

**CAMPBELL COUNTY FISCAL COURT
MINUTES
APRIL 7, 2004**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 7, 2004, at 7:00 p.m. at the Alexandria Courthouse, 8352 E. Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
KENNETH RECHTIN
WILLIAM VERST

Robert Horine	County Administrator
Jim Seibert	Fiscal Director
Justin Verst	County Attorney
David Sandfoss	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Peter Klear	Director, Planning & Zoning
Darlana Brown	Director of Housing
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk
Tony Bacigalupo	Fiscal Court Intern

Commissioner Otto was absent.

The meeting was called to order at 7:00 p.m. by Judge Pendery. 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 not covered by *Government Access*.

Judge Pendery presented the minutes from the regular Fiscal Court meeting of March 17, 2004. It was moved by Commissioner Rechtin and seconded by Commissioner Verst that the minutes of the Fiscal Court meeting of March 17, 2004 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.

Judge Pendery then introduced Tony Bacigalupo, an Administrative Intern with the Campbell County Fiscal Court, who was present to provide information to the public on the "Parents Who Care Program." Mr. Bacigalupo thanked the Court for allowing him to speak at the meeting. He stated that he had been assisting the County with a drug prevention program for approximately 6 months. The program has been funded with the help of U.S. Senator Mitch McConnell by a congressional earmark, which was established to attack some of the recent drug problems in the County. Through his research, he has found that per capita, Kentucky is one of the largest drug

abusers in the nation. He hopes that this program will help to combat that rating. He noted that he had attended some drug summits, one being held at the Convention Center by Governor Fletcher. Governor Fletcher has traveled throughout the State in an attempt to combat the drug problem, especially in Eastern Kentucky with the rise of Oxycontin abuse. The main point of the "Parents Who Care" program, which is put on by North Key Community Care Center, is to get parents involved. Where D.A.R.E. focused on getting students involved with prevention, "Parents Who Care" focuses on open communication with parents regarding alcohol abuse, drug abuse, violence, and encouraging their children to be all-around better people. Mr. Horine asked when the program would be held. Mr. Bacigalupo stated that the first meeting of "Parents Who Care" was being held that evening, and would continue for the next 5 weeks. All classes will be held at the Highland Heights Civic Center, from 6:30 p.m. to 8:30 p.m. He invited all citizens to attend, noting that if the program proves to help someone with these problems, it will be a success.

Judge Pendery then requested Chief David Sandfoss and Jeremy Newberry to come forward for Mr. Newberry's swearing in with the Campbell County Police Department. Mr. Newberry is a lifelong Campbell County resident, a graduate of Campbell County High School, with a B.A. in Criminal Justice from Northern Kentucky University, and a Master of Science in Criminal Justice from the University of Cincinnati. Mr. Newberry took the Oath of Office with Judge Pendery and swore to uphold the Oath. He then introduced his parents, Denny and Paula, and his wife, Katie. Commissioner Verst commended Mr. Newberry on obtaining his Masters degree by the age of 24 and stated that the County has made tremendous strides under Chief Sandfoss to develop the Department by hiring qualified candidates, not many of which have come through with the credentials that Mr. Newberry has.

Judge Pendery next requested items of Old Business be brought before the Court. Ms. Williams advised that the first order of Old Business was the second reading and passage consideration of Ordinance O-06-04. She explained that this Ordinance regulates parking during school hours on Mallard Drive, and was being requested and petitioned by residents on Mallard Drive. Parking would be limited to 4 hours during the period of 7:00 a.m. to 3:00 p.m. on school days. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Ordinance O-06-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Ordinance O-07-04 for second reading and passage consideration. She explained that this Ordinance updates the Official Zoning Map for Unincorporated Campbell County to rezone an approximate 32-acre site from Rural Residential Estate Phased (R-RE(P)) to Residential One C (R-1C) and a 23-acre site from Rural Residential Estate Phased (R-RE(P)) to Residential One C (R-1C) at Ponde Creek Crossing, at the request of Mr. James Berling. She stated that the Planning & Zoning Commission recommends approval. She noted that Peter Klear, Director of Planning & Zoning, was present to answer any questions. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Ordinance O-07-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Ordinance O-08-04 for second reading and passage consideration. She explained that this Ordinance amends the text of the Official Zoning Ordinance for Unincorporated Campbell County, Article X (Section 10.1(C)) to add "kennels" as a conditional use in an A-1 Agricultural One zone. There being no further discussion, Commissioner Rehtin

made a motion and Commissioner Verst seconded, to approve Ordinance O-08-04. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams advised that the first order of New Business was a motion to proclaim the month of April, 2004 as "Child Abuse Prevention Month" and urge citizens to take measures to prevent child abuse. The Proclamation was requested by The Family Nurturing Center, by Board Member Donna Bloemer, and Holly Hill Children's Home. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-25-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes a temporary off-site Motor Vehicle Sales Event at the NKU campus for May 27 through May 31, 2004. The Resolution was requested by Rick Warner & Associates, Inc. She noted that Peter Klear, Planning & Zoning Director, was present to answer any questions. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Resolution R-25-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-26-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution approves the FY 2005 Budget in the amount of \$3,376,527 for the Campbell/Pendleton Counties HUD Housing Choice Voucher Rental Assistance Program, and authorizes the submission to HUD of Forms 52673-Estimate of Total Contributions Required, 52672-Supporting Data for Annual Contributions Estimates, and 52663-Requisition for Partial Payment of Annual Contributions. She noted that Darlena Brown, Director of Housing, was present to answer any questions. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-26-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-27-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges the submission of a project application for funding from Kentucky Transportation Enhancement Funding for 2004 for construction of the second phase of River Path Linear Park (bike/walking path project) from the Melbourne border to Four Mile in Silver Grove, Kentucky. She advised the Court that this project was rejected for a CMAQ grant, and the State of Kentucky recommended the County resubmit it as a TE application. She noted that the application was submitted prior to the meeting, since it was due in Frankfort by March 31, 2004. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-27-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to appoint Ron Dozier as Pro Shop Assistant/Starter, Grade 6M, \$11.71/hr., and Kyle Uthe as Starter/Pro Shop Attendant, Grade 4F, \$7.79/hr. at the A.J. Jolly Clubhouse, both effective April 7, 2004. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Albert Wald in Recreation Maintenance for the 2004 Park Season effective April 7, 2004 through the 2004 Park Season, with salary at the rate of

\$9.15/hr. There being no further discussion, Judge Pendery made a motion and Commissioner Rechlin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to authorize the distribution of 2004 Park Passes to A.J. Jolly Park for Campbell County Fiscal Court Employees and Detention Center Employees. There being no further discussion, Judge Pendery 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 Alan Spangler to the Fire District #1 Board of Trustees to fill the unexpired term of Greg Schultz, who resigned due to moving out of the District. This appointment is effective April 7, 2004 through June 30, 2007. She noted that Mr. Spangler was present at the meeting. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously. Judge Pendery welcomed Mr. Spangler to the Board and thanked him for his willingness to serve.

Judge Pendery next requested reports from Staff. Mr. Horine, County Administrator, reported that the County is in the process of identifying architectural firms that might be able to provide design services for the County on current projects, one of which would be the design of a new County Administration building, and the other of which is a multi-phase expansion of the Campbell County Jail. Requests for Qualifications (RFQ's) were sent to numerous firms who have contacted the County over the course of the last year and a half to let the County know they were interested in this regard. The availability of this request was also advertised. The qualifications are due at the County offices on April 15, 2004, after which time the qualifications will be reviewed and ultimately narrowed down to a small list of firms to be interviewed and asked to submit formal proposals. Updates throughout the process will be given to the Court prior to a request for approval of a firm to conduct the work on these projects.

Judge Pendery then requested a report from the County Attorney. Mr. Verst stated that he had been contacted by Richard Paynter who owns property on Poole's Creek Road #2. Mr. Paynter has had considerable problems with the septic system on his property. He would like to tap into a sewer manhole which is located west of his home, and he will need to extend a sewer line lateral within the right-of-way of Poole's Creek Road #2. Mr. Paynter has indicated that he or his plumber had contacted Ken Schultz, Road Department Supervisor, and the extension of the sewer line lateral has been approved by Mr. Schultz. Since the next meeting of the Fiscal Court will be a special meeting, Mr. Verst requested a Resolution authorizing the Judge/Executive to execute a Deed of Easement to Richard and Rosalee Paynter, granting them permission to run a sewer lateral line along the right-of-way involved and to tap into an existing sanitary sewer line or manhole along the subject road; conditioned upon approval of Road Department Supervisor, Ken Schultz, and Director of Planning & Zoning, Peter Klear. The Resolution would be numbered R-28-04. Mr. Klear was present at the meeting and stated he had no problems with the Easement, with the exception that the name of the street is no longer Poole's Creek Road #2, but Dry Creek Road. There being no further discussion, Commissioner Rechlin made a motion and Commissioner Verst seconded, to approve Resolution R-28-04. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from the Commissioners. Commissioner Verst congratulated Judge Pendery on celebrating his 50th birthday, and also congratulated Coach Mike Bankemper and the Campbell County High School Wrestling Team on winning the State Championship this year.

Commissioner Rechtin stated he had nothing further to report.

Judge Pendery then made the following announcements: (1) the starting time of the Fiscal Court meeting scheduled for April 21, 2004 would be changed from 5:30 p.m. to 5:00 p.m., due to scheduling conflicts. The meeting will still be held at the Fiscal Court Building, located at 24 W. 4th Street, Newport, Kentucky; (2) the Campbell County Mayors' Meeting is scheduled for Tuesday, April 20, 2004 at 7:30 a.m. at the Wilder City Building; (3) the Campbell County Police Academy begins April 6. If a citizen is interested, they can contact Lt. Armstrong at the Police Department; (4) the Newport Central Catholic Baseball Team held a ribbon cutting ceremony today at their new home baseball field located at Morscher Park, Silver Grove, Kentucky; and (5) groundbreaking for the new Senior Center addition is scheduled for Monday, April 19, 2004 at 3:30 p.m. at the Senior Center, 3504 Alexandria Pike, Highland Heights.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert acknowledged for the record that Jailer Greg Buckler submitted his FY 05 budget to the Campbell County Fiscal Court prior to the Kentucky Statutory requirement of April 1, 2004.

Mr. Seibert then requested a motion to approve payment of the final two invoices from the CDBG Water Grant on the Subdistrict D project in the amount of \$179,410, subject to receipt of CDBG funds. The Northern Kentucky Water District will receive \$175,410 and Atkins-Elrod Associates will receive \$4,000, the final payment not to occur until the Kentucky Department for Local Government approves all project closeout documents. There being no further discussion, Commissioner Rechtin made a motion, and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Siebert next requested approval of the Budget Transfers being presented at this meeting. These transfers will balance out accounts and put funds into the proper line items. There being no further discussion, Commissioner Rechtin made a motion, and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. County Attorney Verst advised that he had reviewed the claims and that they appeared to be appropriate. There being no further discussion, Commissioner Verst made a motion that the Claims be approved and paid. 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 Commissioner Verst, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 7:28 p.m.

Attachments:

Ordinance O-06-04: Regulation of Parking on Mallard Drive

Ordinance O-07-04: Update of Official Zoning Map to Rezone 32-Acre Site and 23-Acre Site at Ponde Creek Crossing

Ordinance O-08-04: Amendment of Official Zoning Ordinance to Add “Kennels” as
Conditional Use in A-1 Zone
Resolution R-25-04: NKU Motor Vehicle Sales Event
Resolution R-26-04: Department of Housing FY 2005 Operating Budget
Resolution R-27-04: Project Application for Bike/Walking Path
Resolution R-28-04: Deed of Easement – Richard and Rosalee Paynter
Proclamation: Child Abuse Prevention Month
Transfers: April 7, 2004
Claims: April 7, 2004
April 7, 2004 (Home Emergency Grant)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk