

CAMPBELL COUNTY FISCAL COURT
MINUTES
April 21, 2004

A special (change of time) meeting of the Campbell County Fiscal Court was held on Wednesday, April 21, 2004, at 5:00 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky.

In attendance at the Fiscal Court meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
WILLIAM VERST
KENNETH RECHTIN

Robert Horine	County Administrator
Justin Verst	County Attorney
Chief David Sandfoss	Campbell County Police Department
Pat Dressman	Director of Human Services
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 5:00 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.

Judge Pendery presented the minutes from the Fiscal Court meeting of April 7, 2004. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of April 7, 2004 be approved as prepared by the Clerk. All voted "AYE" and the motion passed unanimously.

Judge Pendery 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 Pendery recognized and welcomed Luke Saladin from the Kentucky Post.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams stated that there were no items of Old Business to be presented at this meeting.

Judge Pendery next 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 April 18-24, 2004 as Volunteer Appreciation Week in Campbell County. The County is urging its citizens to recognize the many efforts and contributions made by volunteers in the community and thank them for making Campbell County a better place to live, work and do business. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to proclaim April 18-24, 2004 as County Government Week in Campbell County, in conjunction with National County Government Week. This year the County especially thanks officials and employees who work on Federal, State, County and City Transportation Systems, which are a key part of the economic engine that drives the County by moving both people and their products. A special thank you letter will be sent to all of the County transportation employees. 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-30-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution allocates the Mental Health/Mental Retardation tax funds for FY 05 in the amount of \$689,101. She noted that Pat Dressman, Director of Human Services, had previously provided her recommendations, and was present to answer any questions. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Resolution R-30-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-31-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution allocates Senior Citizen tax funds for FY 05 in the amount of \$326,476. She noted that Pat Dressman, Director of Human Services, had previously provided her recommendations, and was present to answer any questions. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-31-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-33-04, which she read by title and provided a summary to the Court for its consideration. She stated that this resolution authorizes the Judge/Executive to execute an agreement between Campbell County Youth Soccer, Inc. and the Campbell County Recreation Department to provide mowing and general upkeep services to a 7-acre leased area located at Pendery Park, Melbourne, Kentucky. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-33-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-35-04, which she read by title and provided a summary to the Court for its consideration. She stated that this resolution authorizes the Judge/Executive to execute Master Agreements with the Kentucky Department of Military Affairs to apply for funds in the maximum amounts estimated at \$57,624.04 in Federal funds and \$23,172 in State funds, but more likely in the amounts of \$36,000 and \$12,000. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Resolution R-35-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to reappoint Roger Mason to the Campbell County Board of Adjustments to fill a 4-year term, effective April 21, 2004 through April 20, 2008. 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, presented Resolution R-32-04, which he read by title and provided a summary to the Court for its consideration. He stated that this resolution authorizes an agreement with Cardinal Engineering Corporation to provide a boundary survey for the site of the new County Administration Building at 11th and Monmouth Streets. Cardinal Engineering will prepare a survey of the properties that have been acquired for the purposes of passing said survey on to architects and designers who will be working on the project. The survey will also identify utilities, and spot elevations, and will identify and make sure that the County has actually acquired all of the properties and that there are no wedges of properties in between lots that may not be reflected in the existing descriptions. If the survey proves there are properties as described above, there is language in the current Purchase Agreements that the Sellers agree to sell not only the parcel that is in the description, but any other land to which the Sellers may have claim within the block. The cost for said survey will be \$7,650. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-32-04. All voted "AYE" and the motion passed unanimously.

Mr. Horine next presented Resolution R-34-04, which he read by title and provided a summary to the Court for its consideration. He stated that this resolution authorizes the Judge/Executive to execute an agreement with Thelen Associates, Inc. for Geotechnical Services for the Senior Citizens Center addition. Funding in the amount of \$9,000 for the Geotechnical Services was included in the contract with Venture One Construction, the contractor for the addition. The contract, however, needs to be between the Geotechnical company and the owner of the property, so it is clear who the Geotechnical company is ultimately responsible to. Thelen Associates' estimate of the actual cost for these services is approximately \$7,500. Judge Pendery then explained that these services are necessary because the bedrock on the site is 30 feet down and the contractor needs to know how deep to go in order to put piers in for the addition. There being no further discussion, Commissioner Rechlin made a motion and Judge Pendery seconded, to approve Resolution R-34-04. All voted "AYE" and the motion passed unanimously.

Mr. Horine then reported that the County has received 11 statements of qualifications from architects for the new County Administration Building who are interested in providing services for the project. The County is in the process of review of those statements in order to narrow them down to a select few that will then be interviewed and ultimately select and recommend one for the Court's consideration. Commissioner Verst inquired as to how extensively advertising was done for these statements. Mr. Horine explained that the project has received quite a bit of attention over the last year and a half. A mailing list of firms who had expressed prior interest was compiled and sent the information, the project was advertised locally in the Campbell County Recorder, advertised the project on our website, and it was picked up by the Dodge Report and the Rose Report.

Mr. Horine next reported that the architects for the design of the new Restricted Custody facility at the Jail have developed a plan for a building that will be 8,890 square feet and house 128 prisoners. The architects have been working with the Department of Corrections to make sure that what is in the plans meets the Department's requirements for housing of prisoners. The project remains on schedule, and it is hoped that we will be able to occupy the building by mid-September.

Mr. Horine then requested a motion to authorize the County to begin advertising for bids for the demolition of properties at the site of the new Administration Building at 11th and Monmouth Streets. This demolition would include the Dairy Mart, the Cecil Clark Knife Company, and the former Centerfold Lounge. He noted that the County has been in discussions with Cartec Environmental Consultants who performed the initial Phase I assessment, to abate certain environmental issues in case there may be any asbestos in the buildings that are scheduled to be demolished. The procedure will include Cartec taking samples to send to a testing firm and have the results submitted to the local environmental agent for the State. Commissioner Rehtin inquired as to whether it would be prudent to wait until all of the buildings could be demolished at the same time. Mr. Horine stated that the only building not to be demolished at this time is EGC, which is still occupied by EGC, who is paying the County rent for the premises. The EGC building can remain on-site based on the existing plans, even after the construction of the new building is begun, since the northern part of the lot where EGC is located would be parking facilities. Since the other buildings are vacant and create a maintenance liability, he recommends those be demolished now. Judge Penderly added that these buildings should be demolished in order to determine any environmental problems, since it was the former site of Campbell County Chevrolet, and there could be oil or fluids underground that the County may not be aware of. Commissioner Verst inquired as to whether the County might want to talk to one of the Fire Departments to determine if they would be interested in burning the buildings down for training purposes. The Judge and Commissioners agreed this would be a good idea. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Mr. Horine next reported that the Northern Kentucky Drug Strike Task Force was created by an interlocal agreement many years ago with Kenton, Boone and Campbell Counties. In that agreement, each County agreed to provide \$30,000 per year toward the funding of the organization. That amount has consistently been budgeted, but for a number of years the Counties have not been called upon to make that payment because there have been some forfeitures of significant amounts and grant monies that were available to fund the organization. This year, however, the County will have to make the committed payment.

Mr. Horine then reported that at the Senior Center groundbreaking, Gene Kaiser (on behalf of the Department for Local Government and also the Coordinator of the body armor grant program that is administered by the Department) advised the County that he was in the process of making a new application for body armor funds and asked if the County would be interested in accessing those funds. The program consists of the Department collecting confiscated guns from police departments throughout the State, sending those guns to the Kentucky State Police, who then resell the guns and the proceeds from the sale of the guns goes into a fund that pays for body armor for local police departments. The Department will pay \$388 per vest towards the purchase of body armor. Chief Sandfoss discussed this funding with Mr. Kaiser and has put together the application for funding of 28 vests for the Campbell County police department. The County has received federal funding to cover 50% of the cost for the purchase of body armor vests, but in this case it appears that the State funding can be combined with the Federal funding and therefore cover almost the entire cost of the vests. Commissioner Rehtin inquired as to the cost per vest. Chief Sandfoss explained that the style of vest the County currently purchases costs \$575. In years past the style purchased cost nearly \$800, but that style was recalled and is not being made any longer, so the current cost has gone down. Commissioner Verst asked if the Chief was confident in the quality of the lower priced vests and what the life-span of the vests

was. Chief Sandfoss stated that the current vest being purchased is comparable to the more expensive style that was recalled, which is considered the best on the market, and there is a 5-year guarantee on them.

Judge Pendery then requested a report from the County Attorney's office. County Attorney Justin Verst reported that Kenton County has introduced their sexually oriented business ordinance recently, and is scheduled for a second reading on May 11, 2004. He has been in contact with the City of Newport to collaborate with them regarding issues necessary to be in Campbell County's ordinance for these businesses. He is hoping to have the ordinance finalized and ready for first reading in May or June. Commissioner Verst commented that there was an article regarding keg laws in Boone County in the newspaper recently, and although Campbell County was not mentioned, he believes the County is well ahead of the curve on the issues it has in its ordinance. County Attorney Verst stated he is hopeful that the police departments in the County will enforce that ordinance, and not be hesitant to break up parties that parents are throwing for their children where underage drinking is going on.

Judge Pendery next requested reports from the Commissioners. Commissioner Otto, Commissioner Verst and Commissioner Rechtin advised they had nothing further to report at this meeting.

Judge Pendery then announced that on May 1, 2004, the Campbell County Animal Shelter will be having an Adopt-A-Thon from 9:00 a.m. to 5:00 p.m. at the Shelter. There will be activities and door prizes throughout the day. He also announced that on May 1, 2004, there will be a ceremony at the Campbell County Library, Newport branch, at 4:00 p.m., to close the facility. On May 16, 2004, at 1:30 p.m., the new Campbell County Library, located across from Newport High School, will host an Open House celebrating the opening of the new branch.

Judge Pendery next asked for a report from the Fiscal Director. Mr. Horine stated that Fiscal Director, Jim Seibert, was in Louisville attending the annual meeting of County Treasurers and Finance Officers. In Mr. Seibert's absence, Mr. Horine presented Resolution R-29-04, which he read by title and provided a summary to the Court for its consideration. He stated that this resolution authorizes the Judge/Executive to execute any necessary documents to make application to the Kentucky Transportation Cabinet to be reimbursed for the FY 04 school year for the busing of non-public school children. It is hoped that the County will be reimbursed at the level of 83%, but that level will not be known until all counties in the State have submitted their requests. There being no further discussion, Commissioner Verst made a motion and Commissioner Rechtin seconded, to approve Resolution R-29-04. All voted "AYE" and the motion passed unanimously.

Mr. Horine then requested approval of the Claims being presented at this meeting. County Attorney Verst reported that he 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 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 5:34 p.m.

Attachments:

Proclamation: Proclaims April 18-24, 2004 as Volunteer Appreciation Week
Proclamation: Proclaims April 18-24, 2004 as County Government Week
Resolution R-29-04: Application to Kentucky Transportation Cabinet for Reimbursement for FY 04 School Year Busing of Non-Public School Children
Resolution R-30-04: Allocation of Mental Health/Mental Retardation Tax Funds for FY 05
Resolution R-31-04: Allocation of Senior Citizen Tax Funds for FY 05
Resolution R-32-04: Agreement with Cardinal Engineering for Boundary Survey
Resolution R-33-04: Agreement Between Campbell County Youth Soccer, Inc. and Campbell County Recreation Department
Resolution R-34-04: Agreement with Thelen Associates, Inc. for Geotechnical Services for Senior Center Addition
Resolution R-35-04: Master Agreements with Department of Military Affairs for Emergency Management Assistance Funds
Claims: April 21, 2004
April 21, 2004 (Home Emergency Grant)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk