

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

September 20, 2005

A special (change of date) meeting of the Campbell County Fiscal Court was held on Tuesday, September 20, 2005, at 5:30 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID E. OTTO
KENNETH L. RECHTIN
MARK T. HAYDEN

Robert Horine	County Administrator
Laurie Dowell	Assistant County Attorney
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Peter Klear	Director, Planning & Zoning Department
Melissa Williams	Director of Administration
Josh Wice	Administration Analyst
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 5:30 p.m. by Judge Penderly. A moment of silence was called for by Judge Penderly, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Judge Penderly presented the minutes from the Fiscal Court meeting of September 7, 2005. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of September 7, 2005 be approved. All voted "AYE" and the motion passed unanimously.

Judge Penderly next asked if there were any public officials or citizens in attendance at the meeting who desired to address the Court. There were none.

Judge Penderly then requested items of Old Business be brought before the Court. Ms. Williams presented for second reading and passage consideration Ordinance O-10-05, which she read by title and provided a summary to the Court. She explained that this Ordinance amends an Agreement with the Cities of Crestview, Melbourne and Woodlawn to add the City of Southgate to the County and Municipal Board of Adjustment. She noted that Peter Klear, Director of Planning & Zoning, was present to answer any questions. There being no further discussion,

Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Ordinance O-10-05. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams presented for first reading Ordinance O-11-05, which she read by title and provided a summary to the Court. She stated that this Ordinance enacts and adopts the 2005 S-12 Supplement to the County Code of Ordinances, codifying Ordinances passed by the Fiscal Court from January 1, 2005 through June 30, 2005. No action is necessary on the Ordinance at this meeting, but will be acted upon at the next Fiscal Court meeting.

Ms. Williams then presented Resolution R-129-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the submittal of the Community Economic Growth Grant Project Proposal for the purpose of constructing parking areas in the vicinity of the planned County Administration Building. She noted that Mr. Horine and Mr. Wice were present to answer any questions. Mr. Horine stated that the General Assembly appropriated \$10 million in funds for economic development projects statewide. The County will submit a pre-application to seek funds for this project. In the vicinity of the County's new Government Services Center at 11th & Monmouth, additional parking is necessary. There are some blighted and underutilized properties in this vicinity and the request for grant funds will allow the County to acquire these properties and develop them for parking purposes. Mr. Horine stated that Mr. Wice has been working with the City of Newport to coordinate this project. Commissioner Otto stated that the County should also discuss the possibility of a transit center with TANK for future funds that might be available. Commissioner Rehtin commented that he disagrees with the placement of the new County Administration Building and the siting of it facing the back of 11th Street, and he also disagrees with the fact that the County is not purchasing the other two properties between the new building to be constructed and the Municipal Building. He is also not in total agreement with surface parking in an urban area. We are taking parking across the street, and forcing people to walk across Monmouth Street to get to the Fiscal Court Building. The new building is planned to only have 90 parking spaces and the County will have at least 110 people working in the building. This is an affront to the zoning in Newport and not accommodating the adequate parking. He stated that, with all of this said, he is in favor of and supports the idea that the County and City are working together to try to resolve the issue, and he recommends the County proceed with the submission of the grant pre-application, but also proceed to do a number of other things. He believes the County should determine who is making the application and what this entity looks like, whether it is an LLC or a public properties corporation, and who will own the property in the end. These issues will be important as we proceed jointly with the City of Newport, especially when acquiring properties for public parking. He would also like to see the County identify a better use for the monies, such as structured parking with the purchase of the remaining properties, and site the new building so that it relates to Monmouth Street and the Municipal Building. Mr. Horine confirmed that the County is eager to work with the City of Newport on this project, and has been engaged with the City, Trauth Dairy and TANK of the County's efforts in this regard. He suggested that the County will have further opportunity to refine this request as it proceeds in the process. He asked Mr. Wice when final applications would be invited. Mr. Wice stated that final applications would be requested within a month. Commissioner Rehtin stated that he would caution the County, as the Newport City Commission voted 4-1 in favor of this, and the County should establish a good deal of trust

between it and the City, and look toward establishing the entity that will be a joint venture between the two. Commissioner Hayden inquired as to the stages of the grant application. Mr. Wice stated that the pre-application will be scored by the Development District, and if this score meets their criteria, it will go on to the Governor's Office for Local Development, who will then invite the County to submit a full application. Mr. Horine added that final decisions on the grants will be made sometime in late Spring of 2006. There being no further discussion, Commissioner Rechten made a motion and Commissioner Otto seconded, to approve Resolution R-129-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-131-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution approves the execution of a contract with Edwards & Kelcey, et al., to provide professional services to update the Campbell County & Municipal Planning & Zoning Commission's Comprehensive Plan. She noted that Peter Klear, Director of Planning & Zoning, was present to answer any questions. Judge Pendery stated that the scope of this planning process will be a little different than usual, by getting the comprehensive plans of other jurisdictions reflected into the County's plan so that there is a more comprehensive result. Mr. Klear stated that the County established a new benchmark of quality when the transportation plan was being devised and all of the cities were invited to participate in the process. This process was very well received, and the County will establish the same process for the comprehensive plan. Commissioner Hayden stated that an advantage to having this consulting group involved is that it will maximize public participation in the process and it is extremely important that the County take the plan out to the cities and also to the southern end of the County to give people an opportunity to be heard and participate in the process of establishing the plan. Commissioner Rechten inquired as to which cities are already involved in the process. Mr. Klear stated that there are five member cities presently, leaving ten cities uninvolved. Two of those cities, Mentor and California, do not have planning and zoning whatsoever. Most of the eight remaining cities either recently completed their comprehensive plan updates, or are very close to completion. Commissioner Rechten then inquired as to the amount of money spent on comprehensive planning as a whole in Campbell County in comparison to what the County spends on its own. Mr. Klear stated that comprehensive plans by statute have to include certain things, which are universal. With fifteen cities and the county, these sixteen jurisdictions all have to have sixteen same elements, creating many duplications. He stated that it is hard to quantify the amount, because some cities process their plans internally, while some contract the process out. His estimate would range around \$250,000 for each update cycle. There being no further discussion, Commissioner Rechten made a motion and Judge Pendery seconded, to approve Resolution R-131-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to adjust the salaries of Officer Jeremy Newberry, per the Fraternal Order of Police Agreement, from Grade 10A (\$17.15/hr) to Grade 10B (\$17.58/hr) and Officer Nicholas Heiert from Grade 9A (\$16.33/hr) to Grade 9B (\$16.74/hr). There being no further discussion, Judge Pendery made a motion and Commissioner Rechten seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to adjust the police grade and salary of Officer Lana Helton, per the Fraternal Order of Police Agreement, from Grade III (11D-\$19.39/hr) to Grade IV (12B-\$19.84/hr). 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 adjust the police grade and salary of Officer Gregory Haigis, per the Fraternal Order of Police Agreement, from Grade III (11D-\$19.39/hr) to Grade IV (12B-\$19.84/hr). 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 adjust the police grade and salary of Officer Jason Faulkner, per the Fraternal Order of Police Agreement, from Grade III (11D-\$19.39/hr) to Grade IV (12B-\$19.84/hr). 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 Lori Goetz to the position of Administrative Analyst in the Administration department, effective September 26, 2005, with compensation set at Grade 11A (\$30,331 annually). There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine, County Administrator, stated he had nothing further to report at this meeting.

Judge Pendery then requested a report from the County Attorney's office. Ms. Dowell stated she had nothing further to report from the County's Attorney's office at this meeting.

Judge Pendery next requested reports from the Commissioners. Commissioners Otto, Rehtin and Hayden stated they had nothing further to report.

Judge Pendery then announced that the Fall Clean-Up dates for the County will be October 21, 22 and 23, 2005, noting that this is one of the most well-received programs in the County. He also announced that the Senior Citizens Picnic will be held on September 21, 2005 at Pendery Park. Mr. Horine pointed out that the picnic effort has been led by a committee consisting of Pat Dressman, Josh Wice and Diane Bertke, who have worked very hard with the support of countless other staff members and sponsors. He noted that there are more sponsors this year than in any other year. He thanked the committee for all of their hard work in getting the picnic together.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert requested a motion to authorize staff to solicit bids for the construction of a restroom facility for the Main Picnic Area at A.J. Jolly Park. He noted that funds have been budgeted for this construction. There being no further discussion, Commissioner Rehtin made a motion and Judge Pendery seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented Resolution R-130-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution approves a one-year extension to

the Concession Services Contract for A.J. Jolly Golf Course. There being no further discussion, Commissioner Otto made a motion and Commissioner Hayden seconded, to approve Resolution R-130-05. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next presented for first reading Ordinance O-12-05, which he read by title and provided a summary to the Court. He stated that this Ordinance amends the Fiscal Year 2006 General Fund Budget to include the funds from the State that will be used for the replacement of the Jerry Wright Road Bridge. This adjustment needs to be made to allow for emergency road funds that were received. No action is necessary on the Ordinance at this meeting, but will be acted upon at the next Fiscal Court meeting.

Mr. Seibert then requested a motion to authorize the purchase of three Ford Crown Victoria Police Interceptor Package Unit vehicles, and one Ford Crown Victoria Police Investigative Package Unit vehicle, at a total purchase price of \$79,710, from the State Contract for the Campbell County Police Department. Judge Pendery inquired as to the difference between the two package units. Chief Hill stated that an Interceptor unit contains all the lights, heavy duty suspension, and more torque, where the Investigative unit is similar to the car that can be bought on the street. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Otto seconded, to approve the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next requested a motion to accept the 2005 tax rates for all countywide taxing districts, excluding school districts, for Fiscal Year 2006. There being no further discussion, Commissioner Rechtin made a motion and Judge Pendery seconded, to approve the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then requested approval of the Transfers being presented at this meeting. There being no further discussion, Judge Pendery made a motion that the Transfers be approved, and Commissioner Rechtin seconded the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. Assistant County Attorney Dowell advised that County Attorney Verst had reviewed the Claims and that they appeared to be appropriate. There being no further discussion, Commissioner Otto made a motion that the Claims be approved, and Commissioner Rechtin 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 Rechtin, seconded by Judge Pendery, that the meeting be adjourned. All voted “AYE” and the meeting was adjourned at 5:58 p.m.

Attachments:

- Ordinance O-10-05: Amendment of Cities Agreement Regarding County and Municipal Board of Adjustment
- Ordinance O-11-05: Approval of Supplement to Code of Ordinances
- Ordinance O-12-05: Amendment to FY06 General Fund Budget
- Resolution R-129-05: Community Economic Growth Grant

Resolution R-130-05: Approval of Extension of Concession Contract for A.J. Jolly Park
Resolution R-131-05: Contract for Services for Update to Comprehensive Plan
Transfers: September 20, 2005
Claims: September 20, 2005

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk