

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

April 6, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, April 6, 2016, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

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
Marie Schenkel	Finance Director
Colonel Craig Sorrell	Campbell County Police Department
Frank Spataro	Human Resources Director

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 March 16, 2016 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Lampe to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Erik Hermes, Campbell County resident, addressed the Fiscal Court on the needle giveaway/exchange program that may be coming up for a vote in the near future. He asked why this program is needed as there is not enough data to substantiate spending tax payers' money on giving away needles to drug users. He stated that it doesn't do anything for the heroin epidemic except to perpetuate it. Mr. Hermes stated that he was told that the program will help with the spread of HIV and Hepatitis C. He stated that the major cause of the spread of HIV is through sexual contact and the spread of Hepatitis C is really unknown. He reiterated that the data is not there to substantiate spending the money on this program that isn't proven that it's needed and

asked how the success of this program will be measured. He understands that there is somebody on the Fiscal Court that has or had some involvement with St. Elizabeth. St. Elizabeth is involved with the needle giveaway/exchange and he thinks it would be in the best interest of the Fiscal Court that the person involved with St. Elizabeth recuse themselves from voting. He thinks that it would be a major ethics issue or violation if they don't. Judge Pendery stated that the topic of needle exchange was not on the agenda but it will be on the agenda at a future meeting and he appreciated Mr. Hermes brevity.

Dan Hull stated that (the heroin epidemic) is a sad thing and his own son is involved in it. He stated that if his son came to him overdosed he would call 911 only after his eyes don't dilate anymore. He believes that if somebody is dumb enough to get involved and wants to kill themselves then more power to them. He does believe in rehab programs, he would do anything to help a person rehab.

Judge Pendery stated that there are good statistics and when the Fiscal Court treats the subject of heroin, he hopes that it will be done in a comprehensive way. He wants to look at a broad spectrum of things that are already being done so that people get an opportunity to see that the community has come together to work out solutions to beat the heroin problem in Northern Kentucky.

Judge Pendery acknowledged a late arrival. He stated that they had just ended a discussion that was anti-needle exchange. He guessed that this gentleman was pro-needle exchange. Judge Pendery asked that comments be kept brief since the subject is not on the agenda.

Noel Stegner, a Campbell County resident who lost his grandson to heroin about three years ago, stated that northern Kentucky has come a long way regarding education about heroin addiction, but there are a lot of misconceptions. He stated that there are over 225 needle-exchange programs in the United States, some for over thirty years, and research has shown that people participating in needle exchange programs are 25% more likely to enter a drug treatment program and the number of HIV cases have dropped. Mr. Stegner asked those present to consider addiction as a disease and take one step at a time to fight it. It's not just about syringes, but more beds, hotlines and understanding that it is a disease. He talked about his grandson's battle with addiction. He stated that 60-70% of heroin addicts have other mental problems. Mr. Stegner stated that needle exchange along with support groups is part of the answer to this crises. Judge Pendery stated that the heroin issue is an all-encompassing problem in Northern Kentucky. The Fiscal Court has worked with others in the community to address the problem in each of its stages. He stated that there will be a meeting in the future to explain what Campbell County has been doing to fight the heroin epidemic which continues to worsen. There have been 1,168 admissions to St. Elizabeth for overdoses and over 500 deaths in the last three years due to heroin. Boone, Campbell and Kenton are leading all counties in Kentucky in the number of overdoses.

Kristi Blanchet, Chairperson for People Advocating Recovery of Northern Kentucky, distributed information from the Northern Kentucky Health Department regarding Hepatitis C and HIV rates in the area. She provided some statistics on the rising rates since 2012. She advised that studies show that one way to slow the increase is through a syringe access exchange program. Ms.

Blanchet stated that she is most concerned about law enforcers and first responders and their exposure to disease due to dirty needles and other items used by addicts. Ms. Blanchet advised that Hepatitis C treatment costs \$80,000-\$100,000 per person, while HIV treatment costs \$300,000-\$600,000 over a person's lifetime. She stated that cities with needle exchange programs have reduced the chance of accidental needle sticks by police officers by 66%. This makes the idea of a needle exchange program very well worth it. The Northern Kentucky Health Department has done a good job of creating a Syringe Access Exchange Program that will also include access to counseling, treatment and everyday health care. Ms. Blanchet stated that 70-80% of all users started out with prescription drugs. She then talked about the successes of programs in other cities. She further stated that a recent CDC report named Northern Kentucky as having a very high risk of an HIV outbreak. Judge Pendery invited Ms. Blanchet to attend the meeting when the heroin discussion is on the agenda. He stated that somehow people thought that there was going to be discussion about needle exchange program at this meeting and he spent a good portion of the day calling people to tell them that it was not on the agenda.

Rob Hans, Chief District Engineer, Kentucky Transportation Cabinet District Six, opened a presentation on the Cabinet's recommendations for Fiscal Year 2016-2017 Rural Secondary Road funds. Also in attendance from District Six were Andy Yeager and Rob Allender. Andy Yeager advised that the total allotment this year for Campbell County is \$669,121, less \$203,400 for maintenance and traffic, \$100,368 for Flex Funds and \$3,862 for County administrative expenses. The remainder plus a free balance from last year nets \$466,891 for State rural secondary road projects. Mr. Yeager listed three projects on Carthage Road, Flagg Springs Pike and Oneonta Road that are recommended by the Transportation Cabinet for use of Secondary Road funds and a project on Kenton Station Road recommended for use of Flex Funds. Mr. Yeager explained the selection process that was used. Judge Pendery expressed his appreciation for the work done by District. Mr. Hans answered questions from the Fiscal Court. Mr. Hans explained that the decrease in the County's allotment and in the Department's capital improvement program this year is due to a decrease in the Motor Fuel Usage Tax. Judge Pendery stated that the recommendations will be forwarded to the County's Road Supervisor for his review.

Debbie Buckley addressed the Fiscal Court on behalf of the Campbell County Conservation District Board. Ms. Buckley stated that Soil & Water Stewardship Week is April 24 through May 1, 2016, and read a proclamation signed by Judge Pendery. Ms. Buckley talked about upcoming events and programs sponsored by the Conservation District. Judge Pendery thanked Ms. Buckley for her presentation.

There being no old business, Paula Spicer presented new business with Resolution R-22-16 by title and summary. R-22-16 authorizes a transfer of FY16 Mental Health/Intellectual Disability Payroll Tax allocation for Ten Ten. Ten Ten requested that \$2,346.50 allocated to its Bus Pass and Drug Testing Assistance Programs be transferred to its Drug Education Program due to a greater need for services provided by that program. Commissioner Painter made a motion to adopt R-22-16, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-23-16 was read by title and summary given. R-23-16 authorizes the Judge/Executive to execute an agreement with the Campbell County Extension Service to

provide mowing and trimming services at the Campbell County Extension Environmental Center in AJ Jolly Park during 2016. In exchange, the Extension Service will mow and trim around the Campbell County Senior Center which is adjacent to the Extension Service office. Commissioner Coleman made a motion to adopt R-23-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-25-16 was read by title and summary given. R-25-16 authorizes the Judge/Executive to renew agreements with the following towing and recovery operators for a two-year term: ABC Towing LLC, Dempsey's Towing Inc., Seibert Auto Service Inc., Silver Grove Motors Inc. and Simon's Towing and Recovery. Judge Pendery made a motion to adopt R-25-16, seconded by Commissioner Painter. Judge Pendery explained that Resolution R-24-16 was skipped because the Police Merit Board has not met yet to approve the proposed amendment to the Campbell County Police Policy and Procedure Manual. All voted "AYE" on R-25-16 and the motion passed.

A motion was requested to appoint Robert Reed as a Golf Course Maintenance Worker effective April 7, 2016 at an hourly rate of \$10.67. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Teesha Straman as a part-time Camping and Concession Worker at an hourly rate of \$10.26 effective April 8, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Commissioner Coleman stated that the agenda noted that Ms. Straman was an "immediate family" member. He has talked before about Campbell County hiring relatives. This was addressed by the Ethics Commission during their review of the Ethics Code. He stated that the amended Ethics Code was pulled from the agenda and never revisited and the County is still hiring relatives. He would like to know why it was pulled and not brought back. Judge Pendery stated that he would like to see further revisions to the Ethics Code, not necessarily to the nepotism clause but on other issues. It has not been put back on the agenda because it needs work and there were not enough votes to pass the first draft. Judge Pendery stated that he believes that the County is in compliance with the nepotism policy as it now reads. The Ethics Commission can make recommendations, but the Fiscal Court must approve the final ordinance. Commissioner Coleman agreed and again asked why it was removed from the agenda and not brought back. He stated that the County has a problem with hiring relatives. He pointed out that in one instance an employee recommends hiring his own child. Ms. Serra explained that the person referred to by Commissioner Coleman does not meet the definition of "immediate family". Judge Pendery explained that sometimes there are not enough applicants to fill the positions or the relative is a better candidate for the job. Commissioner Coleman stated that this practice gives the perception that the County is a "good old boy club" – taking care of its own family members. He realizes that it does not violate the current policy, but a policy is needed. Commissioner Painter pointed out that these employees are temporary workers for the summer. His understanding is that no seasonal workers report directly to a relative. He further stated that some workers would be more motivated to perform better if their relative were working for the same employer. He stated that the County has professional staff and if there was an issue of a worker underperforming, staff would realize it and take the necessary action. Judge Pendery stated that they would take a vote on each individual appointment. Commissioner Coleman stated that he will vote "no" on appointments of relatives with no reflection on the

individual. Mr. Elberfeld explained that Ms. Straman is the daughter of the Assistant Police Chief and that she was one of 11 applicants for a Camping and Concession Worker position at the Park. There are total of six being hired for that position. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

A motion was requested to appoint Mike Tillett as a part-time Camping and Concession Worker at an hourly rate of \$10.26 effective April 29, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Jeremiah Harrod as a Parks and Recreation Maintenance Worker at an hourly rate of \$10.67 effective May 2, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

A motion was requested to appoint Stan Ritter as a Clubhouse Maintenance Worker at an hourly rate of \$10.67 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Kathy Baker as a Clubhouse Concession Worker at an hourly rate of \$9.36 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Alisha Baumann as a Clubhouse Concession Worker at an hourly rate of \$9.36 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Mr. Elberfeld explained that Alisha Baumann is the daughter of Larry Baumann who is on the agenda to be appointed as a Golf Cashier/Clerk. Ms. Baumann is not related to any other current County employee. All voted "AYE" and the motion passed.

A motion was requested to appoint Chelsea Williams as a Clubhouse Concession Worker at an hourly rate of \$9.36 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Larry Baumann as a Golf/Cashier Clerk at an hourly rate of \$10.67 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Bill Klopp as a Golf/Cashier Clerk at an hourly rate of \$10.67 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Jeff Miller as a Golf/Cashier Clerk at an hourly rate of \$10.67 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Jim Spaw as a Golf/Cashier Clerk at an hourly rate of \$10.67 effective April 7, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Ronald Miller as Information Technology Specialist effective April 11, 2016 with compensation set at Pay Grade 14, \$44,000.00 annually (total annual benefit cost of \$16,920.00). Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Coleman asked for the salary of the person who Mr. Miller is replacing. Mr. Elberfeld advised that it was \$42,533.00. Staff recommends a \$44,000 salary for Mr. Miller. All voted "AYE" and the motion passed.

A motion was requested to approve an increase in compensation for Shaun Hale, IT Specialist, from \$42,533.40 to \$44,000.00 effective April 11, 2016. Judge Pendery explained that staff recommends increasing Mr. Hale's salary to match the salary of the new IT Specialist. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to reappoint Roger Mason and Joseph Williams to the Campbell County and Municipal Board of Adjustment for a four year term. Mr. Williams' term will be effective March 7, 2016 through March 6, 2020 and Mr. Mason's term will be effective April 7, 2016 through April 6, 2020. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Ken Moellman from the Campbell County Ethics Commission effective March 17, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Steve Franzen requested a motion to meet in executive session at the end of regular business pursuant to KRS 61.810(1)(c) to discuss proposed or pending litigation against or on behalf of the public agency. He stated that no action would be taken as a result of the executive session. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Commissioner Coleman opened discussion on the County-owned property at 10th and Saratoga Streets, Newport. He stated that the County is allowing one business to park on the lot, but not another business. The business that is not allowed to park there has asked for use of four parking spaces and he thinks that the County should allow it. Judge Pendery stated that the arrangement for parking on the lot was made administratively by Mr. Elberfeld's predecessor. The County had solicited bids for snow removal services and the bidder had offered his services at a lower cost in exchange for use of parking spaces. Judge Pendery stated that staff is actively working with the City of Newport to purchase the parking lots. He does not want to promise parking spaces in a lot that the County may not own soon. If the lot is not sold to Newport, then the County would have to decide whether to sell or keep the lot and if kept, they could lease spaces. He did tell the subject business that if they had an emergency meeting or occasion, they could park in the lot, but he could not promise a leasehold when the County is trying to sell the lot. Commissioner Coleman agreed that the County could not promise parking spaces if it didn't own

the lot, but it does own it now. He has looked at the contract and the bids for snow removal services. Judge Pendery stated that he will find out more details about the arrangement made previously. Commissioner Coleman stated for the record that the County is not doing the other business a justice by not allowing them to park in the lot.

Commissioner Lampe stated that he participated in a regularly scheduled meeting with the Parks and Recreation Director and took part in a tour of the County's parks while staff was readying the parks for summer. Among improvements being made are updated restrooms, removal of dead trees, new playground equipment and miscellaneous painting. Some of the issues brought to the Fiscal Court's attention by a resident have been addressed at the parks.

Commissioner Painter stated that he recently attended two events, both related to heroin. The first was a "Much In Common" event at the Sharonville Convention Center on March 31. Northern Kentucky was well represented. Speakers included Garren Colvin, Chairman and CEO of St. Elizabeth Healthcare. An Ohio appellate Judge spoke about problems with interdiction in our region. The Judge stated that heroin can be bought for \$7-8 a hit. He further stated that heroin used to cost more. The lower cost means that there is a bigger supply. Commissioner Painter stated that he attended an event the next day featuring Congressman Thomas Massie who sits on the Congressional Oversight Committee. As such he gets to question people who pay for what is happening in Afghanistan. He advised that the United States has paid \$8.6 billion for drug control and interdiction in Afghanistan. Congressman Massie stated that heroin production has doubled and purity has increased. 90% of heroin in the US comes from Afghanistan. Commissioner Painter presented some statistics on Campbell County inmates booked on heroin or heroin-related charges. He relayed statistics provided by Garren Colvin on rates of Hepatitis C among intravenous drug users. Commissioner Painter pointed out that the County is responsible for healthcare costs of its inmates. One treatment for Hepatitis C is \$80,000 – 85-90% of intravenous drug users are infected with this disease. He stated that there is such extreme incompetence in the federal government that in the last three years 275 Northern Kentucky citizens have died and 800 have died in Cincinnati last year. Nobody on the federal level that is charged with protecting citizens from drugs or drug cartels is held accountable. The local governments are paying for the negligence. With all of the heroin problems in the United States, he wonders how much of the drug is coming into this country. He stated that there is an interdiction problem and the local governments are being forced to pay for it. Local law enforcement cannot be blamed for the interdiction problems when the country has an open border. Commissioner Lampe recommended a book by Sam Quinones titled "Dreamland" about prescription pain pill trends in the '80s and the drug dealer network from Mexico and its infiltration in small cities in the United States.

Judge Pendery announced that the Friends of Evergreen Cemetery will hold its first annual "Explore Evergreen" event on Saturday, April 9, 2016 from noon to 3pm rain or shine at the Cemetery located at 25 Alexandria Pike, Southgate.

Judge Pendery announced that the Catalytic Fund will present the third event in its urban living series Beyond the Curb – Bellevue & Dayton on Sunday, April 24, 2016 from 10am to 4pm. The self-guided tours feature a variety of residential real estate types available in urban living in these two communities.

Marie Schenkel requested a motion to accept the bid of \$33,185 and alternate of \$1,200 (\$34,385 total) from JK Meurer Corporation for resurfacing the Campbell County Senior Center parking lot. JK Meurer Corporation was the lowest of five bids received for this project. Motion was made by Commissioner Coleman, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to acknowledge receipt of the Campbell County Jailer's 2016-2017 budget by the April first deadline. The final jail budget will be adopted as part of the Fiscal Court budget at a later date. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Ms. Schenkel requested a motion to approve the claims as presented for April 6, 2016. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery noted that the meeting room was now completely covered with the refurbished paneling.

The Fiscal Court met in Executive Session at 8:35pm pursuant to motion previously made.

Judge Pendery made a motion to adjourn the Executive Session, seconded by Commissioner Lampe. 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 Judge Pendery. All voted "AYE" and the meeting adjourned at 8:43 p.m.

Attachments:

Resolution R-22-16	Transfer of MH/ID Tax Funds
Resolution R-23-16	Execute Agreement with Campbell County Extension Service
Resolution R-25-16	Renew Agreements for Towing and Recovery Services
Claims	April 6, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk