: road repair costs are going up due to cuts in state funding, health care costs are going up beyond the rate of inflation, and the increased jail budget and heroin epidemic. He explained the effects of the heroin epidemic on the jail budget and the additional contribution to that budget from the Fiscal Court. He then talked about the plans to hold expenses or reduce them by not giving employee raises or hiring new staff members except as required at the jail. They will review the budget at least quarterly and make adjustments as necessary and hopefully in the next year or two get a balanced budget. He stated that the County has ample reserves to cover shortfalls so that the budget will be approved by the State. He anticipates a deficit next year but expects that by the following year it will be back in balance. Commissioner Coleman asked for clarification on the TANK funding. Matt Elberfeld stated that the budget included TANK's original request however the amount that the Fiscal Court will approve for TANK later in the meeting is less than requested. Ms. Schenkel stated that the difference between the \$4.1 million and \$4.4 million is due to funding for private school buses. Commissioner Coleman stated that he realizes that the Fiscal Court is not reimbursed 100% from the state for busing parochial school students and asked what the real budget is. Ms. Schenkel explained the amount budgeted for expenditures and revenues. Commissioner Coleman then asked for an explanation of the golf course budget. Ms. Schenkel advised that the amount in the budget is the total expenditures for the golf course and \$806,000 is budgeted for revenue. Judge Pendery stated that the Fiscal Court will do better than what the budget suggests. He then answered questions from the audience. Judge Pendery made a motion to adopt O-04-16, seconded by Commissioner Lampe. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

Ordinance O-06-16 was presented for a second reading by title. O-06-16 amends the Planning, Zoning and Building Inspection Schedule of Fees. Commissioner Lampe made a motion to adopt O-06-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-07-16 was presented for a second reading by title. O-07-16 amends the text of the Official Zoning Ordinance for Campbell County relating to cellular antenna and small cell system towers. Commissioner Lampe made a motion to adopted O-07-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-51-16 was read by title and summary given. R-51-16 amends the Campbell County Detention Center Policy and Procedure Manual regarding the response to resistance involving use of electronic control devices (tasers). Commissioner Coleman asked how often they think that the tasers will be used; there must be a need since the policy is recommended. Steve Franzen stated that is it hard to tell. He gave examples of situations where tasers may be used. They should do anything that can be done to minimize injury to the deputy jailers or inmates; tasers can be a deterrent. Commissioner Painter asked how Campbell compares with Boone and Kenton Counties. Mr. Franzen stated that he does not know if the other two Counties use tasers at their jails. Judge Pendery stated that there have been a couple of instances when a situation got out of hand and guns were deployed at the jail but a non-lethal approach is better and it won't be used unnecessarily. Commissioner Painter made a motion to adopt R-51-16, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-52-16 was read by title and summary given. R-52-16 authorizes the Judge/Executive to execute an agreement with Nexigen Communications LLC for issuance of the Campbell County Jobs Development Program. Judge Pendery made a motion to adopt R-52-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-53-16 was read by title and summary given. R-53-16 authorizes the Judge/Executive to execute a lease agreement with Wiedemann Square, LLLP for temporary use of a parking lot to serve the Campbell County Detention Center staff and visitors in consideration of \$1,000 per month beginning June 1, 2016. Commissioner Lampe made a motion to adopt R-53-16, seconded by Judge Pendery. Commissioner Coleman asked how long the parking lot will be needed and when the jail project will be complete. Judge Pendery stated that the original completion date was July 1, then July 31. Mr. Elberfeld stated that it will likely be ready for use in early October. Commissioner Coleman then asked if the Fiscal Court has leased any parking spaces at the 10<sup>th</sup> and Saratoga lot. Mr. Elberfeld stated that staff is talking to the City of Newport about its interest in the lot. All voted "AYE" and the motion passed.

Resolution R-54-16 was read by title and summary given. R-54-16 authorizes the Judge/Executive to enter into a lease agreement with Campbell County YMCA Soccer for use of certain areas of Morscher Park for a term of three years beginning April 1, 2016 in consideration of an annual rental payment of one dollar. Judge Pendery made a motion to adopt R-54-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-55-16 was read by title and summary given. R-55-16 designates Marie Schenkel as the Applicant Agent for the Fiscal Court for purposes of obtaining federal financial assistance

under the Disaster Relief Act. Judge Pendery made a motion to adopt R-55-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-57-16 was read by title and summary given. R-57-16 adopts and approves the execution of a County Road Aid Coop Program Contract between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, for the fiscal year beginning July 1, 2016 as provided in the Kentucky Revised Statutes and accepting all roads and streets referred to therein as being a part of the County Road System. The Fiscal Court shall receive \$673,470.96 to be used for the construction, reconstruction and maintenance of County roads. Commissioner Painter made a motion to adopt R-57-16, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-58-16 was read by title and summary given. R-58-16 accepts Kentucky Board of Emergency Medical Services Block Grant funding in the amount of \$10,000 for Campbell County Ambulance Services for fiscal year 2017. Commissioner Lampe made a motion to adopt R-58-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-59-16 was read by title and summary given. R-59-16 authorizes the Judge/Executive to execute an agreement with the Northern Kentucky Water District for an Eagle View Road Improvement Project. The Water District will reimburse the Fiscal Court for a portion of the cost to resurface Eagle View Road as a result of a water main replacement. Judge Pendery made a motion to adopt R-59-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-60-16 was read by title and summary given. R-60-16 authorizes the Judge/Executive to execute an agreement with the Northern Kentucky Water District for a Messmer Hill Road improvement project. The Water District will reimburse the Fiscal Court for a portion of the cost to resurface Messmer Hill Road as a result of a water main replacement. Judge Pendery made a motion to adopt R-60-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-61-16 was read by title and summary given. R-61-16 authorizes the adoption of the Fiscal Year 2016-2017 Housing Department Budget. Judge Pendery made a motion to adopt R-61-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-63-16 was read by title and summary given. R-63-16 declares intent to accept donation of real property at 1951 Poplar Ridge Road from Rohm and Haas Chemicals LLC. The property is adjacent to the Campbell County Animal Shelter. Commissioner Lampe made a motion to adopt R-63-16, seconded by Judge Pendery. In response to Commissioner Coleman's question, Judge Pendery stated that the size of the parcel was a little over an acre. Matt Elberfeld stated that an environmental study has been done on the property as well as a title report indicating a clear title. At this time there are no particular plans for use of the property. All voted "AYE" and the motion passed.

A motion was requested to adjust the annual compensation of Sarah Collins, Director of Housing, from \$71,122.22 to \$79,480.00 effective July 10, 2016. Motion was made by Judge

Pendery, seconded by Commissioner Lampe. Matt Elberfeld explained that the Housing Department is funded entirely by an administration fee received from the US Department of Housing and Urban Development (HUD). HUD determines the amount of funding based on how many vouchers are issued – the more vouchers the more funding for administration costs. Campbell County’s Housing program has grown by 11-12% in the last couple of years. The increase does not justify hiring an additional full-time employee, however he recommends increasing salaries of current employees to reflect the increased workload. Mr. Elberfeld stated that the increase will bring the salaries into the average salary range of the surrounding area. The budget does include sufficient funds to cover the raises. Commissioner Coleman stated that he has consistently voted against large raises such as these double digit raises. He cited the average salaries of teachers in local schools. He is not opposed to these employees getting raises, but 12% is too much. Judge Pendery stated that the Housing Director position is comparable to a school superintendent or other school administrative official – the salaries need to be compared to their peers in the same job locally. The fact that they were paid less than their peers for years is also a consideration. Commissioner Coleman stated that the same thing could be said about teachers at some districts in Campbell County – they are free to go to another district that pays more. He asked that the minutes reflect that he doesn’t begrudge the raise, but an \$8,357 raise – he doesn’t see that happening in other positions. Commissioners Lampe and Painter and Judge Pendery voted “AYE”, Commissioner Coleman voted “NAY” and the motion passed.

A motion was requested to adjust the hourly rate of pay for Barbara Leising, Housing Specialist, from \$18.82 to \$21.14 effective July 10, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman stated that this is about a 12% raise as well. Mr. Elberfeld stated that the same methodology and theory went into calculating these raises as well. Commissioners Lampe and Painter and Judge Pendery voted “AYE”, Commissioner Coleman voted “NAY” and the motion passed.

A motion was requested to adjust the hourly rate of pay for Nicole Goller, Housing Specialist, from \$18.82 to \$21.14 effective July 10, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Coleman stated that raises are in order, but not 12%. Commissioner Painter stated that these are all employees in good standing. Commissioners Lampe and Painter and Judge Pendery voted “AYE”, Commissioner Coleman voted “NAY” and the motion passed.

A motion was requested to accept the resignation of Debbie Arnold from the part-time position of Maintenance Worker. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to advance Benjamin Seever from a Level 1 Road Maintenance Specialist to Level 2 with an increase in his hourly rate of pay from \$21.46 to \$23.84 in accordance with the AFSCME, Local #286 Working Agreement effective June 20, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman stated that he will vote for this raise because there is a binding contract that the Fiscal Court must live up to. All voted “AYE” and the motion passed.

A motion was requested to designate Kim Serra as Solid Waste Coordinator for Campbell County, Kentucky effective June 1, 2016 with no additional compensation. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Kim Serra to the Northern Kentucky Solid Waste Management Authority Technical Advisory Committee effective June 16, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Kim Serra as Judge/Executive Steve Pendery's alternate on the Northern Kentucky Solid Waste Management Authority Board effective June 16, 2016 through Judge Pendery's term of office. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Dr. Maggie Whitson to the Campbell County Extension District Board for a three year term effective June 30, 2016 through June 29, 2019. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Ron Haigis to the Campbell County Extension District Board for a three year term effective June 30, 2016 through June 29, 2019. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Matt Elberfeld presented Resolution R-56-16 by title and summary. R-56-16 authorizes the formation of the Campbell County Land Search and Rescue Team to operate under the direction of the Campbell County Office of Emergency Management. Mr. Elberfeld explained that the team will be comprised of volunteers and the State will pay for Workers Compensation Insurance. The Campbell County OEM already has most of the equipment needed so there is minimal financial impact to the County. By organizing the group under the County it allows the OEM staff to handle administrative work. This resolution creates the team and allows OEM staff to develop policies and procedures. The team will not begin operating until a policies and procedures manual and an affiliation agreement are brought to the Fiscal Court for approval and adoption. Judge Pendery made a motion to adopt R-56-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-62-16 was read by title and summary given. R-62-16 authorizes the Judge/Executive to execute an agreement with Sanitation District Number One (SD1) for the 50-50 storm culvert cost share program on Barrs Branch Road. Mr. Elberfeld explained that culverts were replaced and Barrs Branch Road was resurfaced this year as part of routine maintenance. Barrs Branch Road is in SD1's service area, and it has a 50-50 program to pay for culverts for storm water management. The work was done by County employees. The cost of the work on the culverts was submitted to the cost share program and he expects to receive \$5,882 from SD1. Judge Pendery made a motion to adopt R-62-16, seconded by Commissioner Painter. In response to Commissioner Coleman's question, Mr. Elberfeld stated that the County owns the culverts. Commissioner Coleman then asked why SD1 doesn't pay 100% since they have taken over storm water collection. Mr. Elberfeld stated that under road culverts were not

transferred to SD1 with other assets. The County is responsible for open under road culverts and SD1 is responsible for catch basins and structures that are fully enclosed. Steve Franzen stated that if it is enclosed it is the responsibility of SD1; if it is an open ditch, it is the responsibility of the County. Mr. Elberfeld stated that the SD1 would pay 100% for repairs to catch basins. All voted "AYE" and the motion passed.

Resolution R-64-16 was read by title and summary given. R-64-16 approves funding for the Transit Authority of Northern Kentucky for fiscal year 2017. Mr. Elberfeld explained that TANK's overall request to the three counties decreased but the original request to Campbell County increased by 0.4%. This is due to the Gateway shuttle which ran between campuses in Boone and Campbell County being discontinued. Staff worked with TANK to come up with service reductions that would equal funding for fiscal year 2016. As a result one trip on the 16X route was eliminated. Funding will be the same amount as last year and as the last eight years. Judge Penderly made a motion to adopt R-64-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Steve Franzen announced that Cameron Blau has been appointed to fill the vacant District Court Judge position. Mr. Franzen will now have to fill Mr. Blau's position in his office. As his chief assistant, Mr. Blau oversaw about 11,000 District Court cases each year for the County Attorney's office. Mr. Franzen stated that Mr. Blau will do a good job as a judge.

Commissioner Coleman asked the Fiscal Court members if they had any comments on Newport Promise. He explained that Newport Schools have started an education foundation to provide scholarships. He asked if anybody on the Fiscal Court had talked to the gentleman that initiated the program. Judge Penderly stated that he has not had a chance, but he did go to a similar function at Bellevue Schools and asked if Commissioner Coleman had attended. Commissioner Coleman said that he did and then asked if anything related to this may be on the agenda at some time.

Judge Penderly announced that the first annual Country Fest Music Festival will be held on June 18, 2016 from 3pm to 11pm at the Stapleton Pavilion at A J Jolly Park.

Judge Penderly announced that the second annual Sun Valley Music Festival will be held on July 9, 2016 from 2pm to 10pm at the Stapleton Pavilion at A J Jolly Park.

Judge Penderly announced that the Campbell County Backroads Farm Self-Guided Auto Tour will be held on July 16, 2016 from 9am to 3pm rain or shine.

Marie Schenkel requested a motion to acknowledge that the Sheriff has completed the 2015 tax collection for the period November 1, 2015 through April 15, 2016. The amount of \$390 is due to the Sheriff to complete the settlement. Motion was made by Judge Penderly, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to approve funding for the Campbell County Attorney for Fiscal Year 2017 in the amount of \$130,080. This is the same amount that was funded last year. Motion was

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

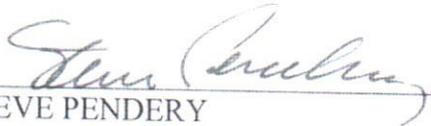
Ms. Schenkel requested a motion to approve the claims and supplemental claims as presented for June 15, 2016. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. 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 Judge Pendery. All voted "AYE" and the meeting adjourned at 6:47 p.m.

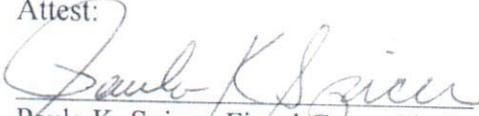
Attachments:

- Ordinance O-04-16 FY 2017 Budget
- Ordinance O-06-16 Amend Zoning Text – Schedule of Fees
- Ordinance O-07-16 Amend Zoning Text – Cellular Towers and Antenna
- Resolution R-51-16 Amend Detention Center Policy & Procedure Manual
- Resolution R-52-16 Agreement with Nexigen Communications LLC
- Resolution R-53-16 Lease Agreement with Wiedemann Square LLLP
- Resolution R-54-16 Lease Agreement with Campbell County YMCA Soccer
- Resolution R-55-16 Designate Applicant Agent
- Resolution R-57-16 County Road Aid Coop Program Contract with KYTC
- Resolution R-58-16 Accept Block Grant Funds for Ambulance Services
- Resolution R-59-16 Agreement with N KY Water District
- Resolution R-60-16 Agreement with N KY Water District
- Resolution R-61-16 Adopt FY 2017 Housing Department Budget
- Resolution R-63-16 Accept Donation of Real Property
- Resolution R-56-16 Campbell County Land Search & Rescue Team
- Resolution R-62-16 Agreement with Sanitation District No. 1
- Resolution R-64-16 TANK Funding FY 2017
- Claims and Supplemental Claims June 15, 2016

Approved:

  
STEVE PENDERY  
Judge/Executive

Attest:

  
Paula K. Spicer, Fiscal Court Clerk