CAMPBELL COUNTY FISCAL COURT
MINUTES

JULY 20, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 20, 2016 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Cable Access was present to film the public hearing and meeting.

Judge Pendery explained that due to a power outage the County Administration Building is running on generator power and only has lights – the audio/visual equipment is not working and there is no air conditioning. He asked that the audience bear with them.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. to receive public comment on the application for an Entertainment Permit for Camp Springs Tavern. Present at the hearing were:

Steve Pendery, Judge Executive
Charlie Coleman, County Commissioner
Tom Lampe, County Commissioner
Brian Painter, County Commissioner
Steve Franzen, County Attorney
Matt Elberfeld, County Administrator
Paula Spicer, Fiscal Court Clerk
Kim Serra, Assistant County Administrator
Marie Schenkel, Finance Director
Colonel Craig Sorrell, Campbell County Police Department
Frank Spataro, Human Resources Director
Seth Cutter, Economic Development Manager

Steve Franzen, County Attorney, conducted the public hearing. The applicant, Keith Neltner and his legal counsel, Cheryl Borland were present. Mr. Franzen stated that Keith Neltner had submitted an application for an Entertainment Permit for the premises known as Camp Springs Tavern located at 7009 Stonehouse Road, Melbourne, Kentucky. The Fiscal Court has received the affidavit of publication which meets the statutory requirement, application and the reports from the County Attorney's office and Campbell County Police Department. Mr. Franzen stated that he has found no reason to deny the permit and there have been no objections to granting the permit. He then asked if anybody wanted to speak in favor or against the issuance of the permit. There being no comments, Mr. Franzen recommended issuance of the Entertainment Permit without any specific conditions.

Judge Pendery made a motion to grant to Keith Neltner, Neltner Brands, LLC a permit to operate a place of entertainment known as Camp Springs Tavern located at 7009 Stonehouse Road, Melbourne, Kentucky. Commissioner Coleman seconded the motion. All voted "AYE" and the motion passed. The public hearing was closed at 5:34pm.

In attendance at the regular 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
Colonel Craig Sorrell	Campbell County Police Department
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager

The regular meeting was called to order at 5:37 p.m. by Judge Pendery.

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 special meeting of June 29, 2016 and regular meeting of July 6, 2016 were presented. Commissioner Lampe made a motion to adopt the minutes, seconded by Commissioner Painter. Commissioner Painter stated that he had a one word correction on page 3 of the June 29, 2016 minutes that he had emailed to Ms. Spicer. Due to the power outage at the County Administration Building late in the afternoon, Ms. Spicer had not received the email. She stated that she would make the requested change. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Jim Cole stated that with the recent sale of the Bavarian Building and the comments from the Kenton County Judge/Executive, has the Fiscal Court heard anything about Chase Law School relocating. Judge Pendery stated that he has not heard anything that he can make public. The odds of this happening are slim without a major investment by the legislature and the odds of getting money from the legislature are also slim.

Kevin Gordon, Wilder, stated that when Lakeside Terrace was sold the proceeds were set aside but not in a separate fund as originally discussed. An accounting was going to be made of those funds. He asked what the balance of the fund was. Marie Schenkel replied that it is $1,135,000.

Kevin Gordon stated that when the property management company was folded into the regular books of the Fiscal Court, several of the items were combined with everything else so that one can't see a specific P&L for the golf course. At the time it was said that there would be a periodic separate P&L prepared on that and given to the members of the Fiscal Court – has this

ever been done? Mr. Elberfeld stated that it is part of the monthly financial statement sent to the Commissioners. Ms. Schenkel pointed out that the golf operations are in a separate fund and always have been, so a separate P&L is sent to the Fiscal Court every month. Mr. Gordon stated that golf salaries are mixed in with other salaries. Mr. Elberfeld stated that all golf-related expenses are Fund 14, they are not blended with the General or other Funds. He stated that the current subsidy for the golf course for the year ended June 30, 2016 is $111,000. He does not know what it will be for the next year.

Kevin Gordon asked if there was still a vacancy on the Ethics Committee, if it will be filled any time soon, and if the Committee will meet any time soon. He was told No.

Kevin Gordon then asked if the Fiscal Court, on behalf of the taxpayers of Highland Heights and Campbell County, would adopt a resolution in opposition to the moving of Chase Law School from Campbell County. Judge Pendery stated that he does not think it would be useful.

Kevin Gordon asked if the proposed zoning change that was the subject of the last Campbell County and Municipal Planning and Zoning Commission meeting be voted on by the Fiscal Court anytime soon. Judge Pendery stated that it would likely be at the next meeting or two.

Kevin Gordon stated that it is almost time for the tax rate increase. He asked what the balance of the reserves is currently. Mr. Elberfeld stated that he is getting the answer for him. Mr. Gordon stated that if it's not available perhaps it can be discussed when the probable rate increase is proposed.

Judge Pendery called on Walt Dunlevy of the A J Jolly Community Development Council to begin his presentation. Mr. Dunlevy announced that the 4th annual Festival on the Lake will be held August 13, 2016 from 10am to 11pm at the Stapleton Pavilion in A J Jolly Park. He thanked the Fiscal Court for their assistance and continued support. He stated that Kim Serra has been working with Larry Harrod on upgrading the park and she also worked on a proposal to fix some trail areas and to resolve some drainage issues. As a result a grant was received to do the work starting this fall. Mr. Dunlevy advised that they are making some changes this year to make the Festival on the Lake even better. The charge for parking has been increased this year to raise money to build a new permanent shelter. He then talked about the children's activities, live music, food and the seven local wineries that will be present and thanked the groups that are helping out. Mike Reeder explained that live music will begin at 11am with a community band followed by a tribute to veterans. He named some of the bands that will be performing. Mr. Dunlevy introduced the other members of the Community Development Council that were present. Judge Pendery stated that the park is a fabulous asset and it has not always been used to its fullest potential. All of the work done to call attention to the park and the facilities that have been constructed is outstanding. He thanked Mr. Dunlevy and the other Community Development Council members that were present for their commitment. Mr. Dunlevy stated that he appreciates the efforts of all the volunteers that have helped. Their efforts have paid off – he has seen a lot more activity at the park than in the past.

Judge Pendery proceeded with new business. Paula Spicer presented Resolution R-76-16 by title and summary. R-76-16 authorizes the Judge/Executive to apply for a $1,000 matching grant from the Kentucky Department of Agriculture's Animal Control Advisory Board for the Spay

and Neuter Program. Commissioner Lampe made a motion to adopt R-76-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-09-16 was presented for a first reading. O-09-16 amends Chapter 73 "Traffic Schedules" of the Campbell County Code of Ordinances to add stop signs on Keating Drive and Ripple Creek Road and to change the maximum speed limit on Ripple Creek Road to 20 mph. Commissioner Lampe asked if Mr. Gubser has been informed about the changes and he has. Commissioner Coleman stated that the new speed limit will be consistent with the section of Ripple Creek Road that is in the City of Cold Spring. Mr. Elberfeld confirmed that it is. He further explained that this action will create a three-way stop at the intersection of Keating Drive and Ripple Creek Road in an attempt to slow the traffic and make the speed limit consistent with Cold Spring. Commissioner Painter stated that he has gotten a lot of feedback on this issue which he will forward to Mr. Elberfeld for distribution. No vote was taken on this first reading.

Matt Elberfeld explained that the upcoming personnel items are related. He stated that staff is always looking for ways to better align resources and one area that they've looked at is the parks. The parks have had increased sales of daily and seasonal passes, a new website and increased programing and activities creating a greater workload for the Parks and Recreation Manager. He stated that the parks is the only department where the director is also responsible for the maintenance of the physical facility. Staff is proposing to move the responsibility for the physical maintenance of the park to the Facilities Department which manages the County's facilities and fleet. He stated that this will allow the Parks Department to spend more time on programming and create more events working with the Community Development Council on different initiatives and allow the Facilities Department to integrate management into the management of the rest of the County facilities. As a result, staff recommends a salary increase of $8,740 for the Facilities and Fleet Director to $71,912 annually (total increase including benefits is $11,041). In order to pay for the increase, Mr. Elberfeld explained that the seasonal Park Assistant position will be reduced to a Camping and Concession Worker position and a vacancy in the Facilities Department will not be filled, collectively resulting in a savings of about $20,219, a net savings of $9,178. The proposed changes will reduce personnel expenses and create a more efficient management system for the parks.

Resolution R-72-16 was read by title and summary given. R-72-16 modifies the Facilities and Fleet Manager position description to Facilities and Fleet Director, approves a change in Michael Braun's title to Facilities and Fleet Director and approves an adjustment in Michael Braun's annual salary. Judge Pendery made a motion to adopt R-72-16, seconded by Commissioner Painter. Commissioner Coleman stated that previous meeting minutes reflect that Judge Pendery said that there would be no more raises because of the deficit and that nobody would be hired except maybe at the jail. At that meeting somebody was hired and now he wants to give somebody an almost $9,000 raise. The Parks and Recreation Director's salary is not being cut but he will be supervising less people. He's not suggesting that his salary be cut but an $8,700 raise is out of line. Commissioner Coleman stated that Mr. Elberfeld said that one vacancy would not be filled, but at the last meeting when he questioned why another person was being hired for Parks and Recreation since it would be an opportunity to save money, he was told it would cost money because we'd have to pay overtime. He sees some inconsistencies. There is nothing wrong with people picking up the slack, taking on extra duties and not being compensated for it. He may not support this resolution. Judge Pendery stated that

Commissioner Coleman said at the last meeting that he doesn't see anything wrong with an hourly employee working more hours at the same pay – that is illegal. With hourly employees you have to pay the hourly rate and if they work overtime you must pay overtime to avoid violating labor laws. Commissioner Coleman stated that they don't work extra hours. Judge Pendery stated that you can ask salaried employees to work more at the same rate and that is done. He stated that the Fiscal Court went for a stretch of four years without raises and now is going to go without raises for at least one year. But in the long term, if people are not compensated for the responsibility that they undertake they will quit. Judge Pendery stated that at the park there is a certain amount of grass to be cut and you have to pay by the hour to get that done – it is preferred to do it with an extra employee. If you ask the other employees to do the work you more than likely would have to pay overtime to get it done. He stated that the Fiscal Court does ask people to sacrifice but for the long term it does not. Judge Pendery stated that a few years ago there were several retirements and younger people were hired at lower salaries and the County saved money in most cases. The County has a good idea of what its competitors pay in each position. When younger people were hired, it was explained to them that they were not going to be paid the top salary. Campbell County's salaries are rarely in the same league as the other two counties. People are hired at less than the going rate with the condition that they perform before being paid at salaries competitive with others of their rank and grade in neighboring organizations. In this particular case the Parks and Recreation Director will be free to handle programs at the park; now that there are more people coming to the park, more programs are needed. Judge Pendery stated that the most complex tasks and maintenance at the park were already being handled by our facilities people and it's better to have the whole job done by them. Commissioner Coleman stated that he has no problem with reorganizing to be more efficient, he has a problem with an almost $9,000 raise to do it. Judge Pendery stated that the raise will bring that position in closer alignment with similar positions in northern Kentucky. He explained why Campbell doesn't compare itself to Grant or Pendleton Counties. Commissioner Coleman pointed out that Campbell County has less revenue than Kenton and Boone. Judge Pendery stated that there is a rational basis for this action. Commissioner Coleman stated that with this raise our Facilities and Fleet Manager will be a little bit above the other counties. He then stated that the County is in a deficit. Judge Pendery stated that the County may now have a surplus for 2016 due to making moves like this. Commissioner Coleman stated that at the last meeting the deficit was going to be around $2.5-$5 million. Judge Pendery stated that the initial estimate was $700,000-$900,000, later it was changed to $300,000-$400,000, and it now looks like they can close the year with a surplus. It takes several months to work out. A $2.9 million deficit is expected in 2017 and they will continue to monitor it. He still believes that the Facilities and Fleet Director, considering his responsibilities, is being compensated fairly compared to the other two counties. Commissioner Coleman stated that he doesn't disagree with that. Judge Pendery stated that staff does surveys to compare salaries and benefits across the region to stay competitive. Commissioner Painter stated that this reorganization is an example of efforts by staff to provide the same product, save $9,000 and enhance the County's services. The Fiscal Court wants to get and retain quality staff people. Staff is starting to look at things that they've never looked at before and are making headway as far as financial burdens. In the next couple of months the parks will become a more efficient operation. He is impressed that the County has managers that can manage on their feet and that can see an inefficiency in the system, fix it and save money. Judge Pendery stated that the County's Fleet Director probably started at a salary less than his peers and was given a raise when he took on fleet management and another one now as he takes on the park maintenance.

The rationale is that you don't hire somebody at top dollar until they perform and take on responsibilities that justify it. Commissioner Coleman again stated that he's not suggesting that the Director should not be compensated for taking on more responsibility, but not 15%. Commissioner Painter stated that he sees a pattern this year in personnel savings and growing efficiencies. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

Resolution R-73-16 was read by title and summary given. R-73-16 modifies the Maintenance Specialist position description. Judge Pendery made a motion to adopt R-73-16, seconded by Commissioner Lampe. Commissioner Coleman asked if this was just a change from one department to another with no increase in salary. Mr. Elberfeld confirmed that it was. All voted "AYE" and the motion passed.

Resolution R-74-16 was read by title and summary given. R-74-16 modifies the Maintenance Technician position description. Judge Pendery made a motion to adopt R-74-16, seconded by Commissioner Painter. Commissioner Coleman asked the same question as the previous resolution and Mr. Elberfeld answered the same. All voted "AYE" and the motion passed.

A motion was requested to approve changing Frank Smith from Parks and Recreation Foreman to Maintenance Technician effective July 24, 2016 and transferring him from the Parks and Recreation Department to the Facilities and Fleet Department to reflect the consolidation of all building and grounds maintenance including parks property under the Facilities and Fleet Department without a change in salary. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-75-16 was read by title and summary given. R-75-16 modifies the Parks and Recreation Manager position description. Judge Pendery made a motion to adopt R-75-16, seconded by Commissioner Lampe. Commissioner Coleman asked if this was the same situation as the previous two resolutions and Mr. Elberfeld confirmed that it was. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Joe Wind from the Campbell County Economic Progress Authority, Inc. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Brett Ruschman to the Campbell County Economic Progress Authority, Inc. to fill the unexpired term of Joe Wind effective July 21, 2016 through January 31, 2017. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman asked for a little information about Mr. Ruschman. Judge Pendery stated that he lives in Alexandria and works in Cold Spring at an IT company. Mr. Ruschman worked in the IT Department when he worked for the Fiscal Court. He stated that his background in IT will be a good asset for the CCEPA Board. All voted "AYE" and the motion passed.

Commissioner Coleman stated that he knows that Kevin Gordon cares about the County or he wouldn't be here. He thanked him for coming and stated that he has every right to ask questions and express his views.

Commissioner Coleman asked if Ms. Schenkel had looked into the Bobwhite Club membership and why the County couldn't be named as the member. Ms. Schenkel replied that the Club's bylaws stated that memberships must be in an individual's name.

Commissioner Coleman stated that he feels the same as Jim about Chase Law School. He is happy to serve with Jim, Kevin, Ken and others to keep Chase Law School in Campbell County. He would not be surprised if a deal hasn't already been worked out. In his year and one half in politics he's found out far too often that's how things work. He assured the taxpayers that he will do what he can to keep the school in Campbell County.

Commissioner Coleman stated that a resolution was passed a few months ago about leasing the golf course to the private sector. He asked what prompted that action and the status. Judge Pendery stated that it has been considered before. It hasn't worked out in the past, but it's been a long time since it was considered and it was thought that it would be a good idea to ask again. Commissioner Coleman stated that it is a good idea. Mr. Elberfeld stated that they have been talking with possible interested parties and working on preparing an RFP. The same people who are now operating Kenton County's courses would likely be interested.

Commissioner Lampe stated that he has not been idle on the topic of Chase Law School moving. He has talked to key personnel involved at both the county and university level as recently as this week and is staying close to the situation. However, he has nothing to report at this time.

Commissioner Lampe stated that during the week of July 11 there were groundbreaking ceremonies for the Seasons of Alexandria, over 200 units of senior housing, and the Highland Village in Highland Heights, over 118 units for senior care. That is over $67 million worth of investment in Campbell County to provide care for senior citizens.

Commissioner Painter stated that he has been at the Festival on the Lake every year and offered to help this year if needed. He stated that the best thing is to bring a chair to relax and listen to the music. He talked about some of the vendors at the event. The Festival is a family friendly event. Mr. Dunlevy added that the Northern Kentucky Horse Network will be at the Festival this year with demonstrations and education about different breeds of horses.

Judge Pendery announced that the Campbell County Fiscal Court and Mayors will meet on July 26, 2016 at 6pm in the Fiscal Court Chambers, 1098 Monmouth Street, Newport.

Judge Pendery announced that the Festival on the Lake will be held on August 13, 2016 from 11am to 11pm at the Stapleton Pavilion at A J Jolly Park. This free event will feature live music throughout the day, kids activities, crafts and food, beer and wine for sale. Parking is $10 a carload or $5 for a single.

Judge Pendery announced that Boone, Campbell and Kenton Counties and St. Elizabeth Healthcare have partnered to launch a regional heroin helpline with the assistance of Addiction Services Council (ASC). The Northern Kentucky Helpline will be 859-415-9280. The Northern Kentucky Helpline is modeled after the highly successful Helpline program run by the Addiction Services Council in Southwest Ohio for more than a decade. ASC will pair callers with the best

possible match in service. Calls will be answered by licensed, professional counselors 24 hours a day.

Commissioner Painter acknowledged that Jamie Vallandingham, Treasurer for the A J Jolly Park Community Development Council was present.

Ms. Schenkel requested a motion to approve the claims and supplemental claims as presented for July 20, 2016. She explained that two items have been pulled from consideration and will not be paid: a payment to Coldiron for $250 and a payment to William Turner for $124. County Attorney Steve Franzen stated that he has reviewed the claims and supplemental claims and determined that they all appear appropriate. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. Commissioner Coleman asked if some of the bills were for storm water. Mr. Franzen confirmed that there were a couple of bills for storm water at A J Jolly Park. Commissioner Painter asked if the claims that were removed were done so after ordinary review. Ms. Schenkel agreed. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" due to the storm water bills for Jolly Park, and the motion passed. Commissioner Lampe asked if there were two checks for $124. Ms. Schenkel stated that one was okay but the other needed to be deleted.

There being no further business to come before the Fiscal Court, Commissioner Painter made a motion to adjourn, seconded by Commissioner Lampe. All voted "AYE" and the meeting adjourned at 6:37 p.m.

Attachments:

Resolution R-76-16	Application for Spay-Neuter Grant
Ordinance O-09-16	Amend Traffic Schedules
Resolution R-72-16	Modify Facilities Manager Position Description
Resolution R-73-16	Modify Maintenance Specialist Position Description
Resolution R-74-16	Modify Maintenance Technician Position Description
Resolution R-75-16	Modify Parks and Recreation Manager Position Description
Claims and Supplemental Claims	July 20, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk