

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

NOVEMBER 15, 2017

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, November 15, 2017 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the 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
Paula Spicer	Fiscal Court Clerk
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager
Lieutenant Thomas Nitschke	Campbell County Police Department

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting.

Judge Pendery announced that Troy Sheldon had passed away recently. Mr. Sheldon was a businessman who served the community and Fiscal Court in many ways including as a member of the Tri-ED Board and 4th District Chairman of the Republican Party. He then 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 November 1, 2017 were presented. Commissioner Lampe made a motion to adopt the minutes as corrected, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery recognized the participants of the first Campbell County Citizens Academy that were present. He stated that the purpose of the academy was to learn more about the community, the government and leadership efforts to build a stronger more vibrant economy and better place to live.

Judge Pendery called on Taunya Nolan Jack who introduced Commissioner John-Mark Hack, Kentucky Transportation Cabinet, Department of Vehicle Regulation to speak about changes in driver's license laws that were adopted by the Kentucky General Assembly in 2017. Commissioner Hack explained the Real ID Act, a federal law passed in 2005 in response to the 911 attacks in which US drivers' licenses were used to board the aircraft used to crash into the World Trade Center and in Pennsylvania. The Real ID act has been slowly implemented by states throughout the country. HB 104 signed by Governor Bevin in 2017 will enable the State to come into compliance with federal law and modernize Kentucky's driver's license system. He explained why Kentucky's system is not in compliance. Kentucky's current system has a higher risk of fraud compared to other systems. The aim of the new law is to protect the personal identity information of Kentucky drivers and ID card holders, prevent driver's license and ID card fraud, modernize and secure the system of driver license issuance and come into compliance with federal law. The new system that brings Kentucky into compliance with the federal law will not be effective until January 1, 2019. It creates a two-tier driver license and personal ID card system. One is a voluntary travel ID (either a driver license or personal ID card) that may be issued if certain information is presented to the Circuit Court Clerk's office. This will enable holders to board commercial domestic air flights and enable entrance in certain federal facilities and military bases. The new licenses beginning in January 2019 will be valid for eight years at a cost of \$48. Residents may continue to get the standard Kentucky driver's license that will also be valid for eight years at a cost of \$43, however it cannot be used for federal identification purposes. The Circuit Court Clerks will still be the point of service, but the legal issuance authority beginning in 2019 rests solely with the Kentucky Transportation Cabinet. The bill also ensures that all personal identity information is stored only in State databases that are not shared with other states or federal government except for the strictly limited purpose of fraud protection. The Department of Transportation (DOT) has been working since the law passed to implement it as quickly as possible. They recently received an extension from the US Department of Homeland Security to allow them to build and implement the new system. The current extension expires October 10, 2018 and Commissioner Hack expects that they will apply for another extension to get into full compliance. He stated that the contract with the current private vendor that supplies the materials needed to make and issue driver's licenses expires in 2018. DOT has issued an RFP, is evaluating the responses and expects to name a new vendor next week and have a contract by December 2017. DOT has been in constant communications with other agencies during this process. It will conduct a public service campaign to inform Kentucky residents of the changes. When fully implemented Kentucky will have one of the most secure and technologically advanced systems in the nation. He described how the new driver's license cards would look different. DOT will begin communicating renewal procedures next year. Current driver's licenses will be good to board domestic air flights until the new system is implemented. Commissioner Hack advised that DOT will no longer mail postcards to remind residents when their licenses expire. He then distributed a handout containing Frequently Asked Questions which he reviewed. Commissioner Hack answered questions. Judge Pendery thanked Commissioner Hack for his presentation.

Judge Pendery asked the Citizens Academy participants to stand and be recognized.

Finding that no one had signed up to speak, Judge Pendery proceeded with the agenda. Mr. Jim Cole then stated that he had a question about Resolution R-104-17 and whether the bond issue

will affect the County's bond capacity and its credit rating. Judge Pendery stated that his questions will be addressed during the discussion of the Resolution.

There being no old business, Paula Spicer presented new business with Resolution R-104-17 by title. R-104-17 declares Campbell County's intent to issue, sell, and deliver, from time to time or at one time, one or more series or issues of its revenue bonds in an aggregate principal amount not to exceed \$18,000,000 pursuant to the provisions of the Kentucky Revised Statutes, Chapter 103, as amended, in order to make the proceeds thereof available to the company (hereinafter defined) for the purpose of financing the cost of the acquisition, improvement, construction and installation of certain facilities at its plant located in the County; making certain findings required by the act; authorizing the scheduling, publication and holding of a public hearing pursuant to Section 147(F) of the Code (hereinafter defined); and authorizing certain other actions in connection with such revenue bonds. Commissioner Lampe made a motion to adopt R-104-17, seconded by Commissioner Painter. Attorney Jim Parsons explained that the bonds are for a proposed expansion at Continental located in Silver Grove. Campbell County has issued bonds like these before; it is not debt of the County and does not affect the County's credit rating. He explained the benefits of tax-exempt bonds. Mr. Parsons stated that this resolution expresses intent to issue the bonds; the next step would be a public hearing on the issue. The County has been asked to issue the bonds because the City of Silver Grove does not have the staff or capacity to issue the bonds. Commissioner Painter stated that this is what IRB's are supposed to be used for and may generate more jobs or enhance current jobs. All voted "AYE" and the motion passed.

Resolution R-105-17 was read by title. R-105-17 approves Kyle Stevie for the Campbell County Property Assessment and Reassessment Moratorium Program for properties at 1011 and 1013 South Fort Thomas Avenue, Fort Thomas, Kentucky. Commissioner Lampe made a motion to adopt R-105-17, seconded by Judge Pendery. Commissioner Coleman stated that there was originally was some confusion with Mr. Stevie, and asked Mr. Cutter to explain. Mr. Cutter advised that the Fiscal Court adopted its Property Assessment Moratorium Program last year and shared the application and process with all cities in the County. The City of Ft. Thomas has a companion program and its economic development office incorrectly told Mr. Stevie that he only needed to submit one application for both the City and County program. Because of that and other delays, the Fiscal Court just received Mr. Stevie's application a few weeks ago. In answer to Commissioner Coleman's question, Mr. Cutter stated that the County's program is for commercial property or mixed-use property if the majority of it is a commercial use. One of the applicant's properties is commercial and the other is a mixed use. The County's program does not include residential properties; some of the cities' programs incentivize residential uses. All voted "AYE" and the motion passed.

Resolution R-107-17 was read by title. R-107-17 authorizes the Judge/Executive to execute an Order of Affiliation with the Campbell County LandSAR team for 2018. Judge Pendery made a motion to adopt R-107-17, seconded by Commissioner Painter. At Commissioner Coleman's request, Mr. Elberfeld explained that Campbell County LandSAR is an all-volunteer organization that responds to calls for missing persons. The organization has saved the County a lot of time and money. It has also assisted the State and other agencies. All voted "AYE" and the motion passed.

Resolution R-108-17 was read by title. R-108-17 authorizes the Judge/Executive to enter into a contract with the Commonwealth of Kentucky to accept Emergency Management Performance Grant Funds to support operation of the Campbell County Office of Emergency Management. Commissioner Lampe made a motion to adopt R-108-17, seconded by Commissioner Painter. Judge Pendery stated that the County generally receives between \$28,000-\$34,000 to offset the cost of operations. All voted "AYE" and the motion passed.

Resolution R-103-17 was read by title. R-103-17 adopts the 2018 holiday schedule for the Campbell County Fiscal Court employees. Judge Pendery made a motion to adopt R-103-17, seconded by Commissioner Lampe. Mr. Elberfeld advised that it is the same number of holidays as in 2017. Commissioner Coleman pointed out that the resolution says "spring break" while the attached schedule says "spring holiday", and asked why it is not listed as "Good Friday". Mr. Franzen stated that there have been some federal lawsuits over this and the judge ordered that calling the holiday "Good Friday" was not appropriate and that "Spring Holiday" would be sufficient. Commissioner Coleman pointed out that "Christmas" is listed as a holiday. All voted "AYE" and the motion passed.

Resolution R-106-17 was read by title. R-106-17 modifies Sections 320 (Hours of Work and Overtime) and 330 (Performance Standards) contained in Chapter 3 (Personnel Policies and Procedures) of the Administrative Code to reflect adoption of a merit pay program for employees of the Fiscal Court not covered by a Working Agreement. Judge Pendery made a motion to adopt R-106-17, seconded by Commissioner Painter. Judge Pendery stated that this is just the first step in a merit pay system. Mr. Elberfeld stated that the Fiscal Court normally gives cost of living increases that are across the board. This is a dated model and some employees have expressed interest in a merit-based system. The first step is to amend the Administrative Code to allow it, and if the Fiscal Court wants to proceed, staff will finalize the process and explain it to the Fiscal Court members individually. He explained that instead of asking for a 3% raise every year for everybody, staff would ask the Fiscal Court for a pool of money and then, based on employee evaluations, determine who are the top performers get them more money. The key to this system is the managers giving consistent employee evaluations. This resolution is the first step and gives staff guidance to work out the details to be brought back to the Fiscal Court. Commissioner Coleman asked how long this has been studied and what are the pros and cons. Mr. Elberfeld stated that staff has talked about it for 2-3 months. Some of the pros are that high performers are rewarded, and it makes employee evaluations more important. Some cons are it puts more importance on managers giving consistent and fair employee evaluations, and it is sometimes hard in the public sector to measure performance. Outside professional help would be employed to develop evaluation tools and training. It is complicated, however County employees have been asking for this type of system. Commissioner Coleman then asked how they would remove the politics from the system. Mr. Elberfeld stated that he would hope that directors/managers would not be involved in politics. Office politics are tough and they will rely on professional training to guide directors. There are down sides to this system, but he thinks that it is worth trying. Commissioner Coleman stated that there are some supervisors that supervise their relatives. Mr. Elberfeld stated that there is one such situation; however seasonal and part-time employees do not get evaluated and would not be subject to the merit system. Commissioner Coleman asked if there were some full-time employees that are related. Mr.

Elberfeld could not think of any in supervisory roles. Commissioner Coleman stated that there are people in supervisory positions that have relatives working for the County. Mr. Elberfeld stated that they can look into that and pointed out that he performs an extra level of review on evaluations. Commissioner Coleman asked how the merit system will save money. Mr. Elberfeld stated that it may not save money but spends the County's money better. The same amount of money may be spent but it may be distributed better; he cannot guarantee any savings. Commissioner Coleman asked if the money would be taken away from an employee if they receive a merit raise and then their performance falls. Mr. Elberfeld stated that he does not think that the raise would be taken away, but the employee would be evaluated again. If someone dramatically stops performing there are other ways to deal with it. Judge Pendery reminded that this is just the first step. There will be time to get comments and criticisms from employees and from the Fiscal Court. Mr. Elberfeld stated that staff would talk to the Fiscal Court individually to explain the process. He stated that Boone County uses a merit pay system and Kenton County is considering it. The Northern Kentucky Area Development District, OKI and the Water District also use a merit system. Commissioner Coleman stated that it seems it would be bad for morale. Mr. Elberfeld agreed that it could, but there are some employees that feel the current system is bad for morale. Commissioner Coleman stated that employees not producing should be given an improvement plan and if they do not improve, they should be fired. He had recommended just that several times for an employee that he knew was not doing the job and there never was an improvement. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

Judge Pendery made a motion to appoint Kayla McDaniel to the position of Lead Animal Technician at the Campbell County Animal Shelter effective November 20, 2017 with compensation set at Pay Grade 11, \$16.00 per hour or \$33,280.00 annually with total annual benefit cost of \$16,570.00. Commissioner Lampe seconded the motion. Mr. Elberfeld stated that this position was formerly known as the Assistant Shelter Manager. When the Assistant Shelter Manager was promoted, staff changed it to Lead Animal Technician to save about \$5,500 per year. All voted "AYE" and the motion passed.

Judge Pendery made a motion to authorize staff to advertise, interview and hire to fill the vacant full-time Animal Technician position. The vacancy is due to the promotion of Kayla McDaniel. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to reappoint Richard Barto to the Campbell County Cable Board for a three-year term effective July 1, 2017 through June 30, 2020. Commissioner Painter seconded the motion. All voted "AYE" and the motion passed.

Commissioner Coleman congratulated Eric Hermes who was appointed by the Governor to the Gateway College Board. Mr. Hermes is a Campbell County resident.

Judge Pendery announced that the Campbell County Animal Shelter will sponsor Holiday Pet Photos with Santa on Saturday, December 2, 2017 from 9am to 1pm at the Shelter. For a \$5 donation, you may take photos with your own phone/camera, and for a \$7 donation, Shelter staff will take the photos and email them to the owner. All donations benefit the animals at the Shelter.

Matt Elberfeld requested a motion to accept the proposal of AMK Services in the amount of \$72,494.05 for radio communications equipment for the Campbell County Office of Emergency Management. Due to the lower than anticipated cost, OEM requests the purchase of three additional units bringing the total cost to \$85,328.55. OEM has received a Special Project Emergency Management Performance Grant from the State in the amount of \$85,291.50 that will reimburse the County for 50% of the cost up to \$42,645.75. At the last meeting, the Fiscal Court extended the current agreement for OEM funding in order to accept this grant money. Mr. Elberfeld stated that two bids for radios were received in response to the County's request: Harris bid \$5,390 per unit, and Motorola bid \$5,766 per unit. Both were below the anticipated cost enabling them to purchase three more radios in order to maximize the grant. This is an example of one of the benefits of the new 800Mhz system which is non-proprietary. The infrastructure bid was awarded to Motorola, however Harris radios will work with the system and the County is able to accept a lower bid. Motion was made by Commissioner Painter, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Commissioner Painter made a motion to reject all bids received through the reverse auction administered by KACo for Detention Center body scanners. The Detention Center has been exploring the use of body scanners and is looking into options. The models available through the KACo reverse auction were not going to be a good fit, so they will continue to look at other options. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

A motion was requested to approve budget transfers as presented for November 15, 2017. Mr. Elberfeld stated that the transfers do not change the overall budget they only reallocate certain funds. Motion was made by Commissioner Painter, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims and supplemental claims as presented for November 15, 2017. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Commissioner Lampe made a motion to approve the claims and supplemental claims, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 6:42 p.m.

Attachments:

Resolution R-104-17 Industrial Revenue Bond Issue
Resolution R-105-17 Property Assessment and Reassessment Moratorium
Resolution R-107-17 Order of Affiliation with Campbell County LandSAR
Resolution R-108-17 Contract for Emergency Management Performance Grant Funds
Resolution R-103-17 Adopt 2018 Employee Holiday Schedule
Resolution R-106-17 Amend Administrative Code

Budget Transfers Dated November 15, 2017
Claims and Supplemental Claims Dated November 15, 2017

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk