

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

January 6, 2016

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

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Paula Spicer	Fiscal Court Clerk
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Colonel Craig Sorrell	Campbell County Police Department
Frank Spataro	Human Resources Director
Cindy Minter	Planning and Zoning Director
Jim Luersen	Campbell County Clerk
Mike Jansen	Campbell County Sheriff

The meeting was called to order at 7:00 p.m. by Judge Pendery. Cable Access was present to film the meeting.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes from the Fiscal Court regular meeting of December 16, 2015 were presented. Motion was made by Commissioner Coleman, seconded by Commissioner Painter to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public. As Irvin Bacon approached the Fiscal Court, Judge Pendery advised that Kim Serra had prepared a report on Campbell County Parks to address Mr. Bacon's concerns from previous meetings. He then ask Ms. Serra to present her report.

Kim Serra stated that she and the parks staff have done some research on comments that they've received about the County's parks. An annual report on the parks' activities for 2015 was sent to the Fiscal Court. Ms. Serra reported on the following issues: restrooms in the parks, security

lights that are on in the park at night, picnic tables at the Environmental Education Center, use of vehicles assigned to the parks, placing emblems on vehicles used in the parks, closure of facilities and access to parks in the winter months, full-time and seasonal park employees, dumpsters and portalets left by vendors in the parks at no cost to the County, quotes on contracting grass-cutting services and horseback riding on the roads in A J Jolly Park. Ms. Serra stated that she meets with the Parks and Recreation Manager every week and makes unannounced visits to the park. She is comfortable with the way the parks are being operated. Included in the annual report submitted to the Fiscal Court, was a work plan for the winter. Mr. Bacon stated that Pendery Park is checked by the police, but at A J Jolly Park the police only check the fishing area, not the camping and other areas because they are gated. Chief Sorrell stated that the Police Department does have a key to all gates in the park and can access all areas. Mr. Bacon stated that people do walk back to areas that are gated. His concern is that somebody may get injured/hurt and nobody would find them. Chief Sorrell stated that he will have officers check the subject area periodically.

Mr. Bacon then asked why they cannot ride horses on the roads in the campground when there is no camping. He understands that state statutes trump the County's ordinances regarding riding on the park roads. Steve Franzen advised that there is a state statute that permits horses on county and state roads where vehicular traffic is allowed. The County could limit horse travel on roads but it would have to be posted. The roads inside the park are not county roads, they are part of the park and the County could do whatever they want with roads inside Pendery or A J Jolly Park. Mr. Franzen stated that he does not agree that the statute that permits horseback riding on all county or state roads requires that it be permitted in the parks. Mr. Bacon asked if the Fiscal Court would consider allowing them to ride in the campground area when there is no camping occurring. Judge Pendery stated that he does not recall why the prohibition was put in place originally. They can take a look at it and discuss it. Commissioner Coleman stated that he talked to Jim Mayer of the Northern Kentucky Horse Network who said that the horse trails are dangerous and unusable at this time of year. He wondered if the Horse Network could come up with a workable plan. Commissioner Coleman stated that he has no objection to them riding in the campground when there is no camping, children or vehicles. He stated that one issue was the horse droppings. He would like to hear from the Horse Network on this issue. Ms. Serra stated that Mr. Mayer and the horse network are not inclined to have horses riding on the roads in A J Jolly Park. Mr. Mayer told her that his concern was the safety of the riders and other people using the park and runoff from the droppings into the lake and that droppings are not cleaned up consistently. The last few times that she was in the park, the droppings had not been cleaned up. If riding on the road is allowed, there would have to be rules about cleaning up. Commissioner Coleman stated that Mr. Mayer does not want to hurt is good relationship with the Parks staff and the Fiscal Court. Commissioner Painter stated that he talked to Mr. Mayer also and he is concerned about jeopardizing the good working relationship with the Parks staff and the Fiscal Court. He stated that the Fiscal Court would consider a recommendation from the Horse Network.

Campbell County Schools Interim Superintendent Pace introduced himself and commended the Fiscal Court on its good working relationship with the Campbell County Schools. He also thanked the Campbell County Sheriff and the Chief of Police. Superintendent Pace advised that the Campbell County Schools are comprised of over \$200 million worth of facilities, 700

employees, and 4,900 students. He is honored to have been chosen as the interim Superintendent through June 30; he is a resident of Clark County. He also stated that he is fortunate to have Susan Prather as his administrative assistant. Superintendent Pace stated that he is impressed with the Campbell County Board of Education and its focus on providing an education program for each child in the school system. He believes that the emphasis with public entities should be collaboration and consensus and working together to resolve any issues that may arise so that the children will benefit from their efforts. Campbell County will probably be graduating 450 students in the spring. Assuming 250 go on to higher education or military, there are still 200 that need employment. That should be their goal through collaboration. He stated that if there is anything he can do for the fiscal Court or contribute to any endeavor feel free to call on him. Serving as Interim Superintendent, he has agreed to not seek the Superintendent position. He pointed out that the Campbell County has the 17th best school system in the State according to test criteria, and the 4th best school system in the area. Judge Pendery thanked Superintendent Pace for coming to the meeting to get acquainted. He stated that the Fiscal Court and School District have had a long and mutually beneficial relationship.

Chief Craig Sorrell introduced Alex Turner and Doug Holt, two new Campbell County Police Officers. Judge Pendery administered the Oath of Office and welcomed them to the Campbell County Government family. Chief Sorrell provided the law enforcement background of each officer. He pointed out that Officer Turner is the first African-American to serve on the Campbell County Police Department.

Paula Spicer presented old business with a second reading of Ordinance O-14-15 by title and summary. O-14-15 discontinues a portion of East Nagel Road on the south side of Old KY 154- Peach Grove Road, west of State Route 154 and East of US 27 in unincorporated Campbell County pursuant to KRS 178.070 and authorizing the necessary legal action to effectuate such closure. Commissioner Lampe made a motion to adopt O-14-15, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

New business was presented with Resolution R-01-16 by title and summary. R-01-16 approves the Campbell County Clerk’s budget as submitted for calendar year 2016. Jim Luersen, Campbell County Clerk expressed his appreciation to the Fiscal Court and staff for their support. Commissioner Coleman made a motion to adopt R-01-16, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-02-16 was read by title and summary given. R-02-16 approves the Campbell County Sheriff’s budget as submitted for calendar year 2016. Sheriff Mike Jansen thanked the Fiscal Court and staff for their support and assistance. Commissioner Coleman made a motion to adopt R-02-16, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Resolution R-03-16 was read by title and summary given. R-03-16 authorizes the Judge/Executive to execute a Purchase of Service Agreement with the Northern Kentucky Area Development District for operations at the Campbell County Senior Center for FY 2016. This annual Agreement funds the operation of the Senior Center. The FY 2015 Agreement was extended through September 30, 2015 with an allocation of \$18,000. The current agreement in the amount of \$49,000 is for the remainder of FY 2016 – October 1, 2015 through June 30, 2016.

Commissioner Lampe made a motion to adopt R-03-16, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to accept the resignation of Ron Schneider, Office of Emergency Management Deputy Director 2, effective March 1, 2016. Mr. Schneider has served the citizens of Campbell County for over 17 years. Judge Pendery explained that Mr. Schneider is retiring and he will be missed. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-14-16 was read by title and summary given. R-14-16 updates the position descriptions and titles for the Office of Emergency Management Deputy Director 1 and Office of Emergency Management Deputy Director 2 positions and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-14-16, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for an Office of Emergency Management Deputy Director – Administrative to replace Ron Schneider upon his retirement. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Matt Elberfeld requested a motion to award the bid for the Nine Mile Road creek restoration project to Bray Construction in the amount of \$92,347. The Fiscal Court previously rejected a bid of \$189,000 for the same project to remove debris from Nine Mile Creek and restore it to its original condition. The specifications were reworked and staff negotiated an agreement to dispose of the fill at the Manhattan Harbour site. As a result, four bids were received and staff recommends accepting the low bid of Bray Construction. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Mr. Elberfeld then requested a motion to award the bid for the Uhl Road creek restoration project to Bray Construction in the amount of \$170,623.19. This project is similar to the Nine Mile Creek project. Four bids were received with Bray being the low bidder. Staff recommends awarding this bid to Bray Construction. Motion was made by Commissioner Painter, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

Commissioner Coleman stated that Ms. Serra addressed his comments about logos on the park vehicles in her earlier report.

Commissioner Coleman stated that he has still not heard anything publicly from Senior Services of Northern Kentucky (SSNK). He stated that the public deserves an explanation about its closing. Commissioner Lampe advised that the Northern Kentucky Area Development District (NKADD) has requested an audit of SSNK for fiscal year 2015 and for July 1, 2015 through October 23, 2015. The NKADD attorney is talking to SSNK’s attorney. Judge Pendery stated that he and Mr. Elberfeld have met with representatives of the NKADD and Transit Authority of Northern Kentucky (TANK) to find out how things are proceeding and to ensure that the transportation needs are being met.

Commissioner Coleman stated that the Fiscal Court needs to keep Chase Law School on the front burner. He believes that the position of the other members of the Fiscal Court is that it is something that we don't need to worry about at this time. In a recent podcast on the River City News, Northern Kentucky University President Mearns talked about moving the College of Informatics, the Health Innovations and maybe another program. Judge Pendery stated that he has not heard the podcast, but he does not think that NKU would move all of those programs. President Mearns did say that the move was not NKU's idea – Kenton County has a building that they are hoping to vacate in favor of a new administration building and they are looking for uses for the current building. They are trying to get money from the legislature to rehab the building. He stated that Kenton County would not be able to leave until they have another place to go and the building would need to be reconditioned at considerable expense. He would be very surprised if the legislature would come up with any money for something like this. Judge Pendery stated that it would be a long time in the future before anything would happen. Commissioner Coleman stated that it is no secret that Kenton County wants to move Chase Law School and he thinks that NKU wants to move because they haven't said that they aren't interested. Judge Pendery stated that President Mearns has told him that if they did move the County and Highland Heights would be held financially harmless. He stated that he would be happy if Chase Law School stays, but if they are offered a deal that NKU can't afford to refuse, he will listen to it. Judge Pendery pointed out that the \$97 million Health Innovation Center is being built at NKU. He further stated that you don't get a dime from the legislature unless you have a united front and a consensus and a single request. The region did just that to fund the health innovation center. The region also built the science building, the BB&T Arena, and the Griffin IT Building. There have been several hundred million dollars in projects gained for NKU because the region as a whole worked together to get the money from the legislature. NKU is the County's largest single employer and its biggest single investor and if they have needs he will listen before he says "No". Commissioner Coleman stated that the Finance Director estimates that the County will lose \$20,000 in payroll tax if the law school moves. The County caps its tax at \$38,000 and the City of Highland Heights caps at \$100,000 – think about how much it will cost the City. Judge Pendery stated that President Mearns has offered a personal guarantee that there is not going to be a financial effect on Campbell County and Highland Heights. NKU is not asking the legislature for money for the building in Kenton County. They are asking for a new system of financing universities. That is their main priority. He stated that President Mearns was on the podcast to address misunderstandings. Commissioner Lampe stated that he had lunch with the Chairman of the Board of Regents and ascertained that there is no immediate concern. He stated that the Fiscal Court is in touch with the right people at NKU. The Fiscal Court is not ignoring this, but also doesn't think it is time to panic. Commissioner Coleman stated that if regionalism is taking one asset from Campbell and giving it to another county then he is not in favor of regionalism; he represents Campbell County. Judge Pendery stated that we regularly complain to Frankfort that only about half of the money that we send to Frankfort in taxes is returned in the form of services or benefits to citizens in northern Kentucky. In fact, about 80% of what Campbell County sends to Frankfort comes back because it has NKU. NKU is one of the principal economic drivers in the region. Judge Pendery stated that the Fiscal Court needs to preserve its relationship with NKU and trust what they tell us and work with them.

Commissioner Coleman asked who oversees the college tuition reimbursement program for the Fiscal Court. Kim Serra explained the process that full time Fiscal Court employees follow to apply for reimbursement. The courses must be related to the employee's job and be approved by the employee's department head and Human Resources Director. The amount of reimbursement is based on the grade received and on the tuition rates at Northern Kentucky University for undergraduate and graduate students.

Commissioner Coleman asked for an explanation of several payments listed on the Claims presented for January 6, 2016: Servatii Pastries, repair of a 2016 Ford Explorer, sanitation bill for the Park perhaps for storm water, and purchase of a Kubota lawnmower. Mr. Elberfeld, Ms. Schenkel and Ms. Serra explained the reason for the costs.

Commissioner Lampe asked for an explanation of the bond sale that took place earlier in the day. Matt Elberfeld explained that the Fiscal Court authorized a refunding of the bonds issued for the construction of 1098 Monmouth Street. A refunding means that new bonds are sold at a lower interest rate than the current bonds and a savings is realized. He stated that there are about 12 years left on the original bonds and staff hoped to save about \$350,000 through refunding. Due to recent stock market activity, demand for municipal bonds has increased. The bonds were sold this morning and the low bid was for a 1.8% interest rate which means a savings of \$577,000 over the next 12 years or between \$46,000 - \$50,000 savings annually.

Commissioner Painter stated that there was an air quality hearing in Frankfort where Campbell County was to be reclassified from a sulfur dioxide nonattainment area to an attainment area because the monitoring site is now below the threshold level. This is due in part to the closing the Beckjord plant in Clermont County. The sulfur dioxide from Beckjord was detected in Campbell County monitors making it noncomplying. This classification has affected development in Campbell County over the years. Campbell County is an attainment county now which is a positive development for our air quality and ability to attract industry.

Commissioner Painter stated that the 536 Scoping study for acquiring land in Kenton County to meet up with Campbell County on KY 536 will be adopted by OKI at its January 14 meeting.

Judge Pendery announced that the Mayors/Fiscal Court meeting will take place on Thursday, January 26, 2016 at 6:00pm in the Fiscal Court Chambers of the County Administration Building, 1098 Monmouth Street, Newport, Kentucky.

Marie Schenkel requested a motion to authorize staff to advertise for bids to resurface portions of the following County roads: Eight Mile Road, Barrs Branch, Eagle View, Haubner Road, Kennedy Road, Lauren Lane, Messmer Hill Road and Oregon Landing. The total amount to be resurfaced is about 5.7 miles. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to acknowledge for the record that the 2016 bonds are in place for the County Judge/Executive and the Sheriff. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

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

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 8:20 p.m.

Attachments:

Ordinance O-14-15	Discontinue a Portion of East Nagel Road
Resolution R-01-16	Adopt 2016 Budget for Campbell County Clerk
Resolution R-02-16	Adopt 2016 Budget for Campbell County Sheriff
Resolution R-03-16	Agreement with Northern Kentucky Area Development District
Resolution R-04-16	Adopt Revised Position Descriptions
Claims	January 6, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk