

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

January 4, 2012

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, January 4, 2012, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

Steve Franzen
Robert Horine
Melissa Williams
Jim Seibert
Paula Spicer
Keith Hill
Greg Buckler

County Attorney
County Administrator
Director of Administration
Fiscal Director
Fiscal Court Clerk
Campbell County Police Chief
Jailer

The meeting was called to order at 7:00 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 December 21, 2011 were presented. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter to approve the minutes as amended. All voted "AYE" and the motion passed.

Judge Pendery administered the Oath of Office to Campbell County Police Officer Donald Dornheggen II. Officer Dornheggen introduced the members of his family that were present.

Judge Pendery then invited comments from the public.

J R Roth, President, League of Kentucky Property Owners, stated that if you Google "Campbell County Fiscal Court" you are directed to a dead website with a link to the current website. He stated that despite asking several times that the agenda be put on the website, it is still not on there. Mr. Roth stated that people would be more interested in government if they knew what was going on at the meetings.

Eric Hermes, Campbell County resident, wished to notify the Fiscal Court about what he believes is possible illegal activity by one of the County's boards. He distributed copies of KRS 173.790 relating to public library districts and the legal way in which a library board can raise taxes. Mr. Hermes cited a portion of the statute regarding the need for a petition. He does not think that the library has been properly following the statute to raise taxes. Mr. Hermes then distributed a copy of KRS 173.520 regarding the proper way for a library board to borrow money and the limits of borrowing. He advised that he attended the Library Board's public hearings at which they stated that they'd need to borrow about \$5 million to construct the new library branch, however they also stated that their annual revenue is about \$4.5 million. He and several other people have brought these issues to the attention of the Library Board. Judge Pendery stated that he is aware of this and a request for an Attorney General's opinion has been made regarding raising taxes. He stated that the opinion will likely affect all libraries in the State. He thanked Mr. Hermes for bringing this to the Court's attention.

Charles Coleman, Alexandria resident, stated that at the last library board meeting that he attended, the board refused to answer questions. He asked the Fiscal Court questions about some of the terms of the Library Director's contract and the salaries of the Director and staff. Mr. Coleman stated that he is asking his questions of the Fiscal Court because the Library Board would not answer them at their meeting. He stated that he filed an open records request for and was provided a copy of the library's salary schedule. Judge Pendery asked Mr. Coleman to give him a list of the questions that he'd like answered by the Library Board and he will forward it to them.

Kevin Gordon, Wilder resident, stated that he attended the Health Department meeting and they do not take questions during their meetings. He asked if the Fiscal Court is comfortable with these unelected board members who spend tax money but do not respond to citizens' questions. Judge Pendery stated that there should be answers to questions, but they may not be addressed at the board meetings. Those board meetings follow a different format than the Fiscal Court and other meetings. Mr. Gordon proposed that the Judge/Executive or Fiscal Court suggest that these boards consider changing the format of their meetings. He further suggested that the boards have separate meetings open to the public for questions and answers, or set aside 15-20 minutes at their regular meetings to answer questions. Judge Pendery agreed that if people have questions, they should be able to get answers. He stated that the Fiscal Court would be happy to submit questions to the Library Board.

Linda Pfister, Campbell County resident, stated that her husband attended the Library Board meeting and was very angry when he came home calling the Board arrogant and saying that they didn't want to hear the public or answer their questions. She stated that the public should not be treated that way considering the amount of tax money that the Library Board gets.

Joe Powers stated that the Sanitation District (SD1) left a notice at property he owns stating that they need to get inside the property and to see attachments to the notice; there were no attachments. He stated that he has called four different phone numbers at SD1, but did not get to talk to anybody. He asked if the Fiscal Court could give him a phone number by which he could reach somebody there. Judge Pendery asked that Mr. Powers show them the notice that he received after the meeting and they could give him a phone number to try.

Melissa Williams presented old business beginning with a second reading of Ordinance O-18-11 by title. O-18-11 amends Campbell County Ordinance O-19-87 as amended and last amended by Ordinance O-05-11, relating to the Campbell County Detention Center Policy and Procedure Manual Sections on Administration, Sanitation and Hygiene and K-9 Unit. The sections on Administration and Sanitation and Hygiene are the first two sections to be revised as part of a complete overhaul of the Manual. The section on K-9 Unit is new. Jailer Greg Buckler was present to answer any questions. Commissioner Rechtin made a motion to adopt O-18-11, seconded by Commissioner Garrett. Steve Franzen advised that he has reviewed both the old manual and the proposed policies and recommends their approval. All voted "AYE" and the motion passed.

Resolution R-02-12 was read by title and summary given. R-02-12 authorizes the use of blue lights on certain vehicles of the Campbell County Detention Center. In 2011 legislation was adopted which allows certain county-owned jail vehicles to be equipped with blue flashing lights if approved by the Fiscal Court. The Fiscal Court wishes to approve the use of such equipment on certain Detention Center vehicles. Commissioner Rechtin made a motion to adopt R-02-12, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-01-12 was read by title and summary given. R-01-12 authorizes the County Judge/Executive to execute a Service Contract with the Greater Cincinnati Hazardous Materials Unit, Inc. for the provision of hazardous materials response, containment and mitigation. This is a renewal of the contract for 2012 with an annual cost of \$9,033.60. Commissioner Garrett made a motion to adopt R-01-02, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to appoint Barbara L. Leising to the position of Housing Specialist with compensation set at Grade 11A, \$17.4688 per hour (\$31,793 annually) effective January 9, 2012. This appointment fills a vacancy due to a resignation in the Housing Department. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to advance Todd J. Brocker from Road Maintenance Specialist II to Road Maintenance Specialist III with compensation set at \$24.4316 per hour (\$50,818 annually) effective January 5, 2012 in accordance with the current Local #286 working agreement. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to advance Robert Dieman from Police Officer Grade 1 to Police Officer Grade 2 with compensation set at Grade 10A \$18.3409 per hour (\$38,149 annually) effective January 10, 2012 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. Chief Keith Hill explained that after a year, the officer is eligible for promotion and Officer Dieman will now be under the Police Merit Board system. All voted "AYE" and the motion passed.

A motion was requested to reappoint Judge/Executive Steve Pendery to the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) for a one year term effective January 4, 2012

through December 31, 2012, with Melissa Williams appointed as his alternate. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. Judge Pendery explained that there are 120 members on OKI Board of Directors, 75 of which are elected officials. All voted “AYE” and the motion passed.

A motion was requested to reappoint Commissioner Ken Rechtin to the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) for a one year term effective January 4, 2012 through December 31, 2012 with Adam Caswell appointed as his alternate. The Fiscal Court discussed the fact that planning organizations such as OKI are required by federal law and explained how OKI has assisted the Kentucky Department of Transportation with traffic modeling and helped Campbell County get state funding for road projects and get some major road improvement projects included in the State’s six-year plan. The services and assistance provided by OKI are a good value for the County. J R Roth stated that this is the same unelected organization that wants to create a tax of \$20 per car to pay for the new Brent Spence Bridge. Judge Pendery stated that OKI can not create a tax or fee – they can only make suggestions on ways to fund the project and provide planning services. He stated that Northern Kentucky has been well-represented on OKI as Northern Kentucky Judge/Executives have served as president of OKI for 8 out of 14 years. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to appoint Paul Johnson to the Campbell County Public Library Board of Trustees to fill the unexpired term of Judy Voelker effective January 4, 2012 and through September 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. Commissioner Rechtin advised that a bill has been proposed changing the statute to offer the Judge/Executive the opportunity to make appointments to the Library Board, but it is still not the same as having an elected official on the Board. Judge Pendery and Commissioner Rechtin explained how the appointments to the Library Board are currently made. Judge Pendery stated that the appointments to various boards are governed by different statutes. All voted “AYE” and the motion passed.

Robert Horine requested a motion to meet in executive session at the end of regular business pursuant to KRS 61.810(1)(b) deliberations on the future acquisition or sale of real property by a public agency. He pointed out that no action will be needed after the executive session. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. All voted “AYE” and the motion passed.

Commissioner Garrett requested that Robert Horine contact the City of Ft. Thomas to see if their Recreation Commission has met to discuss the possible boat ramp in Ft. Thomas and their interest in paying half of the cost and maintenance. If they are not interested, the Fiscal Court should proceed with plans for Pendery Park or other location.

Judge Pendery announced that the next Campbell County Mayor’s Meeting will be held on Tuesday, January 24, 2012 at 6:00 p.m. at the Campbell County Administration Building.

Judge Pendery announced that the Christmas Tree Recycling event will continue through January 7, 2012 in cooperation with Northern Kentucky University and other cities in Campbell County.

Jim Seibert requested a motion to acknowledge acceptance of bonds for appointed and elected officials of Campbell County for 2012. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to approve the claims as presented for January 4, 2012. County Attorney Steve Franzen stated that he has reviewed the claims and all appear appropriate. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Seibert then updated the Fiscal Court on the bond refunding issue. He stated that he will attend a bond hearing in Frankfort on Thursday, January 5, 2012. He expects that the bonds will be sold on January 31, 2012 and hopes to get a rate of around 2.5%.

Commissioner Painter thanked everybody that came to the meeting and addressed the Fiscal Court. He stated that it is good to get feedback from citizens.

The Fiscal Court then met in executive session pursuant to motion previously made.

Motion was made by Commissioner Rechtin, seconded by Commissioner Painter to adjourn the executive session. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rechtin made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 8:25 p.m.

Attachments:

Ordinance O-18-11	Amend Jail Policy and Procedure Manual
Resolution R-02-12	Approve Installation of Blue Lights on Jail Vehicles
Resolution R-01-12	Contract with Greater Cincinnati Hazardous Materials Unit
Claims	January 4, 2012

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk