

CAMPBELL COUNTY FISCAL COURT MINUTES

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, February 18, 2004, at 5:30 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, 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
Paul Twehues	Assistant County Attorney
Keith Hill	Assistant Chief, Campbell County Police Department
Darlana Brown	Director, Housing
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 5:30 p.m. by Judge Pendery. A moment of silence was called for, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Judge Pendery presented the minutes from the Fiscal Court meeting of February 4, 2004. It was moved by Commissioner Rechtin and seconded by Commissioner Verst that the minutes of the Fiscal Court meeting of February 4, 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. There were none.

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

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams advised that the first order of New Business was Ordinance O-03-04 for first reading. She explained that this Ordinance amends Ordinance O-14-90 relating to the payment of license fees on insurance companies engaged in business in Campbell County, Kentucky, to increase the license fee from 5% to 10%. The Ordinance also amends Chapter 114, Section 114.01 of the Campbell County Codification of Ordinances. Judge Pendery stated that he had had contact with cities and counties who had rates less than the new proposed rates, and they are now aware that they can make the same adjustment in their rates. He noted that there would probably be a couple of jurisdictions that increase their insurance tax and offset the increase with a reduction in

another area. Commissioner Rechten asked if all of the cities were aware of the increase and had enough time to adjust their rates by the deadline. Judge Pendery stated that all of the cities were aware of the increase and Mr. Horine stated that the deadline was indicated as March 23, 2004 and all of the cities have at least 2 meetings scheduled between now and that deadline time. He noted that a couple of cities had reported that they may also hold a special meeting in order to have a second reading of the ordinance by the deadline date. Judge Pendery advised that a letter would be sent to all of the cities that would make them aware of the increase in order to make sure they are all informed. Commissioner Otto asked when the last time was that this tax was increased. Ms. Williams responded that it has not been increased since the tax was created in 1990. Judge Pendery then noted that everyone in the County would now be paying the same tax on insurance, except those living in Dayton, whose tax is at 11%. Ms. Williams stated that no action was necessary on the Ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams then presented Ordinance O-04-04 for first reading. She explained that this Ordinance updates the Official List of County Maintained and Controlled Roads to add the new road names that resulted from the readdressing project, and makes corrections to the measurements and starting and ending points. She stated that Ken Schultz, Road Supervisor, recommends the County adopt this Ordinance. She noted that no action was necessary on the Ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams next presented Resolution R-08-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution adopts the 2004 Bus Policies for the Campbell County Senior Center, and that Pat Dressman, Human Services Director, recommends the adoption of the Resolution. There being no further discussion, Commissioner Rechten made a motion and Judge Pendery seconded, to approve Resolution R-08-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-09-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution shifts MH/MR tax funds to other funded programs for Redwood and New Perceptions, Inc. for Fiscal Year 04. The action does not allocate any new funds, but rather allows the organizations to transfer funds to programs that are in need of additional funds. She stated that Pat Dressman, Human Services Director, recommends approval of the Resolution. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechten seconded, to approve Resolution R-09-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-10-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute a Deed of Easement through the public right-of-way of Vineyard Lane for the purpose of construction of a sewer drainage line for Mr. Michael Berkemeyer. She noted that Peter Klear, Planning & Zoning Director, recommends approval of the Resolution. There being no further discussion, Commissioner Verst made a motion and Commissioner Rechten seconded, to approve Resolution R-10-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-11-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the County to issue industrial revenue bonds in the amount of \$2,000,000. The funds will be used to construct and equip the educational facilities, including classrooms, for the Main Street Baptist Church facility located at 5128 U.S. 27 in Alexandria. One of the attorneys for the project, Dean Spoor, was present to answer any questions. Mr. Spoor explained that he was bond counsel and base counsel for Fifth Third Securities, and stated that these funds would be used strictly for non-religious uses and those uses have been broken down and related to the Main Street Baptist Church for an educational facility. He cited KRS 103.200(d), which gives the County authorization to issue the bonds. The closing will take place on February 26. Judge Pendery asked if there had been other precedents where there were similar situations dealing with the allocation between religious and educational uses. Mr. Spoor stated that the same situation has occurred in the past, noting Covington Catholic High School and St. Pius X School, where Kenton County issued the bonds to be used for non-religious purposes inside of these schools. Assistant County Attorney Twehues advised that he checked the statutes and there was an Attorney General's opinion cited where the Archdiocese of Louisville complied with the definition of industrial building when they used a similar bond issue for educational purposes in Jefferson County. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-11-04. Judge Pendery, Commissioner Otto and Commissioner Verst voted "AYE" and the motion passed by a majority vote. Commissioner Rehtin abstained from the vote. Judge Pendery thanked Mr. Spoor for being present to answer the questions of the Court.

Ms. Williams next presented Resolution R-12-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute a Memorandum of Agreement with the Kentucky Board of Emergency Medical Services for a grant in the amount of \$11,133, which is funding from Senate Bill 66 monies that, when received, will be divided among the rescue squads in Campbell County. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-12-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to acknowledge the request from Gail Wilhelm-Olsen for approval of short and long term leave from March 8, 2004 through May 14, 2004, due to childbirth. Ms. Olsen is the Administrative Assistant for the Road Department. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to approve the request of Ken Schultz, Road Department Director, to independently contract for temporary manpower assistance due to the long-term leave of Gail Wilhelm-Olsen. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-13-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute a Contract with Lynn Farris to perform clerical/secretarial services for the Campbell County Road Department from approximately March 8, 2004 through May 19,

2004. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve Resolution R-13-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to acknowledge and accept the Consumer Price Index as calculated by the Department for Local Government to set the annual compensation for elected officials for calendar year 2004, retroactive to January 1, 2004. The Consumer Price Index rate for the previous 12-month period was 1.882%. Elected officials, for purposes of this motion, include the County Attorney, County Commissioners, and the County Coroner. There being no further discussion, Judge Pendery 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 acknowledge and accept the salary compensation set in accordance with KRS 64.5275 by the Kentucky Department for Local Government for calendar year 2004, retroactive to January 1, 2004, for the Campbell County Judge/Executive and the Campbell County Jailer. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Bridget Dischar to part-time Kennel Technician at the Animal Shelter, effective February 19, 2004, with compensation set at \$8.71/hr. She noted that Lisa Bowman, Animal Shelter Director, recommends approval of the motion. There being no further discussion, Judge Pendery 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 appoint James A. Korpik to Fire District No. 5 in Alexandria to fill the unexpired term of Lexy Ford, who recently passed away. The appointment will be effective February 18, 2004 through June 30, 2005. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

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. Twehues stated that he had nothing further to report.

Judge Pendery next requested reports from the Commissioners. Commissioners Verst, Otto and Rehtin stated that they had nothing further to report.

Judge Pendery announced that the Campbell County Animal Shelter would be celebrating Spay Day USA on Tuesday, February 24, 2004, and that seven dogs and seven cats who were adopted from the Shelter that day would be given a free spay or neuter. He noted that all Campbell County veterinarians were participating.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert presented Ordinance O-05-04 for first reading. He explained that this Ordinance amends the Fiscal Year 2004 budget, to increase the General Fund, Road Fund and LGFA Fund due to unbudgeted and unanticipated

funds received. He noted that no action was necessary on the Ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Mr. Seibert then requested approval of the Transfers being presented at this meeting. He noted that these transfers relate to the County Clerk's office and the Jail. There being no further discussion, Commissioner Rechten made a motion that the Transfers be approved. Judge Pendery seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested approval of the Claims being presented at this meeting. Assistant County Attorney Trehues advised that he had reviewed the Claims submitted to the meeting and they appeared to be appropriate. There being no further discussion, Commissioner Otto made a motion that the Claims be approved and paid. Commissioner Rechten seconded the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery then asked if there were any other items of business to be brought before the Court. Darlena Brown, Director of Housing, reported that she returned from a trip to Louisville today, and the Campbell County Department of Housing received Honorable Mention for the Family Self-Sufficiency program that they started last year, and was also awarded a Certificate of Excellence in Management Performance, which is a High Performer rating for the Section Eight Management Assessment Program (SEMAP). She noted that the Department has never received this award in its history. Judge Pendery and the Commissioners congratulated Ms. Brown and stated that these were great accomplishments for the Department of Housing.

Assistant Police Chief Keith Hill reported that the Police Department would be receiving four Automatic External Defibrillators (AED's) from the Saccone Foundation, in addition to four additional AED's purchased out of the Police Department budget. Training will be arranged for police officers in the use of the AED's.

There being no further business to come before the meeting, it was moved by Commissioner Otto, seconded by Commissioner Verst, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 5:58 p.m.

Attachments:

Ordinance O-03-04: Insurance Company License Fees
Ordinance O-04-04: Update to Official List of County Maintained and Controlled Roads
Ordinance O-05-04: Amendment to FY04 Budget
Resolution R-08-04: 2004 Bus Policies for Campbell County Senior Center
Resolution R-09-04: Redwood Rehabilitation Center and New Perceptions, Inc. Transfers
Resolution R-10-04: Deed of Easement for Sewer Drainage
Resolution R-11-04: Issuance of Industrial Revenue Bonds
Resolution R-12-04: Grant from Kentucky Board of Emergency Medical Services
Resolution R-13-04: Contract for Temporary Clerical/Secretarial Services

Transfers: February 18, 2004

Claims: February 18, 2004
February 18, 2004 (Supplemental)
February 18, 2004 (Home Emergency Grant)

Approved:

STEVE PENDERY, Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk