

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

JULY 21, 2021

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 21, 2021, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY
COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

County Attorney Steve Franzen,
County Administrator Matt Elberfeld,
Fiscal Court Clerk Paula Spicer,
Assistant County Administrator Kim Serra,
Finance Director/Treasurer Marie Schenkel,
Police Chief Craig Sorrell

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting. The meeting was also broadcast live on the Fiscal Court Facebook Page.

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 June 16, 2021 and special meeting of June 30, 2021 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Lampe to approve the minutes. All voted "Aye" and the motion passed.

Judge Pendery then called on representatives from Cincinnati Bell to begin their presentation on broadband expansion in Campbell County. Dave Kramer stated that they have been working with the county for some time. He thanked the Fiscal Court for the opportunity to work with them – Cincinnati Bell will do whatever it takes to make the project work. Mr. Kramer first gave an overview of the 150-year old Cincinnati Bell company which has vast resources to support Campbell County in this endeavor. He added that Cincinnati Bell is in the process of being acquired by MIRA in the next month – this will not affect the plans, but is a benefit because MIRA is a large infrastructure firm that specializes in building fiber. Since 2010 Cincinnati Bell has invested \$1 billion in fiber network in the Cincinnati/Northern Kentucky region and has half of its network built. Today 86% of households have access to fiber and 60% of those have fiber to the premises (directly to the house) - the gold standard in telecommunications. Mr. Kramer

explained that Cincinnati Bell will build a fiber network in 24-36 months. Existing customers using copper services will stay on copper until they request a switch to fiber. Per their proposal, it will be 100% fiber for single family units to the premises. Owners of multi-dwelling units (MDU) must grant permission for fiber to be built to the premises. When Cincinnati Bell is finished with this project, the three northern Kentucky counties will be the most fiber-dense communities in the country. Mr. Kramer then addressed funding programs to offer fiber to low income people. He showed a map of current fiber availability in Campbell County. The agreed upon funding proposal provides that Cincinnati Bell will build 6,600 addressable single-family unit (SFU) locations by mid-2023 or earlier, and 5,500 MDU locations or as many as approved or that they get access to. Mr. Elberfeld explained that the agreed upon price is per unit on a reimbursement basis. Future expansion is built into the contract. Mr. Kramer explained gap funding paid by the County of about \$2.87 million for the 6,600 SFU. Bell will build, at its own cost, fiber to any new development or business in Campbell County. Bell will spend \$5 million to the \$2.87 million paid by the County. That is about \$3 for every \$1 of public money. Smart City Funding that is built into the agreement will give Campbell County \$250,000 in public infrastructure improvements wherever they choose to have it done (i.e. wi-fi in parks). In addition, every Campbell County resident will get a free speed tier upgrade for life.

Commissioner Besecker stated that it would be wonderful to get public wi-fi in the County's parks; he appreciates that being part of the agreement. Judge Pendery stated that everybody learned a lesson with the COVID epidemic with remote work, school instruction and medical appointments. There just wasn't the bandwidth to handle it. This is a solution that will deliver service for those without, but will also upgrade existing customers. Mr. Kramer pointed out that the contract requires Bell to always stay relevant. Judge Pendery stated that there is a tradition of cooperation among the three northern Kentucky counties and it pays off with lower costs generally, i.e. the radio project, and this will be the same with all three counties using the same provider. Commissioner Painter asked if the schools would be a first priority. Mr. Kramer stated that the biggest driver to managing their workload is the weather. They do certain types of work depending on the season. However, if the County identifies an area of particular need, they can look at it. Commissioner Lampe thanked Mr. Kramer for a great presentation. This is a need that many members of the Fiscal Court have been working on for years. He recalled that he and Judge Pendery were in a meeting in October 2018 and it always came down to gap financing and the cost to getting service to homes that didn't have it. The pandemic amplified the need for these services for every home. He thanked Cincinnati Bell for partnering with the County. They have talked to Cincinnati Bell and its competitors over the years, and Bell brought a solution. He thanked them again for filling what has become a basic need these days. Mr. Kramer stated that they have gotten a lot of positive feedback from communities that they've worked with. Commissioner Painter stated that he is amazed that about two weeks ago the aerial fiber was run in an area near his home; he thanked Cincinnati Bell. Mr. Kramer stated that the three-county approach will allow them to get the fiber in quicker.

Mr. Elberfeld then requested a motion to authorize the Judge/Executive to execute a Network Agreement and all related documents with Cincinnati Bell to provide for broadband internet expansion in Campbell County. The project will be entirely funded from the County's American Rescue Plan (ARP) allocation. Motion was made by Commissioner Besecker, seconded by Commissioner Painter. All voted "Aye" and the motion passed. Judge Pendery stated that they

have communicated this project to all of the cities and the school districts in the County. Commissioner Painter asked if there was an estimate of the savings due to cooperating with Boone and Kenton Counties on this project. Mr. Kramer replied that it is roughly \$15 per door or about \$700,000. Mr. Elberfeld added they will also realize efficiencies in the build time, much like the radio project. Mr. Kramer stated that their biggest challenge is working around railroads. In response to Commissioner Painter's questions, Mr. Kramer stated that Kentucky Wired initiative has no effect on this. Kentucky Wired does not actually deliver service, they need an Internet Service Provider (ISP) like Cincinnati Bell to partner with them. Mr. Kramer agreed with Commissioner Painter's statement that fiber is much more efficient than the 5G service that was talked about previously. Judge Pendery thanked everybody involved in this process. In the beginning this was unfamiliar territory. Many different providers, platforms to operate from, different approaches to the problem and the Commissioners in this and the other counties educated themselves on the issues. This has been a long and involved process and he is grateful to everybody for their efforts.

Judge Pendery asked Ms. Spicer to proceed with old business. Old business was presented with a second reading of Ordinance O-10-21. O-10-21 amends the fiscal year 2022 budget. Commissioner Lampe made a motion to adopt O-10-21, seconded by Commissioner Painter. Commissioner Besecker clarified that the amendment is needed because of ARPA funds. Mr. Elberfeld explained that just days after the FY22 budget was sent to the State, the ARPA funds came in in the last fiscal year and had to be amended as prior year surplus. All voted "Aye" and the motion passed.

New business was presented beginning with a first reading of Ordinance O-11-21. O-11-21 updates the official zoning map for unincorporated Campbell County to rezone five (5) acres in unincorporated Campbell County on Alexandria Pike (Old US27) approximately 300 feet north of Golfview Street from Agricultural one (A-1) to Rural Commercial (RC) zone. Ms. Minter explained that there is an established RC zone along old US 27 as well as a couple of commercial properties to the south of it. The Planning Commission held a hearing and unanimously approved the zone change. Several neighbors attended the hearing however there were no objections. The reason for the change is because the owner of the subject property wants to add an office and mini warehouses. She showed a slide of the site plan. No vote was taken on the first reading of the ordinance.

Ordinance O-12-21 was presented for a first reading. O-12-21 amends the text of the official zoning ordinance for unincorporated Campbell County, Kentucky to increase the flexibility for outdoor dining within the Rural Commercial (RC) zone, Neighborhood Shopping Center (NSC) zone and Neighborhood Commercial (NC) zone. Ms. Minter explained that currently no outdoor seating is permitted in the RC, NSC and NC zone in the unincorporated portions of the county. The restrictions were relaxed during the pandemic to help everybody stay safe and moving forward. This will add some flexibility for establishments in the unincorporated County. The amendment will allow a range of 10-24 seats outdoors as accessory uses at eating/drinking establishments in the NSC and RC zones and allow outdoor entertainment as a conditional use in all three zones. This is for the unincorporated county; each city has different regulations. No vote was taken on the first reading of the ordinance.

Resolution R-56-21 was read by title. R-56-21 authorizes the Judge/Executive to execute an Affiliation Agreement with the Northern Kentucky Regional Hazmat/WMD Unit Inc. for hazardous materials response services. Commissioner Painter made a motion to adopt R-56-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Resolution R-57-21 was read by title. R-57-21 authorizes the Judge/Executive to execute an Affiliation Agreement with the Northern Kentucky Rescue team for rescue services during certain emergencies. Commissioner Lampe made a motion to adopt R-57-21, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

Resolution R-58-21 was read by title. R-58-21 authorizes the Judge/Executive to execute an Affiliation Agreement with the Northern Kentucky Health Department for services provided by the Northern Kentucky Medical Reserve Corps during certain emergencies. Commissioner Besecker made a motion to adopt R-58-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Resolution R-59-21 was read by title. R-59-21 authorizes the Judge/Executive to apply for \$3,000 in funding from the Kentucky Department of Agriculture’s Animal Control Advisory Board for the Spay and Neuter Grant Program. Commissioner Lampe made a motion to adopt R-59-21, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Resolution R-60-21 was read by title. R-60-21 authorizes the Judge/Executive to renew an Agreement of Affiliation with the Greater Cincinnati Crime Stoppers for a two-year term beginning July 21, 2021 and ending July 20, 2023. Commissioner Lampe made a motion to adopt R-60-21, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

Resolution R-61-21 was read by title. R-61-21 authorizes the Judge/Executive to request additional Emergency Management Performance Grant (EMPG) funding through the Kentucky Division of Emergency Management to purchase equipment. Commissioner Painter made a motion to adopt R-61-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to appoint members of the Campbell County Emergency Operations Center (EOC) staff. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to enter into a contract with Mark Dill to provide School Resource Sergeant services for the 2022 fiscal year. Judge Pendery made the motion, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to enter into a contract with Amber Conrad to provide School Resource Officer services for the 2022 fiscal year. Judge Pendery made the motion, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to enter into a contract with Amanda Donelan to provide School Resource Officer services for the 2022 fiscal year. Judge Pendery made the motion, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to enter into a contract with Philip Harney to provide School Resource Officer services for the 2022 fiscal year. Judge Pendery made the motion, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to enter into a contract with Thomas Lakes to provide Police Officer services for the 2022 fiscal year. Judge Pendery made the motion, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to advance Ben Racke from Road Maintenance Specialist I to Road Maintenance Specialist II effective July 22, 2021 in accordance with the current AFSCME Working Agreement. Judge Pendery made the motion, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to promote David Schultz and T. J. Bocker to Crew Leader positions effective July 22, 2021 in accordance with the current AFSCME Working Agreement and Memorandum of Agreement. Judge Pendery made the motion, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to reappoint Douglas C. Wagner to the Northern Kentucky Water Service Board for a four-year term effective August 27, 2021 through August 26, 2025. Judge Pendery made the motion, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

The County Administrator began his report by requesting a motion to authorize staff to solicit bids to improve the Police/Office of Emergency Management parking lot. He advised that there are several issues with this lot. The nearby recycling bins site get a lot of dumping most likely because they are in an unoccupied location. A concrete pad will be added to the US27 side of the lot and the recycling bins will be moved there in an effort to curb the dumping. Two rows of parking spaces will be added on the Constable Drive side to accommodate more cars especially during change of shifts at the Police Department. Finally, the storm water management issues will be addressed to prevent freezing and icing problems and future erosion of the new parking lot. He and Luke Mantle are reviewing design plans prepared by CT Consultants. The project is included in this year’s budget. They hope to bid the project in the next month, have work begin next spring and completed before the end of the fiscal year. Commissioner Lampe made a motion, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

The County Attorney did not have a report.

Commissioner Besecker stated that he had an opportunity to travel to The Biltmore – it is a beautiful place. While touring the impressive gardens, he noticed the trains running through them. When he asked, he found out that the trains came from Applied Imagination located in

southern Campbell County. This company has done projects across the country and are internationally known.

Commissioner Besecker advised that he and Commissioner Lampe went to the Hope House. They met with Jim Beiting and his staff. Hope House is transitioning into a place for young women with babies or who are pregnant and in need of assistance.

Commissioner Lampe thanked Commissioner Besecker for mentioning Hope House. He added that Transitions is helping to meet the needs of those suffering from addiction and mental health problems.

Commissioner Painter announced that the Alexandria Fair has secured a ride vendor for the fair this year. Many of these types of companies went out of business last year. He noted that 2020 was the first time that the Alexandria Fair was cancelled.

Judge Pendery announced that AJ Jolly Park will once again host the Festival on the Lake at the Joseph J. Stapleton Pavilion on Saturday, August 7, 2021 from 4PM to 11PM. For more information and to view the full line up please visit www.campbellcountyky.gov or visit the AJ Jolly Park Facebook page.

Marie Schenkel then presented the Finance Director/Treasurer's report. She requested that the item to acknowledge that County Clerk Jim Luersen has accepted the bid of Ashley Builders Group for renovation of the Alexandria Clerk Annex be tabled for further review.

A motion was requested to accept the bid of Smith Construction in the total amount of \$241,322.00 for pier wall installation (including guard rail) on Bob White Lane and Morningview Road. The project is included in the FY22 budget. Motion was made by Commissioner Lampe, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

A motion was requested to accept the bids of Mago Construction in the total amount of \$611,159.08 for fall FY22 resurfacing and milling of the following roads: Schababerle, Union, Grandview, Phillips, Jerry Wright (includes milling) and Pleasant Ridge from South Licking Pike to Losey (includes milling). This is a total of 8.5 miles resurfaced. The project is included in the FY22 budget. Motion was made by Commissioner Besecker, seconded by Commissioner Lampe. Commissioner Painter commented that it is good to see these roads plus roads done by the State for a total of about 10 miles get resurfaced. He added that the County has a great road crew. All voted "Aye" and the motion passed.

A motion was requested to extend the contract with SLCS Cleaning LLC for janitorial services at the County Administration Building for a one-year period from January 1, 2021 through December 31, 2021. The cost is unchanged at \$30,600 annually (\$2,550 monthly). Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

A motion was requested to approve the purchase of a 2021 CAT 308 Mini Excavator from Ohio Machinery Company in the amount of \$116,487.99. Boone County, on behalf of Campbell and Kenton Counties, solicited bids for excavators and accepted the bid of Ohio Machinery Company and the best bid. The new equipment is budgeted and will replace a 2004 John Deere excavator which has outlived its usefulness. Motion was made by Judge Pendery, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to approve the purchase of a 2021 T660 Bobcat Compact Track Loader with brush cutter from the KY state master agreement. This equipment will be used to clear fishing areas at the lake and the dam at A J Jolly Park and areas of Pendery Park. It will replace a 33-year old unit. Estimated cost is \$53,235 for the Bobcat and \$5,576 for the brush cutter and is budgeted. Motion was made by Commissioner Besecker, seconded by Commissioner Painter. Commissioner Painter commented that the County spends a lot of money on the dam, but it can not let it get compromised. All voted “Aye” and the motion passed.

A motion was requested to approve the purchase of a 2022 Ford F-250 Super Cab 4X4 truck with Animal Control box from the KY state master agreement for use by the Animal Shelter staff. This truck will replace a single cab 2005 Ford F150 that has reached the end of its useful life and was not designed for safe and efficient animal control activities. The estimated cost for the equipped truck is \$54,775 and is budgeted. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

A motion was requested to approve the purchase of a 2022 Ford F-250 Super Cab 4X4 truck from the KY state master agreement for use by the Facilities Director. The truck currently used by the Facilities Director will be transferred to the Road Department to replace a high-mileage truck. The estimated cost is \$47,885 and is budgeted. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Ms. Schenkel announced that there were no interfund transfers or budget transfers for this meeting.

Ms. Schenkel then requested a motion to approve the claims and claims paid per standing order dated June 30, July 7, 14 and 21, 2021. She added that there were no benefit claims. County Attorney Steve Franzen advised that he has reviewed the claims and determined that they all appear appropriate. Commissioner Painter made a motion to approve the claims, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Painter made a motion to adjourn, seconded by Commissioner Besecker. All voted “Aye” and the meeting adjourned at 6:47p.m.

Attachments:

Ordinance O-10-21	Amend FY22 Budget
Ordinance O-11-21	Amend Zoning Map
Ordinance O-12-21	Amend Zoning Ordinance Text
Resolution R-56-21	Affiliation Agreement with NKY Regional Hazmat/WMD Unit

Resolution R-57-21 Affiliation Agreement with NKY Technical Rescue Team
Resolution R-58-21 Affiliation Agreement with NKY Medical Reserve Corps
Resolution R-59-21 Spay/Neuter Grant Application
Resolution R-60-21 Affiliation Agreement with Greater Cincinnati Crime Stoppers
Resolution R-61-21 Emergency Management Performance Grant Application
Claims and Claims Paid Per Standing Order dated June 30, July 7, 14 and 21, 2021.

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk