

**CAMPBELL COUNTY FISCAL COURT
AMENDED MINUTES**

MAY 17, 2017

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, May 17, 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
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager
Chief Craig Sorrell	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.

Commissioner Painter gave an invocation. Judge Pendery then led the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes from the Fiscal Court regular meeting of May 3, 2017 were presented. Commissioner Lampe made a motion to adopt the minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery stated that he had a few comments to make before introducing the first speaker. He thought that many of those present were interested in a recent real estate transaction in the unincorporated area of Campbell County near the Cities of Crestview and Cold Spring. He stated that the City of Cold Spring sent out a letter stating that the Fiscal Court was actively looking at locating a drug rehabilitation center at the Campbell Lodge Boys Home and it said that the Judge and Fiscal Court refused to give out information. As explained at the last Fiscal Court meeting, it is not appropriate or lawful for the Fiscal Court to divulge confidential details

of a real estate transaction that it is not a party to. That explains why they were not free to answer questions from Cold Spring. In the meantime, the Diocese of Covington and Brighton Center have entered into a purchase agreement for the sale of land formerly used as the Campbell Lodge Boys Home to the Brighton Center. He stated that there is much speculation as to what is planned for the site and everybody needs to hear what Brighton Center has to say about its mission and goals. To that end, Tammy Weidinger, President and CEO of Brighton Center is present to speak about the plan. The Fiscal Court wanted to provide a forum because it knew that people were interested. Judge Pendery stated that the Fiscal Court is not going to adjudicate or pass judgment on this transaction because all cities and counties that have planning and zoning have rules and regulations that apply to various parcels of lands. In this case, zoning has been in place since about 1980 that allows for a residential treatment facility and the fact that Campbell Lodge shut down does not change the fact that that is a permitted use on the site. Judge Pendery stated that there is a big substance abuse problem in Northern Kentucky. There are 100's of people in each community, including Cold Spring, that have substance abuse issues that need treatment, but are not being treated. There are 1000's of people in NKY with substance abuse problems and alcoholism. There is not nearly enough treatment available for people suffering from addiction. He then introduced Tammy Weidinger.

Tammy Weidinger, President and CEO of Brighton Center, advised that Brighton Center has been providing services in NKY for over 50 years. Its mission is to create opportunities for individuals and families to reach self-sufficiency through a variety of social services. She then listed the services provided by Brighton Center that assisted almost 50,000 people across the region. She stated that substance abuse is one of those things that gets in the way of people's ability to have a productive life. The Brighton Recovery Center for Women was opened in 2008 as one of 17 recovery programs offered statewide in Kentucky. The Center, located at 375 Weaver Road, Florence, KY, provides 100 women with long-term housing and supportive recovery services using a peer-driven model embracing accountability, structure and support. Ms. Weidinger then described the four components of the program. She invited all to visit the Recovery Center and described the Community where women in Phase I and Phase II gather to hold themselves and others accountable for behaviors that they've seen throughout the week and offer care and support, and offer suggestions to get over their problems. She stated that Judge Pendery and Commissioners Lampe and Painter have visited the Center and sat in on the Community. She invited Commissioner Coleman to do the same. Ms. Weidinger stated that the women's days are very structured, they are required to have a sponsor, attend AA meetings and submit to regular random drug testing. Anybody who tests positive for drugs, must leave the program. She provided statistics on the women that are at the Center. She then talked about the Recovery Center Outcome Study conducted annually by the UK Center on Drug and Alcohol Research on all recovery centers in the State since 2012. The results of a 2016 report showing significant decreases was explained. The need for recovery services is clear. She provided statistics on St. Elizabeth Emergency Room visits for overdoses or opioid use. There is currently a waiting list of 50 women for the Brighton Recovery Center; it takes about 4-6 month to get admitted. Since 2008, 180 women from Campbell County have gone through the Recovery Center.

Ms. Weidinger stated that last week the Brighton Center entered into a purchase agreement to acquire 50 acres around the old Campbell Lodge at 5161 Skyline Drive in unincorporated

Campbell County. She showed a picture of the property and described the improvements thereon. The property was originally purchased by the Diocese of Covington in 1958 and the buildings were constructed over time. Brighton Center decided to acquire this facility because it is already built and set up for their purpose. The plan is to serve 50 women, 18 years and older, with furnished rooms or apartments, meals, programs and access to Brighton Center's full array of services. Ms. Weidinger stated that the site will never be used for a methadone clinic or a needle exchange program; Brighton Center is not a medical provider. The only medically assisted treatment allowed is Vivatrol, which is not an opiate and must be prescribed by a doctor. She stated that since the purchase agreement was signed last Wednesday, she reached out to all Campbell County Commissioners, the Mayors of Cold Spring and Crestview to let them know what Brighton Center's intentions were and to hear their concerns. She was able to meet with some of the residents and heard their concerns about traffic (the gym and equine center will not be open to the public), and suggested that people can be directed to come up Dodsworth Lane instead of the lane off of US27 which will avoid some of the residential properties. The second concern was safety. The center is staffed 24/7, adequate signage and lighting will be installed. The third concern was a drop in property values. Ms. Weidinger talked about the many community partners that work with the Recovery Center in Florence. She stated that they want to be a good neighbor, wherever they are and will do everything they can to make sure that neighbors' lives are not impacted in a negative way by the project. She again invited them to visit the Recovery Center. Ms. Weidinger introduced Anita Prater the department director at the Recovery Center for Women who has been there since it opened. Ms. Weidinger, Ms. Prater and Judge Pendery addressed concerns and answered questions from the audience.

Charlie Neltner, 5125 Skyline Drive expressed concerns about the Center attracting drug dealers to the neighborhood and men eventually being allowed in the Center. He stated that Brighton Center was originally for kids.

Lauren Glenn, 5178 Skyline Drive, does not want addicts near her house and her kids, and strangers traveling back and forth past her house.

Lloyd Rogers stated that as a realtor he is legally obligated to disclose that there is a rehab center within a mile of a house that a person is interested in buying.

Lisa Cavanaugh, Cold Spring City Council, stated that the issue is not what Brighton Center does or its programs, but the location of the proposed Center. She asked if they looked at other sites and if they plan to use all 50 acres, or lease some of it for other uses. She doesn't want people shooting up in her neighborhood, and is concerned about traffic. She thinks that its great that people are voicing their opinions, and they can voice their opinions when they go to the voting booth next year.

Dennis Glenn, 5331 Skyline Drive, asked how they are going to house 50 women in a 24 bedroom facility. He asked if there will be 24-hour supervision, how many police/EMT runs were made to the Florence facility, and will there be renovations made. He stated that everybody agrees treatment is necessary but this is the wrong location. He then made a motion that the Fiscal Court review any proposed changes to the property and that the changes go through the

proper planning and zoning channels and quoted portions of the zoning code. He understands that there is an appeals process and thanked them for answering his questions.

Barb Kaiser asked how many police and EMT calls were made to Skyline Drive last year. She then read the definition of “family” from the zoning code. There is nothing in the RRE Zone that allows this kind of facility. She does not believe that the site was appropriately zoned for the boys’ home, and it is not zoned for a public recreation site. She then asked which tracts of land have been purchased from the Diocese.

Lisa Gibson’s biggest concern is increased traffic and EMT’s on the street. She stated that they do not want the element that will come along with the facility in their neighborhood. She has firsthand experience with a niece who is addicted, and addicts are very creative on how they get their drugs. She understands that these women need help, but this is the wrong place. She asked why this location was chosen. She asked if they are hiding something by putting this kind of facility in a residential area and not talking to anyone about it.

Shegana Tenhundfeld, Program Coordinator at Brighton Recovery Center for Women, stated that she would do everything in her power to never let anything bad happen to nearby residents and to integrate the women in the program into the community. She talked about lack of problems with the neighboring residents at the Florence Center.

Steve Stapleton, resident of unincorporated Campbell County and member of the Campbell County and Municipal Planning and Zoning Commission, related his experience with alcoholism and the recovery center that he went through which was located in the middle of a residential neighborhood and there were never any issues with it. He asked that the community give Brighton Center a chance.

Larry Stange, Dodsworth Lane resident, stated that he has empathy for both sides of the situation. He’s glad to hear of the proposed expansion of this program and that it is successful. He knows that nobody wants this in his or her backyard, but sometimes compromises must be made. Even with the advantages of existing facilities, he questioned whether this is an appropriate location. Everybody who lives out there, including himself, likes the isolation.

Maureen Boyle declined to speak.

Lauren Glenn stated that she is familiar with Brighton Center and agrees that there is a need for this kind of facility. However, the location is a poor choice. She asked about the qualifications of people monitoring the residents. The zoning is inappropriate, there is no access to TANK, medical facilities or other resources for the women residents.

Donnie Glenn stated that the residents at the Weaver Road facility take daily walks, and asked if they will do this at the Skyline Drive location. He stated that nobody disagrees with what the Brighton Center does or their success. He asked if this decision came down to money because it was affordable. He is concerned that he will not be able to sell his house. He is second-guessing plans to make improvements to his house because he will not be able to recoup his money.

Steve Trauth stated that there is a zoning issue – the current building is a nonconforming use so they will have to go for new zoning. He quoted section 9.12(b) governing nonconforming use including termination. He likened this to the situation when Kenton County was going to locate its new jail in Independence and the people were up in arms. Because of opposition, the jail was located in an industrial park. He stated that he and some other residents talked to Ms. Weidinger yesterday. He stated that everybody wants this project to go forward but it is in the wrong place. He stated that there are a number of ways to stop this project. It should be located in an industrial zone.

Steve Popovich stated that nobody disagrees that this is a noble purpose, but it is not an appropriate location. He does not know about the zoning issue. As an electronic security consultant, he used to protect the center in Highland Heights and got many calls because of issues. They say that they're concerned about the residents, so why are they so stealth about this. He stated that there is a perception of fear. He stated that they should have done their due diligence. He is sure that there are more suitable properties that will meet their needs and not cause this havoc. He stated that there are at least 100's of people in Cold Spring that will be frightened to death.

Noel Stegner stated that at any given time there are 50 women begging to get in rehab and can't; his grandson died wanting to get into treatment. This place is more reasonable than building a campus, he is not sure Brighton Center has the money to build a campus. This location has the buildings already and is affordable.

Eric Specht stated that his son died of a heroin overdose about four years ago. He understands to a degree the fears of the residents. He stated that the people in the Recovery Center want help and want to be in recovery. He urged people to visit the Florence facility to see how it is run and how motivated the residents are.

Mary Popovich stated that she lost a brother to alcoholism and drug abuse. She is a nurse and knows that rehab does not always work. She does not think that one staff person is enough. She stated that she has worked a lot for her community. They are asking Cold Spring to take a big hit; she does not see Ft. Thomas or other places taking a hit. Ms. Popovich stated that drug people are not good people to be around. She stated that the residents will have to disclose that this facility is there when they try to sell their homes. She doesn't know why the people were not informed about this before. She is not sure that this is the best place.

Commissioner Coleman stated that he did not visit the Brighton Recovery Center because when he brought this issue up at the last two Fiscal Court meetings, he was told by the County Attorney not to talk about it. When he was invited, he told Brighton Center that he would have to ask the County Attorney first. Mr. Franzen replied that it was okay to go and talk to them, but he has been unable to schedule a time. Commissioner Coleman agreed with Mr. Neltner – he knows that drugs get smuggled into drug treatment facilities. Regarding needle exchange, he realizes that the Health Department has to do a needle exchange program. However, Brighton Center's board may change and its policy on needle exchange may change. He then asked how they found out about the location. Ms. Weidinger stated that she has asked the Brighton Center board to adopt a resolution stating that they will not provide needle exchange. Commissioner

Coleman stated that he believes Ms. Weidinger but she and her board will not always be there. In addition, a resolution can be changed very easily. He again asked how they knew about this property – did the Diocese contact her? Ms. Weidinger advised that a private Campbell County citizen knew that it was for sale and contacted her. He then asked if the program was faith-based. Ms. Weidinger explained that it is based on the 12-steps of AA, which includes a higher power and some spiritual aspects. Ms. Prater explained the program in more detail. Commissioner Coleman pointed out that since Brighton Center is a non-profit they will not pay taxes.

Commissioner Lampe stated that months ago he toured several of Brighton's facilities. He participated in the Community event at the Women's Recovery Center. He witnessed what Brighton Center does which is caring for and helping people that need help to recover with a proven method that leads to self-sufficiency. He sat in the room with 100 women and was impressed and moved by what he witnessed. He understands the location issue but he supports Brighton Center. He said before the election that the addiction problem is the biggest issue facing the community and he tries to be involved as much as he can. He thanked the Brighton Center staff for what they are doing.

Judge Pendery thanked everybody for coming and stated that there will be other opportunities to speak. He stated that if anybody has questions for him or wants to visit they may contact him.

The Fiscal Court took a break at 7:30pm and reconvened at 7:45pm.

Marie Schenkel, Finance Director, announced that she had already reviewed the 2018 budget with all of the Fiscal Court members and will reiterate some things about the budget, financial structure, fund types, expenditures and revenues, give a brief review of FY 2017 and future financial considerations. Ms. Schenkel stated that the Fiscal Court is very conservative and fiscally responsible in budgeting and operating the finances of the County. The County is obliged to satisfy certain statutory requirements. She advised that monthly monitoring and quarterly projections are made on the original budget assumptions and adjustments are made as needed. She listed the budget fund types: operating funds, restricted use funds and project based funds. Ms. Schenkel then explained the services and statutory requirements in the General Fund. She broke down expenditures by function and by account category and revenues by source. She listed non-discretionary expenditures. Ms. Schenkel then reviewed the fiscal year 2017 budget, and gave a brief overview of the fiscal year 2018 budget including projected receipts, Detention Center budget, personnel costs and capital investments. They budget very conservatively on the revenue and expenditure sides. Ms. Schenkel then addressed future financial considerations such as continued increases in pension contributions, decrease in federal and state funding especially related to roads, and recruiting and retaining a qualified workforce. She closed by thanking her staff in the Finance Department, and stating that the budget process is a group effort of all departments. She appreciates the time that the Commissioners have spent with her. Judge Pendery stated that she did a great job with the spreadsheets this year. Commissioner Coleman stated that he appreciated the way in which Ms. Schenkel explained the budget to him so that he has a better understanding. Judge Pendery stated that staff is to be complimented, as they were staring at a large deficit and there were many steps taken to forego a deficit. He stated that it is hard to make projections, the quarterly reports that she provided have been a big help. He is

happy with the way things worked out. Commissioner Lampe thanked Ms. Schenkel and her staff for their efforts. Commissioner Painter appreciated the spreadsheets also which made it easier to understand. He stated that this budget is similar to the 2011 budget. He pointed out that Campbell County is still the cheapest full service government of northern Kentucky. He complimented the Administration for keeping staff expenses decreasing by using technology to lower costs, and the OEM Department for obtaining about \$260,000 in grant funds. He then thanked all of the individual staff and managers for the personal responsibility with taxpayers funds. The county provides very fine services administered by courteous staff; he has seldom heard complaints about the County's services. Commissioner Coleman asked how the County goes about closing the gap – how do they get a balanced budget? Judge Pendery stated that they will have to do a lot of the same things they did this year and have to be fortunate. Commissioner Coleman asked if the Mental Health fund expenditures increased by about 30%. Ms. Schenkel stated that the Mental Health fund is restricted and they are spending down some of the fund balance. Commissioner Coleman asked about the proposed pay increases of three percent. Ms. Schenkel stated that the increases come to about \$520,000 total for jail and Fiscal Court employees. Commissioner Coleman asked if some of the budget will change before the next reading of the ordinance. Ms. Schenkel explained that the budget will be sent to the KY Department for Local Government (DLG) for approval. She further stated that just because something is in the budget does not mean that it has to be spent. Better to put things in the budget rather than going back to DLG for approval; budget amendments are expensive. Mr. Elberfeld stated that this is the recommended budget. The budget will be sent to DLG, then come back for a second reading at the second meeting in June. There is no vote tonight. There will be some items brought to the Fiscal Court for consideration at the second meeting in June or first in July such as compensation.

There being no old business, Paula Spicer presented new business with Resolution R-44-17 by title and summary. R-44-17 adopts and approves the execution of a Rural Secondary Program Agreement between the Fiscal Court and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid, and accepting all roads and streets referred to therein as being a part of the County Road System. The agreement is for construction of a bridge and approaches n Plum Creek Road. The Department will fund 80% of the actual project cost not to exceed \$68,210, and the Fiscal Court will be responsible for the remaining 20% of the cost. Commissioner Painter made a motion to adopt R-44-17, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-45-17 was read by title and summary given. R-45-17 authorizes the Judge/Executive to execute an Affiliation Agreement with the Northern Kentucky Regional Hazmat/WMD Unit, Inc. for hazardous materials response services. The County's contribution is \$0.13 per capita or approximately \$11,743.68. Commissioner Lampe made a motion to adopt R-45-17, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Resolution R-46-17 was read by title and summary given. R-46-17 authorizes the Judge/Executive to apply for funding from the Kentucky Division of Waste Management for the recycling or disposal of waste tires in Fiscal Year 2018. Commissioner Lampe made a motion to adopt R-46-17, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Brandi Fritsche as a part-time Administrative Assistant (Intake Specialist) in the Housing Department at the hourly rate of \$17.34 effective May 18, 2017. Commissioner Painter seconded the motion. Judge Pendery stated that the Housing Department has reduced their costs by changing this position to part-time. All voted “AYE” and the motion passed.

Judge Pendery made a motion to reappoint Clarence Martin to the Central Campbell Fire District Board of Trustees with a term effective July 1, 2017 through June 30, 2020. Commissioner Lampe seconded the motion. All voted “AYE” and the motion passed.

Matt Elberfeld presented Resolution R-47-17 by title and summary. R-47-17 approves funding for the Transit Authority of Northern Kentucky (TANK) for Fiscal Year 2018. He explained that Boone, Campbell and Kenton County Fiscal Courts fund TANK. TANK’s request for funding this year is for just over \$4.2 million for fixed route service. This is about a \$90,000 increase over the current year funding. TANK also provides demand senior transit services since the Senior Services of Northern Kentucky closed. The Fiscal Courts funded that particular service last year with \$50,000. This year TANK has requested no funding for that program as they have secured grants for it. Mr. Elberfeld stated that TANK’s request, less the \$50,000 for senior transit results in an increase to TANK of about \$40,000 a 0.98% increase. Mr. Elberfeld stated that these cuts will result in some service adjustments. If there were no service adjustments, they would have asked for almost \$260,000 instead of \$90,000. He explained that TANK conducts public hearings, and some riders came to the Fiscal Court’s meeting. Of the proposed cuts, the most feedback received was on the #11 and #20 Routes. He explained TANK’s adjustments for these routes. With the \$90,000 increase in funding, TANK is able to make service cuts to keep routes reasonable while addressing the two most prevalent concerns. Judge Pendery made a motion to adopt R-47-17, seconded by Commissioner Lampe. All voted “AYE” and the motion passed. Commissioner Painter requested that staff look at a resolution to TANK proposing the \$1.50 charge for a local route be increased to \$1.75 to generate more revenue. TANK has been resistant to that in the past, but his justification is the increased salaries for good jobs at DHL, Amazon and FedEx. He requested that staff prepare a resolution for the next meeting recommending an increase in the local route fare of 25 cents to match Cincinnati METRO instead of decreases in service. Commissioner Coleman stated that he had previously suggested zones – the farther you travel the more you pay. For example, a trip from Newport to Cincinnati would stay at \$1.50 but a trip to or from Alexandria would cost more. Commissioner Painter suggested that that could be added to his proposed resolution. Mr. Elberfeld stated that he will draft a request to TANK to look at the overall fare structure, incorporate zones and ask them to consider it during the next year. Both Commissioners Lampe and Painter had received comments from residents saying that they would be willing to pay more for the service. Commissioner Lampe thanked the residents for their input at the public hearing especially regarding losing the #20 route and the Ft. Thomas route. He further thanked Andy Aiello and his staff for listening to the residents and elected officials and coming up with solutions. Commissioner Coleman pointed out that the Southbank Shuttle is worth more than one dollar to avoid parking costs in Cincinnati.

Mr. Elberfeld then requested a motion to meet in executive session pursuant to KRS 61.810(1) (c) discussions of proposed or pending litigation against or on behalf of the public agency and

KRS 61.810(1)(f) discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. He further requested that they meet in executive session now as it may result in action being taken. Judge Pendery made a motion to meet in executive session, seconded by Commissioner Lampe. All voted "AYE" and the Fiscal Court met in executive session.

Judge Pendery made a motion to adjourn the executive session, seconded by Commissioner Coleman. All voted "AYE", the motion passed and the Fiscal Court reconvened in regular session at 9:10pm.

As a result of the executive session, Mr. Elberfeld requested a motion to authorize the Fiscal Court to retain outside counsel for the matter discussed in Executive session. Motion was made by Commissioner Lampe, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Commissioner Painter announced that Court Days will take place at the Alexandria Fairgrounds on Saturday, May 27, 2017 starting at 7:30am.

Marie Schenkel requested a motion to authorize staff to solicit bids for stone, culvert pipe and hot mix asphalt for use by the Road Department during Fiscal Year 2018. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to adopt the Fiscal Year 2018 Annual Standing Order to preapprove certain recurring expenses. State law allows the Fiscal Court to adopt an order preapproving payment of monthly payroll and utility expenses. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-07-17 was presented by title for a first reading. O-07-17 relates to the annual budget and appropriations of Campbell County, Kentucky for the Fiscal Year 2017-2018 (FY18). Judge Pendery stated that this is a first reading only. The budget will be sent to the Department of Local Government for approval. Once it is approved, a second reading will be scheduled.

A motion was requested to approve budget transfers as presented for May 17, 2017. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for May 17, 2017. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. He then pointed out that there was one storm water bill. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. Commissioner Coleman stated that he is in favor of paying the bills but still objects to storm water bills for the park. 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 9:17 p.m.

Attachments:

Resolution R-44-17 Agreement for Rural Secondary Bridge Funds
Resolution R-45-17 Affiliation Agreement with NKY Hazmat/WMD Unit
Resolution R-46-17 Agreement for Disposal of Waste Tires
Ordinance O-07-17 FY 2018 Budget
Budget Transfers May 17, 2017
Claims and Supplemental Claims May 17, 2017

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk