

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 18, 2007

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 18, 2007, 5:30 p.m. at the Campbell County Fiscal Court, 24 West Fourth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY COMMISSIONERS:

DAVID E. OTTO

KENNETH L. RECHTIN

MARK HAYDEN

Robert Horine
Melissa Williams
Laurie Dowell
Col. Keith Hill
Susan Prather
Jim Seibert

County Administrator
Director of Administration
Assistant County Attorney
Campbell County Police Chief
Fiscal Court Clerk
Director of Fiscal Affairs

The regular meeting of the Fiscal Court was then called to order by Commissioner Otto at 5:30 p.m.

Commissioner Otto called for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. Judge/Executive Pendery was absent from the meeting.

Minutes of the Fiscal Court special meeting (regular meeting rescheduled) held July 5, 2007, along with the minutes of the Mayors' Meeting held April 24, 2007, were presented by Commissioner Otto. Motion was made by Commissioner Rechtin and seconded by Commissioner Otto to approve the minutes of April 24 and July 5, 2007 as presented. All voted "AYE" and the motion passed unanimously.

Commissioner Otto recognized citizens or public officials wishing to address the Court. There being none, Commissioner Otto invited the presentation of Mr. Dennis Elrod, Grant Consultant with Atkins & Elrod. Mr. Elrod provided an update on the \$1M CDBG Grant which Campbell County received to assist the Newport Housing Authority with constructing sustainable low income housing. He provided a copy of the advertisement, in draft form, to be utilized in marketing the program. Mr. Elrod explained that upon approval of the advertisement by Fiscal Court, it will then be presented to the Governor's Office for Local Development for their review and subsequent approval. He then detailed the information contained within the handout and invited questions. There being none, he thanked the Court for the opportunity to speak with them.

There being no Old Business before the Court, Commissioner Otto called for New Business to be brought before the Court. Ms. Melissa Williams presented Resolution R-86-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court to renew two voice PRI T1 Lines and increase our Internet Bandwidth provided by Time Warner Telecom. She pointed out that the renewal contract, along with the new internet contract, carries the recommendation of Mr. Brett Ruschman, Director of IT. Motion was made by Commissioner Rechlin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-95-07 was then presented by Ms. Williams. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a contract with Viox & Viox for subdivision field review services. She noted that currently, the County contracts with Cardinal Engineering to provide subdivision field review services; however, on occasion Cardinal Engineering performs work for private development projects disqualifying them from providing the County with review services. Approval of the contract carries the recommendation of Mr. Peter Klear, Director of Planning and Zoning. Mr. Ryan Hutchinson is available for questions. Motion was made by Commissioner Rechlin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Matters of Personnel were then presented by Ms. Williams. Resolution R-85-07 was presented to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court amending the Administrative Code Authorized Position List and Organizational Chart to reflect the restructuring and redefining job positions of the Occupational Tax Division of the Fiscal Affairs Department. She noted that the proposed changes will restructure and redefine the Occupational Tax Division. The changes are being proposed to better fit the Department. Motion was made by Commissioner Hayden and seconded by Commissioner Rechlin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to update the job titles and descriptions; and, make the following changes in Occupational Tax division of Fiscal Affairs Department effective July 8, 2007:

- A. Cindy Gallagher Tax Technician, Grade 9F (\$15.70/hr) to Tax Specialist, Grade 10E (\$30,965.00)
- B. Victoria Block Tax Technician, Grade 9H (\$16.49/hr) to Tax Clerk Grade 9H (\$16.49/hr).

Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to increase the compensation of Lisa Bowman, Animal Shelter Director, from Grade 11K \$39,900 to Grade 13F \$43,538 to more adequately reflect the duties and responsibilities of the position, effective July 8, 2007. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to increase the hourly compensation of Edmund Richardson, Maintenance Technician, from \$16.32/hr (Grade 9M) to \$17.70/hr (Grade 10L) effective July 8, 2007 was requested by Ms. Williams. Motion was made by Commissioner Otto and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-96-07 was next presented by Ms. Williams. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing a vehicle allowance for the position of Director of Planning. Motion was made by Commissioner Otto and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to accept the resignation of Joshua R. Wice, Administrative Analyst in the Administration Department, was requested by Ms. Williams. The resignation would be effective August 3, 2007. Motion was made by Commissioner Otto and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion was requested by Ms. Williams to authorize Staff to advertise, interview and hire for the position of Administrative Analyst for the Administration Department. Motion was made by Commissioner Otto and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

The matter of "Appointments" was then brought before the Fiscal Court. Ms. Williams requested a motion to appoint Ms. Tammy Bravo to the Northern Kentucky Convention & Visitors Bureau Board for a three year term effective August 1, 2007 through July 31, 2010. She noted that Ms. Bravo has been nominated by the Northern Kentucky Hotel & Lodging Association. Motion was made by Commissioner Otto and seconded by Commissioner Rehtin. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Williams requested that the recommendation for an appointment by the Northern Kentucky Restaurant to the Northern Kentucky Convention & Visitors Bureau be tabled to the next meeting.

Judge Pendery then invited reports from Staff. Mr. Horine, County Administrator, presented Ordinance O-10-07 to the Court for first reading. The Ordinance was read by title and a summary given: an ordinance authorizing the execution of a Local Development Area Agreement with the City of Dayton, Kentucky, and the City of Dayton Kentucky Public Properties Corporation as may be necessary pursuant to creation of a Local Development Area to provide for the financing of necessary public infrastructure improvements relating to the Belmont Lake, LLC Project. Mr. Horine stated that the request was made by the City of Dayton due to the extraordinary cost of infrastructure improvements made necessary by the topography of the site along with flood water issues. Mr. Dean Spoor, with Keating Muething & Klekamp PLL, was present on behalf of the City of Dayton and available for questions. Mr. Horine explained that seventy-five percent (75%) of the new property tax revenue generated would be utilized to pay-off the bonds issued for the extraordinary infrastructure development costs which

have been estimated at \$1.3M. He added that the County would continue to receive base tax revenue equal to what was being received prior to the project plus twenty-five percent (25%) of the new tax money generated. The Agreement would continue for twenty (20) years or until such time as the bonds are paid off. As the Ordinance was presented for first reading, Mr. Horine stated that no action was required at tonight's meeting. Commissioner Rehtin questioned whether Exhibit A & B, as referred to in the Ordinance, would be presented to the Fiscal Court prior to the next meeting. Mr. Spoor assured the Court that the exhibits would be presented. Commissioner Hayden questioned the current tax base generated by the property. Mr. Spoor stated that the current tax base is approximately \$350,000.00. He noted that the abatement would not begin until 2009 and that the property would increase somewhat in value due to the sales cost. Taxes would then be calculated on the base of 2008 as mandated under a new law enacted by the Kentucky legislature. Commissioner Rehtin questioned whether the need for extraordinary infrastructure is mandating the need for the requested tax abatement and bond issuance. Mr. Spoor confirmed that the request is based upon the high cost of infrastructure improvements. Commissioner Rehtin questioned whether the property is part of the County or City school district. Mr. Spoor stated that the property is within the Dayton School District. He added that two special taxing districts are excluded from participating in the TIF Agreement; those being the Fire District and School District. Commissioner Rehtin commented that the special districts need to be considered when reviewing such requests.

Mr. Horine then presented Resolution R-87-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute change order number 15-32 to the Contract with ESI, Inc. and Change Order Numbers 16-23 and 16-25 to the Contract with TP Mechanical Contractors for construction of renovation/addition to the Campbell County Detention Center. He noted that the resolution provides additional detail of the change orders presented and that approval of the resolution is recommended. It was moved by Commissioner Rehtin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously. Commissioner Rehtin then requested an update on the total cost of jail construction to date.

Resolution R-88-07 was then presented to the Fiscal Court by Mr. Horine. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute an Agreement with the Campbell County Court House Commission regarding office space for the County Clerk, Sheriff, and Property Valuation Administrator. He stated that a draft of the proposed agreement was included with the Resolution. Mr. Horine then briefly outlined the provisions of the agreement. Motion was made by Commissioner Rehtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously. Commissioner Hayden thanked Mr. Horine, along with members of the Staff, for execution of the Agreement. Upon Commissioner Otto's request, Mr. Horine created a timeline of the project which he distributed to members of the Fiscal Court. Commissioner Otto noted that discussion initiated with Commissioner Bill Verst, Commissioner Roland Vories and Judge/Executive Ken Paul regarding the offices of the County Clerk, Sheriff, PVA and Fiscal Court being contained within one building.

Mr. Horine then presented Resolution R-89-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a Lease Agreement with the Campbell County Local Board of Health for office space in the County Administration Building at 11th and Monmouth Streets, Newport. A draft of the proposed lease was included. Commissioner Hayden, along with Commissioner Otto, acknowledged the efforts of Judge Pendery and members of Staff in the negotiations of the proposed lease. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Resolution R-90-07 was then presented by Mr. Horine. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing Staff to advertise for bids for construction of a new County Administration Building to be constructed at 11th and Monmouth Streets, Newport. Mr. Horine noted that the recommendation for approval carries the endorsement of Judge Pendery. He added that following upon approval, approximately 30 days will be required to update the bid documents and place advertisements. Contractors will then be allowed thirty days from the date of advertisement to submit bids with approximately fourteen days being required to review the bids and make a recommendation for acceptance of individual bid packets. It is expected to recommend acceptance of the bids at the meeting to be held October 3. Commissioner Hayden questioned whether the process is to include sealed bids with one public opening. Mr. Horine confirmed that sealed bids will be accepted and opened by Diane Bertke, County Treasurer, at one public meeting. Motion was then made by Commissioner Otto and seconded by Commissioner Hayden. Commissioner Rehtin stated he votes yes with some reservations and suggestions; he disagrees with placement of the proposed building, he believes the building should be two stories in lieu of three, that the County should purchase the remaining two buildings on the corner, and the Architect should be charged with maximizing the number of parking spaces. Commissioner Otto stated he was of the understanding that a restaurant would be operated in one of the two buildings remaining on the corner. Commissioner Rehtin added that parking is a key element to be considered when finalizing plans for the new building. Commissioner Hayden noted his agreement with Commissioner Rehtin in that the County should control the entire block with a preference of open space between the County building and Newport City Building. He stated the question would be price and availability of the properties while remaining fair to the tax payers of Campbell County. He then offered suggestions as to the building facing north with a turn around being constructed in front of the building. There being no further discussion, all voted “AYE” and the motion passed unanimously. Mr. Horine stated that the Architect will create a new mock-up utilizing the square in its entirety.

Next, Mr. Horine presented Resolution R-91-07 to the Campbell County Fiscal Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court expressing support for issuance of Industrial Building Revenue Bonds by the City of Newport for a hotel development at Newport on the Levee. Mr. Horine stated that the building would be situated on the site of the IMAX Theater and the vacant building pad adjacent to the IMAX. He noted that the City of Newport approved a similar resolution expressing support at Monday evening’s meeting and that Mr. Dean Spoor was available for questions. Commissioner Hayden expressed his concern that a financial analysis of the site has not been presented with the request. He added that it strikes him as odd to support

tearing down the IMAX Theater to build another building when empty lots are available in the same area. Commissioner Hayden continued stating that not enough information has been presented to indicate that supporting the issuance of the bonds is in the best interest of the County; more information is needed on the long-term financial analysis of the project. Commissioner Rechtin stated that the lack of information, along with the number of tax exempt projects previously approved, also concerns him. Mr. Spoor provided additional information on the site to include current ownership and developer of the site. He noted that in order for the site to remain exempt, another IMAX would need to be opened, yet this type of venture has proven not to work for the site. Currently, no taxes are being paid for the property in question. He stated that he does not possess the information requested but would be happy to provide. Commissioner Rechtin stated he does not disagree with the best use of the site. However, information has not been provided indicating the need for the \$5.6M exemption being requested. Commissioner Rechtin then suggested that the TRI-ED organization develop a review process for developments requesting government assistance. Commissioner Otto suggested tabling a decision until such time as the information is provided to the Court. Motion was made by Commissioner Otto and seconded by Commissioner Rechtin. There being no further discussion, all voted "AYE" and motion passed unanimously.

Mr. Horine then presented Resolution R-93-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a contract with the Campbell County Firefighters Educational Association for FY08 regarding funding. He noted that it is recommended that the contract be for one year, providing funding of \$60,000.00; a 3.45% increase over the FY2007 funding of \$58,000.00. Motion was made by Commissioner Rechtin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Resolution R-94-07 was then presented by Mr. Horine. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a contract with Campbell County Water Rescue Inc. for FY08 regarding funding. He noted it is recommended that the Contract be for one year providing funding of \$29,000; a 14.9% increase over the prior funding in FY06 and FY07. Mr. Horine stated that the agency is staffed entirely by volunteers and that fundraising is utilized to complement the Fiscal Court's financial Assistance. He added that for the past two years, the agency served as a Coast Guard Auxiliary Unit and received some fuel and equipment reimbursement from the Coast Guard but due to changes in the program, the funding was lost. Motion was made by Commissioner Rechtin and seconded by Commissioner Hayden. Commissioner Rechtin questioned whether the Agency continues to follow proper reporting processes. Mr. Ken Knipper, Director of OEM, confirmed that adequate reporting occurs and is processed through the Office of Emergency Management. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ms. Laurie Dowell, Assistant County Attorney, had no report to submit.

Commissioner Otto and Commissioner Hayden had no report to submit. Commissioner Rehtin stated he attended the groundbreaking ceremony for the Campbell Lodge Equine Assistance Program. He briefly provided information as to the program noting that Campbell Lodge has raised approximately \$300,000.00 towards their goal of \$600,000.00.

Commissioner Otto announced that the Campbell County Mayors' Meeting will be held on Thursday, July 26, 2007 at 7:30 A.M. at the Bellevue Callahan Center.

A report from the Fiscal Director was then requested by Judge Pendery. Mr. Jim Seibert, Director of Fiscal Affairs, presented Resolution R-83-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the County Judge/Executive to execute a Contract with the Ohio-Kentucky-Indiana Regional Council of Governments to provide services to the Campbell County Fiscal Court for Fiscal Year 2008. He pointed out that the amount of the Contract decreased from previous year. Motion was made by Commissioner Rehtin and seconded by Commissioner Otto. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next, Mr. Seibert presented Resolution R-84-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court approving the Campbell County Health Department Tax Rate for the Fiscal Year of 2008 for the Campbell County Public Health Taxing District. He noted that the Resolution sets the County Health Tax at 2.3 cents per \$100.00 of assessed value for FY08. Motion was made by Commissioner Rehtin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to approve Transfers as presented. Motion was made by Commissioner Rehtin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

A motion to approve the Claims and Supplemental Claims as presented was then requested by Mr. Seibert. Ms. Dowell stated the claims had been reviewed by Justin Verst, County Attorney, and all appear to be in order. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

There being no further business before the Court, motion was made by Commissioner Otto and seconded by Commissioner Rehtin to adjourn. All voted "AYE" and the meeting adjourned at 6:40 p.m.

Attachments:

Ordinance O-10-07	Local Development Area Agreement with the City of Dayton, KY
Resolution R-83-07	Agreement with the Ohio-Kentucky-Indiana Council of Governments
Resolution R-84-07	Approval of County Health Tax
Resolution R-85-07	Amend Administrative Code and Organizational Chart
Resolution R-86-07	Renewal of Contracts with Time Warner Telecom
Resolution R-87-07	Change Order Renovation/Addition to Detention Center
Resolution R-88-07	Agreement with Court House Commission
Resolution R-89-07	Agreement with Campbell County Board of Health
Resolution R-90-07	Authorization to Advertise for Bids for Construction of New County Admin Bldg.
Resolution R-91-07	Expression of Support for Issuance of Industrial Building Revenue Bonds for City of Newport
Resolution R-93-07	Contract with Campbell County Firefighters Educational Association
Resolution R-94-07	Contract with Campbell County Water Rescue
Resolution R-95-07	Contract to Provide Engineering Services
Resolution R-96-07	Vehicle Allowance
Transfers	July 18, 2007
Claims	July 18, 2007

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

SUSAN A. PRATHER
Fiscal Court Clerk