

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

September 7, 2011

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, September 7, 2011, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

Steve Franzen
Melissa Williams
Jim Seibert
Paula Spicer
Colonel Keith Hill

County Attorney
Director of Administration
Fiscal Director
Fiscal Court Clerk
Campbell County Police Chief

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 August 17, 2011 and special meetings of August 24, 2011 and July 26, 2011 (Mayors' Meeting) were presented. Commissioner Painter stated that he requested one correction to the minutes of August 17, 2011 and the minutes were changed by the Clerk as requested. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter to approve the minutes as amended. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Ron Ketterer read a prepared statement regarding his family's pet cat being picked up and taken to the animal shelter on August 29, 2011. Mr. Ketterer stated that the cat was euthanized in less than one business day after being picked up; this was not even enough time for them to realize that the cat was missing. He further stated that when his wife called the shelter, the employees were rude and unsympathetic to her. They came to the meeting to express their anger and disgust about how this incident was handled. Mr. Ketterer proposed that a minimum two business day waiting period be instituted before a cat is euthanized and at least one business day

before a sick cat is euthanized. He advised that his wife talked to Senator Katie Stine who then talked to Commissioners Painter and Garrett who both are amenable to instituting county regulations that provide the same waiting period for cats that applies to dogs. The Ketterers attended the City of Ft. Thomas meeting and were told that many of the issues that they brought up were the responsibility of the County. Mr. Ketterer then proposed that pictures of animals that are taken to the shelter be put on the website. He quoted a regulation 90.06 which provides that any animal taken into custody may be humanely disposed of at the discretion of the animal shelter director five days after the animal is taken into custody. Rhonda Herringer, 444 Highland Avenue, Ft. Thomas, Kentucky, stated that KRS 257.100 provides that any animal taken into custody must be seen by a veterinarian or two reputable citizens before it is destroyed. She further stated that Grant County has a regulation that requires a three-day waiting period before destroying a cat. Ms. Herringer stated that Campbell County has totally disregarded the State statute. Judge Pendery stated that they are sorry for the Ketterers' loss and for their experience. He stated that the Fiscal Court will consider their proposals, get input from the staff and get back to them.

Judge Pendery read a proclamation in recognition of OMEGA Processing Solutions LLC being named to *Inc. Magazine's* 2011 Inc. 500/5000 List as one of the fastest growing private companies in America. Judge Pendery congratulated OMEGA's President Todd McHugh and presented the framed proclamation to him. OMEGA is a financial services company founded in 2003 and is located in Ft. Thomas.

Judge Pendery next presented a plaque to Betty Cottingham in recognition of her years of service on the Northern Kentucky Area Development District Board of Directors and its Council on Aging since 1988. Ms. Cottingham served as the Human Services Director for Campbell County from 1987 to 1999 and oversaw the construction of the Campbell County Senior Citizen Center.

Judge Pendery then administered the Oath of Office to two new Campbell County Police Officers: Joshua R. Johnson and Nicholas J. Blank V. Officers Johnson and Blank introduced their spouses and other family members that were present.

A motion was requested to promote Jeremy Newberry to the position of Sergeant I in the Campbell County Police Department with compensation set at 13G (\$26.4092/hour) effective September 7, 2011. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed. Chief Keith Hill explained that Officer Newberry is a seven year veteran of the Police Department and has served as a detective and on the Northern Kentucky Drug Strike Force. Officer Newberry introduced his family members that were present.

Tom Saalfeld, Vice President/Chief Operating Officer of St. Elizabeth Hospital, Ft. Thomas, reported to the Fiscal Court on investments/improvements made to the Ft. Thomas facility since the merger. These include the installation of the da Vinci surgical robot system, partnerships with area schools and programs to address childhood obesity, renovation of the skilled nursing unit, opening of a new 8-bed hospice unit, renovation of the cancer care center, addition of new physicians and specialists and timeshare office space, and beautification of Grand Avenue and lobby renovation. Mr. Saalfeld stated that the hospital has purchased the former Mildred Dean

School property which will become a medical office complex. He stated that there was concern about loss of jobs when the merger took place, and he was happy to report that they have been able to keep the payroll level mostly the same. Mr. Saalfeld stated that they had no warning of the upcoming closing of the Cardinal Hill long-term acute care hospital in Ft. Thomas. The Medicaid and Medicare rates are being reduced; these reductions are particularly impacting long-term acute care hospitals like Cardinal Hill. Mr. Saalfeld stated that on the day that the announcement was made by Cardinal Hill, he was contacted by three other companies that are interested in taking over its space. He is confident that they will get another vendor to fill the vacancy. Mr. Saalfeld stated that St. Elizabeth Hospital, Ft. Thomas, is doing extremely well in the "Medicare Core Measures" and Anthem ratings. Mr. Saalfeld introduced Roseanne Neal, Vice President of Marketing, who had accompanied him. Judge Pendery stated that Mr. Saalfeld and Ms. Neal have done an outstanding job educating the public when there was anxiety over what was going to happen at the hospital after the merger. He also expressed his appreciation to them for keeping the Fiscal Court and other officials updated on the hospital.

There being no old business, Melissa Williams presented new business beginning with Resolution R-94-11 by title and summary. R-94-11 authorizes an agreement to apply as a region for a Sustainable Communities Regional Grant, and authorizing the execution of a Proof of Commitment to the Sustainable Communities Regional Grant Program Consortium. Commissioner Rechtin made a motion to adopt R-94-11, seconded by Judge Pendery. Judge Pendery stated that 75% of OKI's 120 board members are elected officials and they are sensitive to any possible interference in local preferences by the federal government. If OKI is successful in attaining this grant it will mean many millions of dollars for planning in the region. However, if there is any indication of interference by the federal government, they will withdraw. He explained that the grant funds will be used to refresh information used to prepare transportation models and projections. Commissioner Painter asked if the funds would be used for planning the Brent Spence Bridge replacement. Judge Pendery replied that the planning of the Brent Spence Bridge has been funded well; it is the construction that needs funding. He further stated that the traffic modeling performed by OKI is a requirement for a lot of work done by the Kentucky Transportation Cabinet. Judge Pendery is not sure of the time line for the grant. He pointed out that they applied for this funding last year and it was not approved. All voted "AYE" and the motion passed.

Resolution R-93-11 was read by title and summary given. R-93-11 authorizes approval of the change order from Hermes Construction on the horse barn at the A J Jolly equestrian campground. The change order is needed to alter the distance between the stall walls and the floor in the horse barn and will cost an additional \$800. Commissioner Rechtin made a motion to adopt R-93-11, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Adam Moeves, Patrol Officer Grade II, effective August 31, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to reclassify Robert Bowlds and Joseph Pfefferman from Road Maintenance Specialist II to Road Maintenance Specialist III with compensation set at \$24.4316/hour effective September 7, 2011. Motion was made by Judge Pendery, seconded by

Commissioner Rehtin. All voted “AYE” and the motion passed. Commissioner Painter stated that Messrs. Bowlds and Pfefferman did good work on the grading and paving of the site of the new horse barn at A J Jolly Park, and it was done in a timely manner.

Steve Franzen requested that the Fiscal Court meet in Executive Session at the end of the regular business pursuant to KRS 61.810(1)(c) to discuss proposed or pending litigation against or on behalf of the public agency. Motion was made by Judge Pendery, seconded by Commissioner Garrett. Mr. Franzen stated that he will request that the Fiscal Court take action after the Executive Session.

Judge Pendery announced that the Campbell County Senior Picnic is scheduled for Wednesday, September 21, 2011 at Pendery Park from noon to 5:00 p.m.

Judge Pendery announced that the “Paddling for the Pink” Dragon Boat Races sponsored by the Kentucky Thorough Breast Organization and St. Elizabeth Hospital will be held on Saturday, September 10, 2011 at A J Jolly Park. Chief Keith Hill advised that they are expecting about 6,000 people for this event.

Jim Seibert requested a motion to award the bid for propane services for 2012 for A J Jolly Park and the Campbell County Road Department to Ferrellgas. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. Commissioner Painter stated that the number of days “ARO” (after received order) for delivery was 3 business days in one bid and 14 in another bid. He asked if the delivery time made a difference when evaluating the bids. Mr. Seibert stated that he did not think it made much difference because the tanks will be checked from time to time. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to solicit proposals to provide financial advice and bond counsel services relating to the refinancing of series 1997-2001 County Bonds. Mr. Seibert explained that the rates are lower now than when the bonds were issued, and the County may be able to save some money by refinancing. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to seek bids to resurface Lees Road (CR 1228) from Ky. 1936 extending to Pleasant Ridge Road, and Tarvin Road (CR 1229) from Lees Road extending northeast to South Licking Pike. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. Commissioner Painter stated that they’ve been experiencing some hydrologic overload on some of the culverts in this area. Staff is working with the Department of Transportation to determine the source of the problem. He stated that Ken Schultz, Road Supervisor, said that they may have to replace the existing culvert with a box culvert. All voted “AYE” and the motion passed.

Mr. Seibert requested that the second reading of Ordinance O-14-11 which amends the FY2012 budget be tabled until the next meeting to meet the publication requirements.

Mr. Seibert then requested a motion to approve the claims as presented for September 7, 2011. Steve Franzen stated that he has reviewed the claims and found that they all appeared to be

appropriate. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. Commissioner Rechtin recused himself from approving payments made to Senior Services of Northern Kentucky, his employer. All voted "AYE" and the motion passed.

Commissioner Garrett pointed out that they did not vote on the motion to meet in executive session. Steve Franzen stated that a vote was needed on the executive session that he requested earlier in the meeting. All voted "AYE" on the motion and second made previously, and the motion passed. The Fiscal Court adjourned to executive session at 8:05 p.m.

Commissioner Rechtin made a motion to adjourn the executive session, seconded by Commissioner Garrett. All voted "AYE" and the motion passed. The Fiscal Court reconvened in regular session at 8:14 p.m.

Steve Franzen requested a motion to approve the settlement agreement in the EEOC claim of Lana Helton. Motion was made by Commissioner Garrett, seconded by Commissioner Rechtin. Mr. Franzen stated that there is no compensation or attorneys' fees to be paid from any Fiscal Court funds in connection with the settlement of this claim. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rechtin made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 8:16 p.m.

Attachments:

Proclamation	OMEGA Processing Solutions LLC
Resolution R-94-11	Agreement for Sustainable Communities Regional Planning Grant
Resolution R-93-11	Change Order for Horse Barn Construction
Claims	September 7, 2011

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk