

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 5, 2006

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 5, 2006, at 7:00 p.m., at the Campbell County Courthouse, 8352 East Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
MARK HAYDEN

Justin Verst	County Attorney
Robert Horine	County Administrator
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Peter Klear	Planning & Zoning Director
Melissa Williams	Administration Director
Tasha Wilder	Meeting Recorder
Josh Wice	Administrative Analyst
Barrett Champagne	Lieutenant, Campbell County Police Department
Ken Schultz	Road Supervisor
Greg Buckler	Jailer

Judge Pendery called the meeting to order. 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 covered by *Government Access*.

Judge Pendery presented the minutes from the Fiscal Court meeting of June 21, 2006 for approval. Commissioner Otto made a motion and Commissioner Rechtin seconded to approve the minutes of June 21, 2006. All voted "AYE" and the motion passed unanimously.

Judge Pendery then asked if there was anyone present who would like to address the Court on any issues. No one came forward.

Judge Pendery then introduced the Campbell County Police Chief, Keith Hill, to speak about the Citizen's Police Academy and to announce its newest graduates.

Chief Hill stated the Campbell County Police Department offers a Citizen's Police Academy where citizens can spend ten weeks learning about how the police department functions. He introduced and thanked Lieutenant Barrett Champagne who was the moderator and coordinator for this program.

Lt. Champagne stated this was the first Citizen's Academy with which he was involved, and ten people participated. The first week introduced and toured the citizens in the Campbell County Police Department. The second week featured a speaker from the Campbell County Attorney's office, Bill Schoettelkotte, to explain the duties of the County Attorney's office. Week Three introduced the academy to the SWAT team. Week Four was training with Sergeant Wilson. Week Five was a tour of the Campbell County Detention Center. In the sixth week, the academy learned about patrol, traffic, and accidents. On Week Seven, the group toured the coroner's office and the morgue at St. Luke. The eighth week featured speakers from the Family Resource Center and the Court Designated Worker's office on the subject of juvenile justice. Week Nine was a tour of the Campbell County Consolidated Dispatch Center. The final week covered the topic of investigations. At the end of the ten week course, the participants earned a shirt embroidered with Campbell County Citizen Police Academy, and their names. Lt. Champagne then called each participant by name, and they were given a certificate of completion. The graduates are: Ian Byrne, Andrew Champagne, Susan Fleckenstein, Bernard Heidelberg, Jerry Jones, Gilbert Laycock, Kraig Morgan, Glen Racke, Sammy Roberts, and Robert Volk, Jr.

Judge Pendery then addressed the group. He stated that judging from the list of things the group had the opportunity to do; they had a look at a lot of the important things the county is involved in. He hopes that the complexity and professionalism left an impression with them, and that they can serve as messengers to the community that good things happen in the county. He thanked them for their time and service.

Judge Pendery next introduced A.J. Schaeffer, Chair of the VISION2015 Regional Stewardship Council. Mr. Schaeffer thanked the court for inviting him to speak about the visioning process and the findings published in the Vision 2015 Report. Mr. Schaeffer stated that the findings of the group show that Northern Kentucky is a great place to live and work because our region was the product of civil entrepreneurs who cared as much for the community as they did for building their own wealth. He added that the graduates of the Citizen's Police Academy prove this spirit of volunteerism is still alive today.

Mr. Schaeffer added that Northern Kentucky has twice before taken part in a visioning process, in 1981 and 1995. Both years put forth bold ideas for the future of our region. The third visioning group wanted to follow the same model. However, this was the first time a multi-generational approach was used, and it added value, uniqueness, and innovation. This report was about painting a picture where all citizens can find themselves, and it centered around professional opportunity and quality of life.

Mr. Schaeffer stated another aspect of this visioning process that was unique was expanding the Northern Kentucky area to encompass nine northern counties. Northern Kentucky, as a three county region, is a notion of the past because the development and growth of the southern counties is something that cannot be ignored.

Mr. Schaeffer stated the point of the visioning process is to show that the communities that are winning the economic race are those that are deliberately planning for the future. The ambition of this committee is to see that our community does this on a grand scale. The six strategic directions that were closely examined by action teams are: competitive economy, educational excellence, livable communities, urban renaissance, effective governance, and regional stewardship. Over the span of fifteen months, action teams and experts from Northern Kentucky University, Thomas More College, and Gateway Community & Technical College, combined efforts to produce this report. The full report can be found at the website, www.vision2015.org. The six action teams began by noting our strengths and weaknesses in their particular focus area and then moved to areas of innovation and problem solving. They had regular working meetings, town hall meetings, conducted surveys, and talked to area high school students. After all the work, the call for action is for our community to form a regional stewardship council. The goal of this group would be to make the goals from this report a reality. Some of these goals include: encourage the formation of a League of Investors of Northern Kentucky (LINK), encourage development of Wi-Fi across Northern Kentucky, continue CAP initiative, bring Success by 6 to Campbell and Kenton Counties, institute a multi-county 911 service, create uniform zoning, enhance our regional parks district, and collaborate across the river on crime and safety. In conclusion, this report calls on our citizens to engage themselves as volunteers or to make a difference on an individual level. He thanked the court for allowing him to speak, and asked if there were any questions.

Judge Pendery added that it was great to have the depth and history of this visioning project on camera tonight for the citizen's of Northern Kentucky to see through broadcast.

Judge Pendery then introduced Jailer Greg Buckler to share good news about the Restricted Custody Center.

Jailer Greg Buckler stated he would be addressing the court on the first annual report on the community service program of the Restricted Custody Center (RCC). We started construction on the RCC facility in September 2004, and inmates, who are eligible to do community service, are housed there. Campbell County receives compensation from the state for housing these types of inmates. The population average for the facility is at 111 inmates. The RCC generated net revenues of \$300,000 for FY06. This number was calculated from our daily per diem fee given to us by the state, and from our commission from the vending machines. The RCC inmates have performed community service for 32 local agencies in and outside of Campbell County. These are government or non-profit agencies. The various work completed includes: painting, trash, landscaping, and general cleaning. The inmates performed over 75,000 hours of community service. The value of these hours, calculated at the federal rate of \$10.15 per hour for a general grounds laborer, is over \$761,000. Seven departments of the Campbell County Fiscal Court utilized the work provided by RCC, as did eight cities, five fire departments, seven non-profit agencies, four agencies outside of the county, and one school system. In the first year of operation, the RCC saved Campbell County over one million dollars, if you consider the \$300,000 profit and all the community service hours. We anticipate the revenue to increase for next year. He asked if there were any questions or comments.

Commissioner Otto asked what we did before the RCC was built with these type of inmates and did we have any programs like this? Jailer Buckler stated that before the RCC was built we had a limited community service program that worked on the road litter crew of about 6-8 inmates. We had a larger pool of inmates that could have been used, but we were not able to house them efficiently.

Commissioner Otto then asked what happens if an inmate acts out while on an assignment? Jailer Buckler stated there is a zero tolerance code of ethics at the RCC. The inmates sign a contract when they are admitted to follow all the rules and regulations. It is a one strike and you are gone policy. After an infraction the inmate will either be locked down or even possibly being shipped to another facility in another county.

Commissioner Otto then asked why we are doing work for entities outside of Campbell County? Jailer Buckler stated it is because we have the resources to supply those organizations with workers. We do not have enough work to do in Campbell County.

Commissioner Rehtin then asked Jailer Buckler to speak about the benefit to the inmates themselves. Jailer Buckler stated this program gives the inmates a lot of self pride. Also, two of the participating organizations hired two inmates upon their release as employees. This program gets the inmates up and working and most of them would rather be working than spending all day in a jail cell.

Commissioner Rehtin then noted that there are four entities that were consuming most of the hours worked by the inmates. He asked how we could make the hours available more equitable? Jailer Buckler stated there are more hours available than there are agencies, and there would be even more hours available next year. The biggest issue is with transportation. Transportation is provided to some agencies in Campbell County, but cannot be provided to all. There is also a three-hour course agencies have to take to be a supervisor to the inmates. Commissioner Rehtin then asked how we let the community know about this program. Jailer Buckler stated that we have announced that the inmates are available for work at the quarterly Mayor's Meetings, Fire Chief's Meetings, Campbell County Police Chief's Meetings, and it is advertised in the What's Happening in Campbell County newsletter distributed to every household in Campbell County.

Commissioner Otto noted that with the expanded number of hours available for next year, we could easily take on work in all the 15 cities. Jailer Buckler stated yes, we could take on all the cities and we are hoping that once these numbers are in public circulation, the cities will see the significant savings that there is in using inmates for workers.

Commissioner Hayden asked who agencies would contact. Jailer Buckler stated they would contact Sergeant Ballinger at the RCC at 547-1947.

Judge Pendery noted that the construction of the RCC is part of a long term plan to bring the cost of incarceration under control, and produce the best solution for Campbell County tax payers. In many ways, we have used the RCC as a training ground because we are in the process of building a 256 bed maximum security, and it will use the same direct supervision techniques. He added this report was great news and we really appreciate it.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams stated there was no Old Business to be presented.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams presented Resolution R-102-06, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the County Judge Executive to execute a contract with the Ohio-Kentucky-Indiana Regional Council of Governments to provide services to the Campbell County Fiscal Court for the FY07. The contract is for \$28,794, which is the same amount as last year. This provides us the benefit of their services. Commissioner Rehtin made a motion and Commissioner Hayden seconded to approve Resolution R-102-06. There being no further discussion, all voted "AYE", and the motion was unanimously approved.

Ms. Williams next presented Resolution R-103-06, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the County Judge Executive to execute an agreement with Sanitation District No. 1 for purposes of reconstruction of a culvert bridge on Jerry Wright Road. This is a bridge that we sought emergency funded from the state to help us reconstruct. Upon study, we realized that this bridge would be constructed where Sanitation District #1 needed to lay pipe to service the new treatment facility. We realized if we combined resources with SD#1, we could save time and money on this project. The agreement before you tonight will have to be reworked to include a hold harmless clause. We would ask that you authorize this contract once we reach a final agreement with SD#1 on the hold harmless clause in the contract. Commissioner Otto made a motion and Commissioner Rehtin seconded to approve Resolution R-75-06. Commissioner Hayden stated that his law firm does some legal work for Sanitation District #1 and so, he needs to recuse himself from the vote. There being no further discussion, Judge Pendery, commissioner Otto, and Commissioner Rehtin voted "AYE," and the motion was approved.

Ms. Williams next requested a motion to appoint Mr. Eric Steinman to the Northern Kentucky Tri-County Economic Development Corporation Board of Directors to a three-year term effective July 13, 2006 through June 30, 2006. Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. There being no further discussion, all voted "AYE" and the motion passed unanimously. We also need to thank Mr. Jeff Schossler for his service. He is going off the board after two terms, as he is no longer eligible to serve. Judge Pendery added that originally the commercialization triangle was an idea of Mr. Schossler's discussed in a meeting with Dr. Votruba. We do thank him for his service.

Ms. Williams then requested a motion to reappoint Senator Katie Stine and Mr. William Donnermeyer to the Northern Kentucky Convention and Visitor's Bureau Board of Directors for three year terms, effective August 1, 2006 through July 31, 2009. Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to reappoint Mr. James Callahan to the Transit Authority of Northern Kentucky Board of Directors for a four year term effective July 1, 2006 through June 30, 2010. Judge Pendery made a motion and Commissioner Rehtin seconded, to approve

the motion. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Ms. Williams then requested a motion to appoint Lt. Col. Todd Straman to the Campbell County Consolidated Dispatch Board of Directors for a two year term effective immediately through June 30, 2008. Judge Pendery made a motion and Commissioner Rechtin seconded, to approve the motion. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Judge Pendery next requested reports from Staff. County Administrator, Robert Horine, stated he had one item. Mr. Horine presented Resolution R-106-06, which he read by title and provided a summary to the Court for its consideration. He stated this Resolution authorizes the County Judge Executive to authorize a change order for construction of the kitchen/laundry addition of the Campbell County Detention Center. Commissioner Rechtin made a motion and Commissioner Otto seconded. There being no further discussion, all voted “AYE,” and the motion was unanimously approved.

Mr. Horine added there were other items tentatively placed on the agenda, but neither is ripe for the Court’s consideration at this time. He left it to the Fiscal Court’s discretion as whether they would discuss these matters in executive session. The Commissioners and Judge Pendery stated they would not need to meet in Executive Session tonight.

County Attorney Verst stated that all is going well at the County Attorney’s office, and he had nothing further to report.

Commissioner Rechtin stated that he had nothing to report.

Commissioner Otto stated that Josh Wice requested flags from the State, and State Representative Dennis Keene delivered them to us. They have been flown over the Capitol and are available for departmental use.

Commissioner Hayden stated that he had nothing further to report.

Judge Pendery then reported the Mayor’s Group Meeting is scheduled for Tuesday, July 25th at 7:30 a.m. at the County Extension Office.

The Fiscal Court is hosting the Senior Picnic on Wednesday, September 20th at Noon, and the theme this year is County and Western Senior Picnic. Tickets will go on sale July 24th 2006 at the Fiscal Court Building and at the senior center, Mon-Fri 9 a.m.-3 p.m. Pre-sale the tickets are \$6 and tickets at the gate are \$8. The picnic is open to residents of 60 years of age and older. Each year approximately a thousand seniors attend.

Judge Pendery also acknowledged the money we have been awarded from the KY Transportation Cabinet for three projects: \$89,000 for the bike path at A.J. Jolly Park, \$80,000 for a slide on Blangey Road, and \$93,600 for a slide on Covert Run Pike. He also mentioned that Governor Fletcher was in town on the 4th of July and dispensed these checks. As a part of

the ceremony, he was handed a check for \$154,252,000. This is symbolic of the investments being made in Campbell County by the legislature and the Governor. Our collaboration with the state and other local governments is paying off in a big way for the tax payers of Campbell County.

Judge Pendery then asked for a report from the Fiscal Director. Mr. Seibert requested a motion to accept a bid from E-Z Go Textron in the amount of \$164,325 for a three-year contract for the leasing of golf carts. Commissioner Otto made a motion and Commissioner Rehtin seconded. There being no further discussion, all voted "AYE," and the motion was unanimously approved.

Mr. Seibert next requested a motion to accept bids from Eaton Asphalt, Barrett Paving, and Mago Construction for hot mix bituminous concrete. Ken Schultz, the Road Department Director, is here to answer any questions on any of these bids. Commissioner Rehtin made a motion and Commissioner Otto seconded. There being no further discussion, all voted "AYE," and the motion was unanimously approved.

Commissioner Hayden had a few questions for Ken Schultz. Commissioner Hayden stated he had inquiries from citizens concerned about tall grass and weeds at intersections. He asked what process the county road crew goes through to keep the grass trimmed and who should they call if there are areas where grass is blocking an intersection. Mr. Schultz stated that citizens should call the road department directly at 635-9100 with problem areas. He added there are four mowers that mow daily and it is extremely difficult to keep up with the county's mowing, but if a citizen reports a problem area, it takes priority and is mowed immediately. He added that citizens should remember that we maintain county roads and not state roads. Judge Pendery also added that sometimes there are sight problems due to vegetation on private property, and we do our best in working with the property owner on those issues.

Commissioner Hayden also asked how we make decision about which roads get repaved. Ken Schultz says he drives the county roads and has a ranking system to determine if a road is in need of repair. It is not a difficult process. We see what roads need repair and work until we run out of our budget.

Robert Horine asked Ken Schultz to remind him how many miles of road the county road crew paves. Mr. Schultz stated 184 miles of asphalt and concrete road.

Mr. Horine next asked Mr. Schultz to speak a little bit about the salt storage facility. Mr. Schultz added we have approximately 800 tons of salt on hand. Mr. Horine noted that Mr. Schultz had an innovative idea when he established remote salt location at Pendery Park. This saves trucks the trip of going all the way back out to the road building. Mr. Schultz stated it has saved a lot of fuel and time.

Mr. Seibert then presented Resolution R-101-06, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the pre-approval of Senior Picnic related bills, not to exceed \$5,000. Judge Pendery made a motion and Commissioner Otto seconded to approve Resolution R-101-06. There being no further discussion, all voted "AYE," and the motion was unanimously approved.

Mr. Seibert then presented Resolution R-105-06, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution approves funding for the Transit Authority of Northern Kentucky. The amount of this funding is \$3,746,950. Commissioner Otto made a motion and Commissioner Rehtin seconded to approve Resolution R-105-06. There being no further discussion, all voted "AYE," and the motion was unanimously approved.

Mr. Seibert next requested approval of the Claims being presented at this meeting. County Attorney Verst stated that he had reviewed the Claims, and they appear to be appropriate. Commissioner Otto made a motion that the Claims be approved and paid. Commissioner Hayden seconded the motion. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Judge Pendery asked about holding on the executive session until a later time. All Commissioners agreed.

Judge Pendery then asked two citizens, who came in late, if they wanted to address the court. Dr. Gwendolyn Steffen addressed the court as a resident of Newport who is having problems with a blight issue. Her neighbor's home is in disrepair and she does not understand why they do not have to maintain it to code. She stated she is having problems with the City of Newport. Judge Pendery stated that the county does not have jurisdiction over a city, but the Court could speak to the city about the problem. She then asked why the county has no jurisdiction. Justin Verst, County Attorney, answered all cities governments and county governments are separate by Kentucky State law, and we have no jurisdiction whatsoever. Dr. Steffen then asked what she is to do if these homeowners will not do anything. Justin Verst stated that she could file some sort of private, nuisance action with a private attorney or she could appeal to the city. Dr. Steffen stated she is trying to work with the city and is not getting anywhere. She also stated the City has no blight committee. She also asked about a barking dog ordinance. Justin Verst told her it is a very similar issue that the city is responsible for enforcing its own ordinances. Commissioner Rehtin added that the City of Newport has a Code Enforcement Board that is responsible for these issues. He suggested that she go to the Chief of Police. Dr. Steffen says she has talked to the Chief of Police and they send her downstairs. Commissioner Rehtin asked to contact her after the meeting to see if they could work on this problem. Commissioner Otto added that people often ask about the separation of powers between counties and cities.

Ms. Sharley Rose then addressed the court on the three issues she raised at the July 21st meeting. Justin Verst stated there is no specific KRS on nudity in Kentucky and no reference to exposure of the male breast at all. There is case law referring to exposure of the female breast. Ms. Rose added it is a sexist practice to allow exposure of the male breast and not the female breast. Justin Verst suggested she start at the state government level to change the exposure laws. Ms. Rose asked what the Fiscal Court could do about the Ordinance. Justin Verst stated we cannot create an ordinance forbidding exposure of the male breast, but that we could change the ordinance that prevents exposure of the female breast. He stated he felt strongly that this would not happen. Ms. Rose then asked why the female breast must be covered. Justin Verst stated the reason as, tradition, along with laws passed by most of the states in the country, and common sense. Ms. Rose said she would keep on this until the Court looks into it. She stated that her final issue was

with the ATVs. Robert Horine stated the Court has a staff member doing research on the matter, and examples of other communities that have ATV ordinances in place have been found. We will bring it to the Fiscal Court for their consideration.

There being no further business to come before the meeting, it was moved by Commissioner Rechtin, seconded by Commissioner Otto, that the meeting be adjourned. All voted "AYE" and the meeting adjourned at 8:41 p.m.

Attachments:

Resolution R-101-06: Pre-approval of funds for Senior Picnic

Resolution R-102-06: Contract with OKI

Resolution R-103-06: Agreement with Sanitation District No. 1

Resolution R-105-06: FY07 TANK Budget

Resolution R-106-06: Change Order for construction at the Campbell County Detention Center

Claims: July 5, 2006

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

MELISSA WILLIAMS
Acting Fiscal Court Clerk

Attest:

TASHA WILDER
Meeting Recorder