

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

April 13, 2005

A special (change of date, place and time) meeting of the Campbell County Fiscal Court was held on Wednesday, April 13, 2005, at 7:00 p.m., at the Campbell County Courthouse, 8352 East Main Street, Alexandria, Kentucky.

Judge Pendery called the meeting to order. A moment of silence was called for by Judge Pendery, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. The meeting was covered by *Government Access*.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN

Commissioner Verst was absent.

Justin Verst	County Attorney
Robert Horine	County Administrator
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Peter Klear	Planning & Zoning Director
Pat Dressman	Director of Human Services
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

Judge Pendery presented the minutes from the Fiscal Court meeting of March 29, 2005. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of March 29, 2005 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery then asked if there were any citizens or public officials present who wished to address the Court. There were none.

Judge Pendery then presented a Proclamation to Judge William Wehr and thanked him for his years of service to the County Court System. Judge Wehr was appointed a Campbell County Circuit Judge in 1988 and served through 2005. He achieved Senior Status Circuit Judge as of March 1, 2004 and was appointed Chief Senior Status Judge in September, 2004. He has been

very active in numerous community and professional organizations during his career. Judge Pendery wished Judge Wehr happiness and prosperity in the years to come. Judge Wehr thanked Judge Pendery and the Fiscal Court for the Proclamation, stating that it is embarrassing to receive an award just for doing your job, and he is very humbled by it. Judge Pendery noted he received this award for doing his job very well.

Judge Pendery then requested items of Old Business be brought before the Court. He stated that Ordinance O-04-05 was being presented for second reading and passage consideration. This Ordinance involves the rezoning of approximately 74 acres located northeast of U.S. 27 and Lickert Road. He advised that prior to a discussion on the Ordinance, County Attorney Verst would discuss the process regarding the second reading. Mr. Verst explained that typically, in a case when the Fiscal Court makes a decision on an item, it takes a majority of the quorum present to decide the issue. There are four members of the Fiscal Court, with three of those members being present at this meeting. In certain circumstances under Kentucky law, it takes a supermajority to take action or to decide an issue, and this Ordinance is one of those cases. By Kentucky law, in order to override a recommendation of the Planning & Zoning Commission as to a zone change request, a majority of the entire legislative body to override any decision of the Planning & Zoning Commission. By State law, it will take three out of four members to override the recommendation of the Planning & Zoning Commission, rather than the typical two out of the three present. Judge Pendery then stated that the Fiscal Court has a process that it hopes is designed to cultivate an independent citizen board more expert in planning and zoning matters than the members of the Fiscal Court. The Board is drawn from all around the community with varying levels of expertise and different types of backgrounds. As part of that process, the Planning & Zoning Board holds what are tantamount to due process style hearings in that each of the parties either for or against the proposition is granted a forum to make their points to a body that has some background to judge the relevancy of those points and the power of the points that are made. At the end of the hearing and deliberation process undertaken by the Board, a record is created and provided to the Fiscal Court. Out of respect for the work that is done under what are sometimes difficult circumstances, it is a very difficult job to be on these Boards. After the record is created and provided to the Fiscal Court, if it were to take comment from the public, there would be the danger that it improperly provided opponents or proponents time to offset or counter what was said by the person making the comment. It has been the practice of the Fiscal Court to value the work product of the Planning & Zoning Board and use that, and that alone, in making its decisions on zone change requests. When there is a first reading and a second reading, that is why the Fiscal Court does not take further input from the public. County Attorney Verst commented that the reason the Fiscal Court needs to be careful in this regard is because if either side takes whatever decision the Fiscal Court makes to the Circuit Court, the case can be reversed if the Court feels there was an arbitrary or capricious decision by the Fiscal Court. Oftentimes, when those matters wind up in Court, one of the reasons cases are reversed is because the hearing body allowed improper evidence into the record. The Fiscal Court is bound to judge the Ordinance based upon the record presented to the Court. It cannot receive additional testimony from either side because it is judging the case based upon the record presented. This is not to slight anyone present and, while their opinions are valued, by law the Court cannot take additional input from the public.

Judge Pendery then asked Ms. Williams to read the Ordinance by title and provide a summary to the Court. She explained that this Ordinance rezones approximately 74 acres located northeast

of U.S. 27 and Lickert Road from Residential Rural Estates Phased (R-RE(P)) one-acre lots to Residential One-C Single-Family Residential zone with a Residential Cluster Development Overlay (R-1C/RCD) with a maximum density of approximately 2.88 dwellings per net acre. The rezoning request is being made by Brandon Bray on behalf of Bray Properties. The Campbell County & Municipal Planning & Zoning Commission is recommending the zone change be approved. She stated that Peter Klear, Planning & Zoning Director, was present to answer any questions.

Judge Pendery then stated that in examining this development plan, it is an intelligent design, making allowances for neighbors on Lickert Road in that along Lickert Road there are four lots of a size that approaches the size of the lots on Lickert Road, and there is no access into that neighborhood from the proposed development; the access is rather on U.S. 27. Those are commendable features and yet he has a problem with the zone change. The Fiscal Court is to look at the record and make a judgment and it is not unlike the work that a judge would do. There is a law to consider – in this case, the Comprehensive Plan – and the Fiscal Court is to interpret that. In the case of a judge, there may be lawyers to argue what the intent of the statutes are. In this case, the Fiscal Court is to look at the record and find the intent itself. He stated that he has a little bit of an advantage because he was involved in the Comprehensive Plan review process. The land use element from the Comprehensive Plan includes specific language regarding the site in question as follows: East of U.S. 27, excluding land fronting along U.S. 27, southeast of the City of Alexandria, in the vicinity of East Lickert Road, are areas identified for residential development at 2 units and under per net acre. This includes the unincorporated area south of Alexandria City limits, the existing industrial park, and west from Barrs Branch Road. Portions of this area are developed at densities of under 1.1 dwelling units per net acre. This plan update recommends that in consideration of the existing development, future residential development in the area incorporate a density of under 1.1 dwelling units per net acre as a logical extension of the existing density. It is true that there should be allowances in density made in a couple of circumstances when developers take plans to make a thoughtful design, as in this case. In cases where a blending of densities is appropriate for tracts like this one that have more than one density assigned because of different zones involved in the property. The bottom line for him is that this development, even after making appropriate allowances, is more dense than was intended in the Comprehensive Plan and, therefore, is not in conformity with the Comprehensive Plan. Judge Pendery then made a motion to overturn the recommendation of the Planning & Zoning Board in this particular case.

Commissioner Rechlin then asked if there was already a motion on the floor to approve the Ordinance. Judge Pendery stated he was making a motion to override the approval of the Ordinance, and it requires a second. County Attorney Verst explained that Judge Pendery was not making a motion to approve the specific Ordinance, but making a separate motion to override Planning & Zoning's recommendation. Commissioner Otto seconded Judge Pendery's motion. Judge Pendery asked if there was any discussion on the matter. Commissioner Rechlin stated that since the Court has had input and advice from the Planning & Zoning Board early on who are very intimately knowledgeable about the facts of the Comprehensive Plan that Judge Pendery referenced. The Northern Kentucky Area Planning Commission gave recommendation to the Planning & Zoning Board that this be adopted, as well as our own staff on how to formulate a plan that would be acceptable to the Court. For that reason, he stated he could not vote in favor of overriding Planning & Zoning's recommendation. He stated that his vote would be "no."

Commissioner Otto stated that his opinion is basically the same as Judge Pendery's. He added that back in 2000 when the Comprehensive Plan was adopted, he stated a number of times that as a County Commissioner, he believed that he knew what citizens in his district wanted, but may not necessarily know what citizens in other districts wanted. He feels that the experts in this case are the citizens who live in the area. He does, however, agree with Commissioner Rechtin that there has been a great deal of effort by the planners on this recommendation, but as a part of the body that adopted the Comprehensive Plan that says the density should be 1.1 homes per net acre, he believes the revised zoning is too dense, and has therefore made the second.

Judge Pendery stated that the fellow who was the consultant from the Northern Kentucky Area Planning Commission for the Comprehensive Plan was not a party to making this recommendation, and there has been turnover in the Planning & Zoning Board who attended the public meeting on this recommendation. This commentary was the subject of conversation among the group, and that is why he feels the way he does. Commissioner Rechtin stated that a point that needs to be brought up is that as one reads the verbiage in the Comprehensive Plan, it says "except those properties fronting U.S. 27." County Attorney Verst stated for the record, that there is a motion and second to override the Planning & Zoning Commission's recommendation to approve the zone change request; there were 2 votes in favor of that motion and one vote against that motion. The legal effect of that is that, under Kentucky law, there must be a 3-0 decision to override the Planning & Zoning Commission's recommendation. State law goes further to say that if you do not have the 3-0 decision, then, by operation of Kentucky Revised Statutes, the recommendation of the Planning & Zoning Commission passes. Therefore, this Ordinance is approved by operation of law, but not by a vote of the body. Commissioner Rechtin inquired as to when the vote takes effect. Mr. Verst stated that the vote takes effect immediately. A roll call vote was then taken for the record. Commissioner Otto voted "Yes;" Commissioner Verst was absent; Commissioner Rechtin voted "No;" Judge Pendery voted "Yes." County Attorney Verst then declared that, by operation of law, the recommendation of the Planning & Zoning Commission is approved.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams presented Resolution R-48-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution adopts an updated Affirmative Action Plan for Lakeside Terrace Senior Citizens Apartments to be submitted to the U.S. Department of Housing & Urban Development. The update is required every five years. She noted that Reno Deaton, Manager of Lakeside Terrace, recommends the adoption of the updated plan. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Otto seconded to approve Resolution R-48-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-49-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges that the Judge Executive executed a Signature Authorization on March 30, 2005 relating to Contract KY36-M000-092, for Reno Deaton, Lakeside Terrace Manager, to be considered the authorized official for Section 8 Business Documents, Rent Schedules and Reserve Fund for Replacements. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded to approve Resolution R-49-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-50-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges the request for funding from the State of Kentucky for litter abatement funds pursuant to KRS 224.43-505 in the amount of \$49,148. The County will have at least three road clean-ups. She noted that Reno Deaton, Solid Waste Manager, is recommending the request. There being no further discussion, Commissioner Rechlin made a motion and Commissioner Otto seconded to approve Resolution R-50-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-51-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges that the Judge/Executive executed a Deed of Conveyance with the Kentucky Transportation Cabinet for the Grandview Road Connector, Parcel No. 214. Once this Deed has been executed by the State and recorded, the County will take action to turn the Connector Road over to the City of Alexandria. This is a small road between Grandview and the AA Highway and is very important to the construction of the new elementary school being built. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechlin seconded to approve Resolution R-51-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-53-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution allocates Senior Citizens Tax Funds for Fiscal Year 2006. She noted that Pat Dressman, Director of Human Services, was present to answer any questions. There being no further discussion, Commissioner Rechlin made a motion and Judge Pendery seconded to approve Resolution R-53-05. All voted "AYE" and the motion passed unanimously.

Commissioner Rechlin asked if the County Administrator would speak to Ms. Dressman's selection to represent Kentucky at the Conference on Aging. Mr. Horine stated that Senator Jim Bunning has asked Ms. Dressman to represent the State of Kentucky at the White House Conference on Aging that will take place for three days in October of this year. There will be 1,200 delegates from around the country. It is an honor for Pat and an honor for Campbell County to have Pat representing the State of Kentucky.

Ms. Williams next presented Resolution R-54-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution allocates Mental Health/Mental Retardation Tax Funds for Fiscal Year 2006. She noted that Pat Dressman, Human Services Director, was present to answer any questions. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechlin seconded to approve Resolution R-54-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to adopt a Proclamation declaring the month of May, 2005 as "Older Americans Month" in Campbell County and urge citizens to join with the County in honoring its older citizens for their past and present contributions to the County. The Proclamation was requested by Pat Dressman, Human Services Director. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechlin seconded to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint the following as seasonal employees for the 2005 Park Season: Patrick Studer (Recreation Maintenance, \$9.29/hr.); Megan Rawe (Camping/Concession, \$8.94/hr.); Dan Lynn (Camping/Concession, \$8.94/hr.); and Jim Sammons (Camping/Concession \$8.94/hr.), effective April 13, 2005 through the 2005 Park Season. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Norman Wayne Short to the full-time position of Golf Maintenance Specialist at Grade 10F (\$30,353), said appointment effective April 13, 2005. This appointment is being recommended by Steve Myers, Golf Course Supervisor. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to appoint Mark Phillip to the part-time position of Golf Starter at A.J. Jolly Golf Course, with compensation set at \$7.25/hr., effective April 13, 2005. This appointment is being recommended by Terry Jolly, Golf Pro. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. County Administrator, Robert Horine, presented Resolution R-52-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes an extension to the Contract between Dr. Keith Kessler and the Campbell County Detention Center for Health care services through April 18, 2005. Dr. Kessler has been providing physician services to the Detention Center since last July and his latest contract extension was through April 8. A 10-day extension is necessary to be able to provide physician services until such time as HealthPoint, Inc.'s contract takes effect. Mr. Horine expressed appreciation to Dr. Kessler for stepping in on short notice to begin delivering services to the jail. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-52-05. All voted "AYE" and the motion passed unanimously. Commissioner Otto requested that the Court send a thank you letter to Dr. Kessler for his very competent services during the contract period.

Mr. Horine next requested a motion to accept bids for construction of the new kitchen and laundry facility for the Campbell County Detention Center. The Court has already approved 7 out of 11 bid packages for this project. When the original bids came in last month, it was felt that the bids for steel and painting were unacceptably high and those were re-bid. Re-bids were received on April 5, 2005, and a much better bid for the painting came in, but only one steel bid came in and was still unacceptably high. The original bids were looked at again and it was determined that a combination bid for the general trades steel, ceiling and drywall was the best. The combination bid with Perkins Carmack is being recommended in the amount of \$272,000, and the painting bid with Stonehard is being recommended in the amount of \$27,750. This will complete all of the bid packages necessary for construction of the project. The total of the bids previously approved and those recommended at this meeting is \$870,886. A preconstruction project meeting will be held on April 15 and construction is expected to begin by the end of April, 2005 and be complete by December, 2005. Commissioner Rehtin commented that the County is now up to over \$1,800,000 in costs for these projects and nowhere near what the total expectation of the total projects will be. He noted that the County is strapped questionably for

the finances to do that and still has not presented a funding plan to do all of this. We have taken current funds out of current capital flow and current reserves and have not issued any debt for this. He knows these projects are necessary, and will vote in favor of them, but future capital expenses need to be curtailed until it is determined where the County stands and how it will fund those. Judge Pendergy stated he shares Commissioner Rechten's concerns and would be addressing the issue further in his report. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechten seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendergy then stated that the County will always lose big money on its jail. It is a problem that the County is saddled with and the solutions, such as they are, are ultimately to be found in Frankfort. In the meantime, the County will try to do everything it can to offset the costs that it bears for incarcerating the local population by accommodating as many paying customers as possible. The Restricted Custody Center and the new Kitchen/Laundry facility really can be viewed as economic models all unto themselves. The Restricted Custody Center will accommodate 124 low-security prisoners who will be drawn from other areas of the State largely, but also from the Campbell County population that is at present being sent to other areas of the State. These people will all be paying customers, and the County will generate significant revenue and some additional unexpected revenue since the legislature has seen fit to pay \$4.00 per day more for incarcerated inmates. Offset against that has to be considered the expenses of building these new facilities, and they came in, in each case, more than was expected. The revenue that will be shed by the income still should pay for these improvements over the course of two to three years if all goes well. These two projects work financially, and eventually will produce revenue to help offset the expenses of incarceration for locally generated people. He believes Commissioner Rechten's larger point is that the County is in tough financial straits and the jail has driven the County to the wall. The exploding population that the County must pay for itself without compensation from anyone else is a huge problem. With regard to future capital programs, the County has to be sure that it can afford additional outlays or afford to draw down the reserves for those capital needs. The Restricted Custody Center is something to applaud and creates the need to have an expansion of the kitchen and laundry facilities. The original kitchen at the Detention Center was built to feed 135 people. Recently, there have been as many as 250 in the Detention Center. The current laundry and kitchen facilities cannot keep up with that pressure. Judge Pendergy asked Mr. Buckler if he would like to add anything to his statements.

Mr. Buckler reported that the Restricted Custody Center officially opened today. Ten inmates were moved over from the Detention Center and inmates will be picked up from Boone County that we have had to house there, and other inmates throughout the State will be picked up and brought back to the new Center. Revenue should be seen from these transfers soon. It is expected that the new Center will be full in three months. Some equipment is already in place now for the construction of the kitchen, and that expense has already been paid for. Judge Pendergy noted that, once the County has the new kitchen and laundry, there will be spaces within the secure perimeter of the existing jail that could be remodeled and will help out on bed space. Commissioner Otto inquired as to the length of jail time of the inmates who will be housed in the Restricted Custody Center. Mr. Buckler stated that those inmates are ones who will have already been final sentenced. They will have no other pending hearings, unless it is a civil case. They will work in the community and some may go to their regular jobs, but their sentences are final,

and can spend up to 5 years in the Center. The Department of Corrections will also be helping to fill the beds up by moving some inmates out of the prison system who are low-level offenders and require little security. Commissioner Otto asked Mr. Buckler to describe the uniqueness of the facility and the services that will be provided to the citizens of Campbell County. Mr. Buckler stated that the inmates housed in the new Center will be doing various community service jobs for any non-profit organization in Campbell and Kenton Counties, providing various services that cities may not be able to afford to pay to have done. The cities will have to provide materials necessary, but the labor will be free. Mr. Buckler asked if anyone had any further questions.

Mr. Buck Seibert, a citizen who lives on Kramer Drive, inquired as to whether he could get approval for some of these prisoners to come out to his street in the winter time to clear the snow so that his mail could get through. Mr. Buckler stated that issue would probably be handled by the County Road Department. He noted that the jail does not have that type of equipment, but he will certainly look at that prospect when winter approaches. Judge Pendery stated that Mr. Buckler could look into getting an answer to Mr. Seibert's problem, but not necessarily give him a result to the problem.

Judge Pendery then announced that the Campbell County Senior Center is hosting its 12th Annual Volunteer Appreciation Dinner on April 21 at 5:00 p.m., at the Campbell County Senior Center. He also announced that the next Campbell County Fiscal Court Mayors' Meeting would be held on Tuesday, April 26, at 7:30 a.m., at the Campbell County Extension Center. Judge Pendery then stated that Campbell County would be celebrating "County Government Week" during the week of April 11-15, 2005. In accordance with the theme of honoring "County Heroes," County employees were given the opportunity to nominate fellow employees as "County Heroes," whom they think have performed above and beyond the call of duty. Those nominated were Officer Thomas Lakes and Officer Mike Jones, who have each either served or are currently serving in the military operation in Iraq. He stated that it is self-evident that this is a sacrifice that everyone appreciates and recognizes. He thanked Officer Lakes and Officer Jones for their service to the County and to the Country. Also nominated were Ms. Lisa Haines and Ms. Barbara Leising, who are involved in programs at the Senior Center and in the County's Assistance Programs, and are working to stretch the County's limited resources to provide to families who have emergency needs in the areas of medical assistance, eyeglasses, hearing aids, prescriptions, and other needs. They have been a great team working together and bring a lot of enthusiasm to what their fellow employees believe deserves recognition. Ms. Marsha Dufleck was also nominated, who is the Senior Center Manager. Ms. Dufleck's support to Campbell County senior citizens has extended well beyond her regular hours at work. She often visits with people in the hospital and attends special events, and looks after the folks who see her during the day. During the construction of the fitness/wellness center this past year, Marsha worked hard to ensure that the existing operations were not disrupted and that the everyday needs of the Center were looked after. As part of County Government Week, the Fiscal Court would like to recognize and thank these employees for their hard work and dedication.

Judge Pendery also stated that in connection with the jail problem, the County recognizes that there is a larger community of people that affect the expense than just the County government. The County has charge of the jail, the judges have the responsibility of incarcerating people, and law enforcement employed in the various cities in Campbell County have the responsibility of

arresting people who violate crimes. If all of these groups get together and pool their knowledge, it is possible to effect some savings that will help hold down the costs of incarceration at the jail. At the meeting held on April 12 of the Criminal Justice Advisory Commission, there were a lot of good ideas that surfaced. The charge of each person in attendance was to go back and think about the issues discussed, and bring their thoughts and further ideas to the May 10, 2005 meeting.

County Attorney Verst asked those present and all others in the County to continue to remember Commissioner Bill Verst and his family in their prayers as he continues with his serious struggle with cancer. He thanked and commended Judge Bill Wehr on his award, noting that when looking for a judge, certain qualities are sought, such as honesty, fairness, intelligence, hardworking, stays on top of the caseload. Judge Wehr had all of those qualities, and did an excellent job for the County. He should be commended for his many years of service. Mr. Verst also stated that at the last Fiscal Court meeting, he mentioned asking citizens to help enforce the keg law and notify the police department if they saw violations of the law. Recently, there was a case prosecuted for keg law violation. Serious consequences can occur if these parties are held. In this case, the parents threw a party for their child and provided alcoholic beverages to underage children. The parents were charged with violation of the keg law and received a sentence of 90 days in the County jail, to be served 2 days on the weekend, and having 88 days probated for a period of 2 years. This means that if the same violation occurs in the next 2 years, that person would have to serve the remaining 88 days, and receive a fine of \$250 plus costs. These are some serious consequences for just throwing a party for your kids. As prom season and graduation come around, he asked everyone to be careful and stand up to their children and not allow alcohol to be served at these parties.

Commissioner Otto stated that not only did Judge Wehr have particular expertise on the bench, but he also headed the Courthouse Commission, which provided a service to Campbell County by taking care of the Courthouse downtown. He then reported that he went to the Kentucky Correctional Institute for Women and reviewed their program, "Paws with Purpose," which he has spoken of at previous meetings. They have approximately 12 handlers and dogs aged 5 months to 1-1/2 years. In the demonstration, the female inmates train the dogs to look in certain directions, showing how the dogs can be trained to turn a light switch off and on with their noses and paws, raise the foot rests of a wheel chair, and move a laundry basket of clothes across a room. The handlers have individual cells and the dogs sleep with them. There is a cage for the dogs in each cell. The County would like to institute this program, but there are a lot of details that need to be worked out, including up-front money. He believes it may be possible to start the program off by re-training dogs who may have been brought back to the Animal Shelter after being adopted, and then sell those dogs for adoption. He noted that one of the inmates who is a trainer had been in jail for 15 years. She said she was never able to communicate well with people and had never had the responsibility for anything in her life, and the dog is now her responsibility. She loves the animal and it loves her. She said this is the first time in her life something has ever loved her in return. Commissioner Otto believes this program will not just benefit a handicapped person, but a benefit for the inmates.

Commissioner Rehtin stated that Henry "Bud" Pogue approached him and asked if the Fiscal Court would pass a resolution at this meeting asking the Kentucky Transportation Cabinet to expedite the Phase II development of U.S. 27. Mr. Pogue feels it has been budgeted, been

funded, and a resolution from this Court would go a long way in encouraging the Cabinet to expeditiously move along. Commissioner Rehtin made the motion to approve said resolution, seconded by Commissioner Otto. All voted “AYE” and the motion passed unanimously. The resolution will be prepared and executed.

Judge Pendery then asked for a report from the Fiscal Director. Mr. Seibert requested a motion to approve the bids for the disposition of surplus property. There was a total of \$4,561.86 bid for the surplus property. There being no further discussion, Commissioner Rehtin made a motion to accept the bids, seconded by Commissioner Otto. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next presented Resolution R-47-05, which she read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the Fiscal Court to request reimbursement from the Kentucky Transportation Cabinet for the costs to transport non-public school students for the 2004-2005 School Year. He explained that initially the State had indicated there would be \$2,500,000 in funds for this program, but this was an error since the recently passed budget included another \$450,000. The total available is \$2,950,000, and Campbell County should receive approximately \$60,000 more in funding for that program. Commissioner Rehtin commented that he would encourage the Fiscal Court to have conversations with those people who are providing these services in our County now for these schools to determine if the program could be a countywide effort to include other non-public schools besides the ones already involved, noting that he would be happy to participate in those talks to help facilitate the inclusion. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded to approve Resolution R-47-05. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next requested approval of the Claims being presented at this meeting. County Attorney Verst stated that he had reviewed the Claims and they appear to be appropriate. There being no further discussion, Commissioner Otto made a motion that the Claims be approved and paid. Commissioner Rehtin seconded the motion. All voted “AYE” and the motion passed unanimously.

There being no further business to come before the meeting, it was moved by Commissioner Rehtin, seconded by Judge Pendery, that the meeting be adjourned. All voted “AYE” and the meeting was adjourned at 8:07 p.m.

Attachments:

Proclamation:	Judge William Wehr Retirement
Proclamation:	Older Americans Month
Ordinance O-04-05:	Rezoning of Approximately 74 Acres Northeast of U.S. 27 and Lickert Road
Resolution R-47-05:	Request for Reimbursement for Non-Public School Bus Transportation Expenses
Resolution R-48-05:	Affirmative Action Plan for Lakeside Terrace Senior Citizens Apts.
Resolution R-49-05:	Authorized Official for Section 8 Documents
Resolution R-50-05:	Litter Abatement Funding Request
Resolution R-51-05:	Grandview Road Connector Deed of Conveyance

Resolution R-52-05: Extension to Contract for Medical Services at CC Detention Center
Resolution R-53-05: Senior Citizens Tax Fund Allocation for FY 2006
Resolution R-54-05: Mental Health/Mental Retardation Tax Fund Allocation for FY 2006
Claims: April 13, 2005
April 13, 2005 (Home Emergency Grant)
April 13, 2005 (Supplemental Claim)

Approved:

/s/ Steve Pendery
STEVE PENDERY
Campbell County Judge/Executive

Attest:

/s/ Sandra L. Mulligan
Sandra L. Mulligan
Fiscal Court Clerk