

## **CAMPBELL COUNTY FISCAL COURT MINUTES**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, February 4, 2004, at 7:00 p.m. at the Alexandria Courthouse, Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE  
STEVE PENDERY

COUNTY COMMISSIONERS:  
DAVID OTTO  
KENNETH RECHTIN  
WILLIAM VERST

|                  |                                          |
|------------------|------------------------------------------|
| Robert Horine    | County Administrator                     |
| Jim Seibert      | Fiscal Director                          |
| Justin Verst     | County Attorney                          |
| David Sandfoss   | Chief, Campbell County Police Department |
| Darlana Brown    | Director of Housing                      |
| Melissa Williams | Director of Administration               |

The meeting was called to order at 7:00 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. The meeting was covered by *Government Access*.

Judge Pendery presented the minutes from the regular Fiscal Court meeting of January 21, 2004 and the special Mayors' meeting of January 20, 2004. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of the Fiscal Court meeting of January 21, 2004 and the Mayors' meeting of January 20, 2004 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery then asked if there were any citizens or public officials present who wished to address the Court. Jack Snodgrass, Campbell County Clerk, discussed the HAVA (Help America Vote Act) Act and other Election Commission activities with the Court. He introduced Mrs. Sam Smith, the Republican representative on the Campbell County Board of Elections, and thanked her for her work on the Board. He stated that he would like to request the authorization of the Fiscal Court for a voting system for Campbell County. He explained that the Federal Government has made many changes in the voting system that now exists, noting that funds would have to be spent to meet the new requirements. Due to the election fiasco in Florida for the presidential race in 2000, election reform throughout the country is taking place. A law has been passed called the HAVA (Help America Vote Act) Act of 2002, which will bring sweeping changes to federal elections. The three key provisions in the HAVA Act that we must conform to are: (1) Provisional statewide voting, which took effect as of January 1, 2004. With

provisional voting, if a citizen comes in to the precinct to vote and they are not listed on the roster sheet, and they can prove they are a resident of the County, that citizen is given a ballot to vote on federal issues only. The ballot is then sealed and gone over at a later date by the Board of Elections and decide if that resident has a right to vote on the provisional ballot. If it is found by the Board of Elections that the resident has the right to vote on the provisional ballot, that vote is counted; if not, the ballot will not be counted; (2) Statewide mail-in voter registration system. If a resident wants to send in a mail-in registration, they will now be required to send with the registration some type of proof of identification; and (3) Statewide database for registered voters. Another change that will affect Campbell County is that effective January 1, 2006, every voting precinct has to be 100% handicap accessible. If this is not complied with, the County will be forced to make the changes. Mr. Snodgrass stated that Campbell County had done a survey approximately three years ago for the State, and of the 66 precincts that were in the County, it was determined that 65 precincts were in compliance. The Federal requirements, however, will be stricter and may require some upgrades to some of the precincts. Mr. Snodgrass noted that one of the biggest problems he foresees is with some of the parking lots where precincts are located which are gravel parking lots. They must be blacktop or cement parking lots to meet with handicap accessible guidelines. Another requirement will be the need for a Braille ballot. Mr. Snodgrass explained that there are presently 66 precincts in Campbell County, reduced from 84 in 1994, and may have to consider adding additional precincts in order to meet the new Federal requirements.

Commissioner Otto asked if the documentation would be required if a voter registration drive was held. Mr. Snodgrass responded that the documentation would more than likely be necessary, but would not know for sure until the State gives the County its guidelines.

Judge Pendery asked what kinds of flaws the provisional voting would cure, giving an example of a citizen going into a precinct to vote and finds out they are in the wrong precinct and are not on the roster sheet. Will that citizen be sent to another precinct to vote or would a provisional ballot be done and, if a provisional ballot is done, what happens because of that citizen being out of a jurisdictional boundary. Mr. Snodgrass responded that if a citizen comes in to a precinct and they are not listed on the roster, the precinct worker is required to fill out a card with the pertinent information of the citizen, and then decide whether the citizen should vote at that precinct or send them to another jurisdiction to vote. This will only be necessary for Federal elections.

Commissioner Verst asked if there were certain standards that applied to how many precincts Campbell County needed to have. Mr. Snodgrass responded that the State of Kentucky has a law that the County cannot have a precinct with less than 250 registered voters, unless the County receives an exception from the State. He noted that most of the precincts in Campbell County have a minimum of 700 registered voters. There is also a regulation that if a County has more than 1,000 voters to vote in a precinct, 2 voting machines must be supplied at those precincts.

Mr. Snodgrass then discussed the election processes with the Court. He stated that the Governor's election, the Presidential election, and the countywide election are extremely busy for the precincts. The County now has a problem with the number of people who now vote in the Clerk's office because of the leniency that the motor-voter act gave people, whereby for

almost any reason a citizen will be out of the County on election day, that citizen is allowed to vote absentee ballot in the Clerk's office. In the past Governor's election, the Clerk's office had 1,200 citizens come in to vote on the machine, and approximately 700 paper ballots. In the Presidential election in 2000, the Clerk's office had approximately 1,600 come in to vote. In Kentucky there are 96 counties that use the Electronic 1242 DRE voting machine, 17 counties use a similar machine sold by a different vendor, and 1 county (Jefferson) uses an optical scan machine. There are 114 counties that hand count their paper ballots, including Campbell County, which has created errors in the past. For the past Presidential election, Mr. Snodgrass's office hired 12 people to come in and count the paper ballots, which took 3 hours to count. There are presently 6 counties who use an optical scan system. When there is a statewide election, along with a countywide election and a Federal election, which will happen this year, Campbell County has 17 cities with 7 school boards and each one of these races has to be put on the ballot. All of these races combined cannot physically fit on a two-page ballot, and must be squeezed onto three pages. In many elections, four pages are necessary for a ballot. Therefore, in the Clerk's office for a period of thirty days prior to an election, a minimum of three voting machines are required. The problem occurs when these voting machines are tied up in the Clerk's office, they cannot be used in other precincts where the voter count is much higher, if one of those machines should get locked on election day.

Mr. Snodgrass requested the Court consider purchasing a Ballot-on-Demand system, which is a computerized voting system that citizens who come in to the Clerk's office to vote absentee ballots can use rather than using the voting machines. Using this type of system would help to eliminate errors in hand counting the ballots, and eliminate long lines of waiting. The system will print out a ballot for the individual citizen's needs. The ballot is scanned immediately and any problems, such as an overvote, are addressed immediately. In such a case, the system will lock that ballot out and not accept it. The voter is then given an opportunity to correct the ballot. Once the ballot is correct, the scanner system reads it and it goes into a locked system. The scanner system will make the voting process much cleaner, the operation will make it easier to count the votes, and the paperwork will be greatly reduced. Mr. Snodgrass stated that he had attended an election convention over the summer, and of approximately 16 voting machines he reviewed, the scanner system was by far the best for ease of operation and accountability. He noted that Kenton County has used the scanner system for the past 3 years, and believes the system is almost foolproof. The cost of the system is \$12,000, which includes the equipment and the necessary licenses.

Mr. Horine asked what the timing would be to implement the system in Mr. Snodgrass's office. Mr. Snodgrass stated that it was his hope to have the system in by the May primary, since there would be many citizens to vote in that election. He noted he would like to get through the May primary using the new system, before the Presidential election in November.

Commissioner Otto asked if the cost to the Fiscal Court for the system would be \$7,000. Mr. Horine stated that Mr. Snodgrass had forwarded some budget transfers to him, which shows that \$5,000 from election supplies would be able to be put toward the purchase of the equipment, thereby making the Fiscal Court's contribution \$7,000. Mr. Snodgrass stated that there may be additional sums available after the May primary to put toward the purchase.

Judge Pendery thanked Mr. Snodgrass for his presentation, noting the full Court's appreciation.

Judge Pendery next requested items of Old Business be brought before the Court. Ms. Williams reported that there was no Old Business to be acted on at this meeting.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams advised that the first order of New Business was Resolution R-06-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges the acceptance of the FY 03 Housing Choice Voucher Family Self-Sufficiency Grant in the amount of \$45,080. The grant is for a period of twelve months and will be utilized in both FY 04 and FY 05. The program assists families on the Housing Program to gain and maintain full-time employment so that they may get off government assistance and become self-sufficient. She stated that Darlena Brown, Housing Director, was present to answer any questions. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-06-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-05-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution amends the budget of the Campbell County Housing Department to reflect the addition of \$22,540 in the Family Self-Sufficiency Grant funds for FY 04, and the funding will go towards the salary and benefits of the FSS Coordinator. She stated that Darlena Brown, Housing Director, was present to answer any questions. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve Resolution R-05-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to proclaim February 11, 2004 as United Way 211 Day in Campbell County. She explained that this request was made by United Way, and that the 211 special phone number allows citizens to obtain information on services such as health concerns, counseling, human services and assisting individuals with disabilities. The 211 service has been in place for one year. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to authorize staff to advertise, interview and hire for four positions of part-time Golf Starter at A.J. Jolly Golf Course. There being no further discussion, Judge Pendery made a motion and Commissioner Rechtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams stated that the appointment of a representative on a fire district Board was still being considered, and no action would be necessary at this meeting.

Judge Pendery next requested reports from Staff. Mr. Horine advised he had nothing further to report at this meeting.

Judge Pendery then requested a report from the County Attorney. Mr. Verst reported that the sexually oriented business licensing process was still being fine-tuned and he would be meeting with some representatives from Kenton County to get the process finalized.

Judge Pendery next requested reports from the Commissioners. Commissioner Rechlin reported that he had attended a recent NKU basketball game and presented Campbell County's Proclamation to Coach Ken Shields proclaiming January 31 as Ken Shields Day. Mr. Shields expressed his gratitude for the Proclamation. Commissioner Rechlin also stated that after being in the NKU basketball arena for the first time since college graduation, he believes they need a new arena. Judge Pendery thanked Commissioner Rechlin for representing the Fiscal Court and presented the Proclamation to Coach Shields, stating that Coach Shields is a great individual and has had a huge influence on so many people.

Commissioner Verst thanked Ken Schultz and the Road Department for their exceptional efforts in staying on top of the road conditions during the recent snowfall.

Commissioner Otto stated he had nothing further to report at this meeting.

Judge Pendery then announced that the Campbell County Fiscal Court is partnering with the Campbell County Conservation District to apply for funds to complete a Farmland Preservation Study. Other partners in the study are the Campbell County Conservancy, Northern Kentucky Area Planning Commission, and the Campbell County Cooperative Extension Center. The grant will prepare an agriculture industry profile, help develop an education program regarding farmland preservation, and investigate sources of funding to finance a local PACE program. The Conservation District will be the lead agency in this effort. He added his thanks to the Road Department for their fine work this winter season.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert presented Resolution R-07-04, 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 a contract amendment with Automated Data Processing, Inc. regarding the payroll service, which will result in a cost savings of \$6,000 per year to the Court. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechlin seconded, to approve Resolution R-07-04. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Transfers being presented at this meeting. Commissioner Otto commented that, even though the Court is aware of it, it is a real shock to see \$60,000 in jail overtime as a transfer on the report, reiterating the seriousness of the jail situation. There being no further discussion, Commissioner Verst made a motion that the Transfers be approved. Commissioner Rechlin seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. County Attorney Verst advised that he had reviewed the claims and that they appeared to be appropriate. There being no further discussion, Commissioner Rechlin made a motion that the Claims be

approved and paid. Commissioner Verst 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 Rehtin, seconded by Commissioner Verst, that the meeting be adjourned. All voted “AYE” and the meeting was adjourned at 7:54 p.m.

**Attachments:**

Resolution R-05-04: Amendment of Campbell County Housing Department Budget  
Resolution R-06-04: Campbell County Housing Choice Voucher Family Self-Sufficiency (FSS) Grant  
Resolution R-07-04: ADP Contract Amendment  
Transfers: February 4, 2004  
Claims: February 4, 2004  
February 4, 2004 (Home Emergency Grant)

Approved:

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STEVE PENDERY  
Campbell County Judge/Executive

Attest:

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Melissa A. Williams  
Acting Fiscal Court Clerk