

**CAMPBELL COUNTY FISCAL COURT
MINUTES
September 7, 2005**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, September 7, 2005, at 7:00 p.m., at the Campbell County Courthouse, 8352 East Main Street, Alexandria, Kentucky.

Judge Pendery called the meeting to order. A moment of silence was called for by Judge Pendery, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present. The meeting was covered by *Government Access*.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
MARK HAYDEN

Justin Verst	County Attorney
Robert Horine	County Administrator
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Peter Klear	Planning & Zoning Director
Ken Knipper	Director, Office of Emergency Management
Melissa Williams	Director of Administration
Brett Ruschman	IT Manager
Josh Wice	Administration Analyst
Sandra Mulligan	Fiscal Court Clerk

Judge Pendery presented the minutes from the Fiscal Court meeting of August 24, 2005 for approval. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of August 24, 2005 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. Ms. Pat Hardy, a Campbell County poll worker, stated that she would like to present a petition to the Fiscal Court requesting a pay increase for poll workers. She stated that there are 310 poll workers in Campbell County, and the current pay for poll workers is \$80 for a minimum of 12-1/2 hours. Boone and Kenton Counties both pay \$100 to their poll workers for the same amount of time. Campbell County poll workers are asking for \$100 for the day, and \$10 for every hour of education that is required. At the present time, the poll workers go to school for 1-1/2 hours. The County Clerk has informed the poll workers that, in the future, they will be working with two machines and doing other things required of them. This will require them to go to school for at least 2 to 2-1/2 hours. The requested increase would bring their pay

for education up to approximately \$25. Ms. Hardy stated that it has been difficult to get poll workers, partially because the low pay. When she was getting signatures for the petition, there were many people who were amazed that all poll workers were not paid the same amount throughout the State. She stated that she is aware that the County Clerks are lobbying for a bill to get poll workers paid \$100 for the day, and \$25 for their education. The cost to this County would mean less than an additional \$15,000 per election. She presented a petition to the Court which contains signatures of 90% of the poll workers in the County. She asked if an answer to her request could be given at the Senior Citizens Picnic, since 85% of the poll workers should be there. Ms. Hardy thanked the Court for its time. Judge Pendery stated that there has been conversation around the State that there will be more onerous requirements for poll workers as a result of the new machines. He thanked Ms. Hardy for presenting the petition and stated that the Court would take the matter under advisement. He noted that if the Clerks' Association is able to get the bill passed, there would be a set of standards that apply statewide, and it is a good idea for the Counties of Northern Kentucky to be on equal footing where this is concerned. He stated that he would like the poll workers to be patient while the issue is being considered. Commissioner Otto inquired of Mr. Seibert as to whether Mr. Snodgrass has requested a raise for poll workers in his most recent budget. Mr. Seibert stated that Mr. Snodgrass had not requested a raise. Commissioner Hayden inquired of Mr. Seibert as to what the 4% increase in Mr. Snodgrass' budget covered. Mr. Seibert stated that Mr. Snodgrass' request to increase the budget for poll workers by \$1,000 was for standard inflation. Another poll worker stated that the workers had not received a raise in over 4 years. Judge Pendery explained that the raise being questioned by Commissioners Otto and Hayden related to an increase in a budget item.

Judge Pendery then introduced Dave Malone, General Manager of the Transit Authority of Northern Kentucky (TANK), who was present to give the Court an update on the activities of TANK. Judge Pendery noted that Mr. Malone is a Campbell County resident and the County is pleased and proud that he is leading TANK. Mr. Malone thanked the Court for their time in allowing him to give this update. Mr. Malone stated that he has only been in his position for 5 months, and is still learning about the operations of TANK. He stated that if anyone had any specific questions or issues they would like more details about, TANK officials would be more than happy to have them come to their office to learn more about the operations.

Mr. Malone discussed the service currently provided in Campbell County, the transit network study, challenges that TANK sees for 2006 and beyond, and recent good news at TANK. There are currently 7 local routes in Campbell County that serve Ft. Thomas, Dayton, Bellevue, Cold Spring, Newport and Alexandria. In addition, there are 2 express routes to Cincinnati that originate in Alexandria and Grants Lick. There is also a ramp/day tripper service. The ramp service is required by law to be provided to those with disabilities. The day tripper service is one that provides service in those areas where other fixed routes do not provide service. There are 5 park-n-ride lots in Campbell County. In 2004, TANK operated approximately 700,000 miles within Campbell County, with a total of over 3.4 million passengers.

Mr. Malone stated that at the beginning of this year TANK hired consultants to construct a 30-year plan for what types of service TANK could provide. There are three groups who work on this transit network study, including an advisory team that consists of people from the county, from the cities, from social service agencies, and from the Chamber of Commerce. He noted that Mr. Horine has served as part of this group. There will be both short-term and long-term recommendations made from this group of people. This is a one-year study and should be

completed in early 2006. Some of the short-term preliminary recommendations are specific modifications to existing routes, improvements in urban areas in frequency of service, improvements to signage at shelters and create some major stops along key corridors. Long-term preliminary recommendations consist of investigation of cross-town routes, create transit hubs in key communities, create cross-routed transit over I-75 and I-471, and create a super-stop in Newport similar to the transit center in Covington.

Mr. Malone stated that challenges for TANK in the future include fuel costs, long-term funding stability, and increasing ridership. TANK was recently notified that Senator Bunning was able to obtain a \$2 million earmark and Congressman Geoff Davis is in the process of obtaining an additional earmark for TANK. This capital money from the Federal government must be used for capital purchases and can be used to purchase 80% of its new buses. This will allow TANK to continue its bus replacement plan that has been in place for the last eight years. Ten new buses are on order and will be delivered in November, and another ten will be ordered next year. The newer buses get better fuel economy, and will help with the challenge of fuel costs.

Mr. Malone stated that recent community services by TANK included the Southbank Shuttle service to the Bengals pre-season game as well as the Classic High School game at Paul Brown Stadium, and also served Riverfest, carrying about 7,000 passengers to those events. TANK also has Park-n-Ride service to Symphony Orchestra concerts at Devou Park. TANK was recently notified that it won first place in two national categories for its marketing program. It is very difficult to get one first place award in these national categories, and TANK was very honored. TANK has also added a calculator to its website, at the suggestion of Commissioner Ken Rehtin, which allows people to calculate how much they would be able to save by riding the bus versus commuting by car. Mr. Malone thanked the Court for allowing him to give this update on TANK. Judge Pendery stated he believed adding the calculator to the website was a great idea. Commissioner Rehtin asked Mr. Malone to give the website address for the benefit of Campbell County residents. Mr. Malone stated that the address is www.tankbus.org. Commissioner Rehtin also inquired as to whether the super-stop that Mr. Malone referred to was the same as the transit center that has been discussed for quite some time. Mr. Malone confirmed that it was, and the issue is still under consideration. Commissioner Rehtin commented that he believes TANK has done a terrific job in cutting costs at a time when the County itself faces budget constraints, and is pleased to see that TANK has taken a more aggressive role in marketing in order to increase ridership. Judge Pendery stated that it is clear that if people can see how much money they would save by taking the bus, it would be hard for them to avoid choosing this alternative.

Mr. Horine stated that Peter Klear, Planning & Zoning Director, has also been serving on the advisory group working on the network study, and the County appreciates the opportunity to have input to that progressive and comprehensive process.

Mr. Horine then introduced Brett Ruschman, the new IT Manager for the County. He stated that Brett is a Campbell County native and resident of Alexandria, where he lives with his wife and newborn son. Brett comes to the County from Hewlett Packard where he previously worked for Procter & Gamble for the last five years. He is a graduate of Thomas More College with a degree in Information Technology, and is nearing completion of his Masters of Business Administration at Xavier University. Mr. Horine stated that Brett is a terrific addition to the

County family and he is pleased to welcome him. Mr. Ruschman stated that he is happy to be a part of the County family and cannot wait to get to work.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams reported there was no Old Business.

Judge Pendery next requested items of New Business be brought before the Court. Ms. Williams then presented for first reading Ordinance O-10-05. She stated that this Ordinance amends an Agreement with the cities of Crestview, Melbourne and Woodlawn to add the City of Southgate to the County and Municipal Board of Adjustment. She noted that Peter Klear, Director of Planning & Zoning, was present to answer any questions. Commissioner Rechtin inquired of Mr. Klear whether he could provide a redlined version of the agreement to show the changes that were being made. Mr. Klear stated that he would and noted that the only change being made is to add the City of Southgate to the Agreement. Commissioner Rechtin asked County Attorney Verst if he had reviewed the Agreement. Mr. Verst stated that he was familiar with the Agreement as it stood prior to adding the City of Southgate, and after a quick review of the Agreement presented at this meeting, was comfortable that the only change was to add the City of Southgate as a party to the Agreement. Judge Pendery stated that no action would be taken on this Ordinance at first reading, but would be acted on at the next meeting.

Ms. Williams next presented Resolution R-123-05, 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 Joint Defense/Common Interest Litigation Strategy Cooperation Agreement with other defendants in the lawsuit by the Wessels Company and Thomas Seiter against Sanitation District No. 1 and all of the cities and counties of Boone, Campbell and Kenton. She requested County Attorney Verst to address the Court on the need to approve this Resolution. Mr. Verst stated that this suit challenges the right of the Sanitation District to enter into agreements with all the cities and counties to manage the stormwater runoff in those cities and counties as mandated by State and Federal regulations. This joint defense agreement is for the cities and counties who have a joint goal of keeping the system in place as it is, rather than having these rules and regulations dumped back on the cities and counties. A motion docket was held recently in Boone Circuit Court and there was concern by all the cities and counties about the massive paperwork that has been generated. The Judge agreed to stay all discovery pending motions that have been filed to rule on the merits of the case based on pleadings that have been filed to date. What appears to be the primary issue is a question of law as to whether the Sanitation District has the authority under K.R.S. Chapter 220 to handle the stormwater regulations. The Plaintiffs have until October 25 to submit replies to the motions that have been filed. Mr. Verst stated that he hopes the Judge will rule on this issue within a couple of months. There being no further discussion, Commissioner Rechtin made a motion and Judge Pendery seconded to approve Resolution R-123-05. Judge Pendery, Commissioner Rechtin and Commissioner Otto voted "AYE," Commissioner Hayden recused himself from the vote, and the motion passed by majority vote.

Ms. Williams next presented Resolution R-124-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Campbell County Fiscal Court to accept a grant from the Kentucky Infrastructure Authority in the amount of \$600,000 to construct water lines, to assign said grant to the Northern Kentucky Water District, and to authorize the Judge/executive to execute the necessary documents relating

to the grant project. This grant is matched with another approximate \$623,000 grant that was awarded to the Water District and will be used towards a project that is estimated at approximately \$2.6 million. The Fiscal Court will provide \$25,000 towards the funding of this project. Ms. Williams stated that letters had been mailed to residents about this project, asking if they would like to sign up for water service. Commissioner Otto asked if the lines would be provided to all homeowners on the list of roads that was provided. Ms. Williams stated that if there are not enough homeowners on a designated road, the Water District may ask that the road be excluded, or if for instance all the homeowners were on one end of the road, the Water District could include the line to a partial area of the road. Judge Pendery stated that for anyone who owns property and has the opportunity to have this resource delivered to their doorstep, it is a great opportunity to be included. The value of one's property will go up fairly dramatically and certainly commensurate with whatever the cost of the surcharge is to get the water in the first place. A homeowner's water bill might compare favorably to paying the water haul for a cistern on the property. Assuming, which is likely, there will either immediately or someday be fire suppression system with a fire hydrant in the area, there is a direct return on the homeowner insurance costs. Commissioner Hayden stated that he would like to publicly thank Senator Katie Stine for getting these funds appropriated to Campbell County. Senator Stine is the second ranking State Senator and as a Senate President Pro Tem, she has been working hard for Campbell County, and this is another example of her hard work for the County. Senator Stine has also been instrumental in several important road projects over the last year in Campbell County. He also noted that the County is very fortunate to have Senator Jim Bunning and Congressman Geoff Davis who have been working hard to get funding for road projects, stating that at the present time the County has almost \$100 million of infrastructure going in to the south end of Campbell County in roads, sewage and water. Commissioner Otto stated that if there is no response from residents to the letters that have been sent out, we may need to make direct contact with those residents. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Hayden seconded to approve Resolution R-124-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-126-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the execution of a Contract between the Campbell County Fiscal Court and the City of Dayton, Kentucky to provide for zoning services to the City. She noted that Peter Klear, Director of Planning & Zoning, was present to answer any questions. Judge Pendery stated that it is good to be able to offer these services to the City of Dayton. At one time, the County did not have the capacity to offer these services, but now has a Planner and Building Inspectors, with a chance to provide these services to some of the cash-strapped cities and at the same time ensure that we have better quality than we otherwise might as Campbell County changes with the times. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded to approve Resolution R-126-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to adopt a Proclamation declaring the week of September 4-10, 2005 as "Suicide Prevention Week in Campbell County, Kentucky." Denis Walsh, Vice President for Outpatient Services for NorthKey Community Care, has requested this Proclamation. An event will be held on September 10, 2005 at the Newport Peace Bell in memory of those who died by suicide, and to raise awareness in Northern Kentucky. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then called on Josh Wice, Co-Chair for the 2005 Campbell County Senior Picnic, to give an overview of the upcoming picnic. Mr. Wice stated that the 38th Annual Senior Picnic will be held on Wednesday, September 21, 2005, at Pendery Park in Melbourne, from 12:00 Noon until 5:00 p.m. A new event at the picnic will include two local wineries for wine tasting. Tickets are \$6.00 in advance and can be purchased at the Fiscal Court office at 24 W. 4th Street, Newport, Kentucky, or at the Senior Center in Highland Heights. Tickets will be \$8.00 at the gate on the day of the picnic. Judge Pendery noted that the ticket price includes two meals and all drinks throughout the afternoon. He stated that the price of the tickets has been able to be kept low due to the amount of sponsors that we have, and thanked all of the sponsors. Mr. Wice stated that the sponsors help to make the picnic possible, and noted that ticket sales are up from last year.

Ms. Williams next requested a motion to transfer Valerie Gibson, Administrative Assistant, from the Administration Department to the Administrative Assistant position in the Housing Department. The transfer will be effective September 7, 2005, with no change in job title, grade or compensation. Judge Pendery stated that there was an immediate need for an Assistant in the Housing Department and Ms. Gibson is helping the County out by transferring to the position. He noted that Ms. Gibson will fill this need very capably, as she did when she filled the position in the Administration Department. Commissioner Otto stated that Ms. Gibson will be a great person in this capacity because of how personable she is. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to eliminate the position of Administrative Assistant in the Administration Department, previously occupied by Valerie Gibson, effective September 7, 2005. There being no further discussion, Judge Pendery made a motion and Commissioner Rechlin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to approve the addition of a second Administrative Analyst position in the Administration 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 then requested a motion to modify the job description of Administrative Analyst to more accurately define the job responsibilities. There being no further discussion, Judge Pendery made a motion and Commissioner Rechlin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-127-05, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution amends the Campbell County Fiscal Court Administrative Code's Organizational Chart and Authorized Position List to reflect the elimination of the Administrative Assistant position in the Administration Department and the addition of a second Administrative Analyst position in the Administration Department, and modifies said job description.. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded to approve Resolution R-127-05. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to authorize staff to advertise, interview, and hire for the position of Administrative Analyst in the Administration Department. There being no further discussion, Judge Pendery made a motion and Commissioner Hayden seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to reappoint Betty Cottingham to the Northern Kentucky Area Development District Board of Directors for a three-year term, effective September 3, 2005 through September 2, 2008. 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 then requested a motion to reappoint Doug Haney to the Northern Kentucky Area Development District Board of Directors for a three-year term, effective September 3, 2005 through September 2, 2008. 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.

Judge Pendery next requested reports from Staff. County Administrator, Robert Horine, presented for consideration Resolution R-125-05, which he read by title and provided a summary. He stated that this Resolution authorizes the County Judge/Executive to execute Change Order No. 12-1 to the Contract with Perkins Carmack Construction, LLC for construction of the Kitchen/Laundry addition to the Campbell County Detention Center. The project is well under way, and this is the first change order to be requested. The Change order is in the amount of \$2,396.52 and resulted from the removal and disposing of footing material that was discovered during the excavation for installation of the new foundation. There being no further discussion, Commissioner Otto made a motion and Commissioner Hayden seconded, to approve Resolution R-125-05. All voted "AYE" and the motion passed unanimously.

Mr. Horine next presented for consideration Resolution R-128-05, which he read by title and provided a summary. He stated that this Resolution expresses support for St. Luke Hospitals in their application for a Certificate of Need to operate an open heart surgery program. He noted that St. Luke Hospitals has asked for this expression of the Court's support for their efforts to establish this program at their Florence facility. There being no further discussion, Commissioner Otto made a motion and Judge Pendery, to approve Resolution R-128-05. Judge Pendery, Commissioner Otto and Commissioner Rehtin voted "AYE," Commissioner Hayden recused himself from the vote, and the motion passed by majority vote.

County Attorney Verst stated that he had nothing further to report at this meeting.

Commissioner Hayden and Commissioner Otto stated they had nothing further to report at this meeting.

Commissioner Rehtin stated that State government has established the Local Tax Blue Ribbon Committee to study local tax issues and he believes it is a very admirable thing to do. There are some good people on the Committee, and it is very important for the County to keep an eye on this to make sure that all of the local tax issues are studied including schools. A report is due back from this Committee for the General Assembly of 2007. Commissioner Rehtin also stated that he believes that it is timely that the County take a look at its emergency management

procedures. He noted that planning is really critical for emergency management agencies, and sometime in the near future would be a good time for Ken Knipper to come to a meeting and talk about these issues. Judge Pendery stated that the last few exercises that the County has had have been focused on terrorist threats and it would be a good idea to focus on emergency management procedures for natural disasters.

Judge Pendery then reminded everyone that the regularly scheduled Fiscal Court meeting of September 21, 2005 has been changed to Tuesday, September 20, 2005, and will be held at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky, at 5:30 p.m. This meeting date was changed due to a conflict with the Senior Picnic, which will be held on September 21. Judge Pendery also announced that the Campbell County Fall Clean-Up dates will be October 21, 22, and 23, 2005.

Judge Pendery then asked for a report from the Fiscal Director. Mr. Seibert requested a motion to authorize staff to solicit bids for the purchase of 66 new voting machines that will meet HAVA (Help America Vote Act) regulations. Grant funds are available for the purchase of these machines and no funds will come out of the County fund to pay for them. Judge Pendery noted that there are 65 precincts that will get new machines, with one spare machine on hand. The new machines will make it easier for handicapped persons to vote and will also make it easier for everyone, due to the addition of the new machines. Commissioner Hayden stated that he went to the presentation on the new voting machines, and believes this addition is very beneficial to the County because it will make voting more accessible for the handicapped, together with the bonus factor that the State is paying for the machines. There being no further discussion, Commissioner Otto made a motion to accept the bids, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next presented Resolution R-122-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the Judge/Executive to execute a Contract with the Campbell County School System for the busing of non-public school children for Fiscal Year 2006. He noted that the State reimburses the majority of this expense, with the total cost of the Contract for 2006 being \$437,272.84. Commissioner Hayden stated that the contract request for 2006 is a 3.2% decrease from 2005, which is good for the County, but questioned why there was a drop in the percentage. Mr. Seibert stated that the difference was due to a drop in the number of non-public school students needing transportation. Commissioner Rehtin stated that he believes it is important that the Court not forget about the northern part of the County where it is not subsidizing transportation of those non-public school children, and asked that Administration meet with the people from the Catholic School systems and talk with them about how the County might be able to find this same type of accommodations of transportation that the County is not serving now. Judge Pendery stated that this issue will be revisited. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded to approve Resolution R-122-05. All voted "AYE" and the motion passed unanimously.

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

There being no further business to come before the meeting, it was moved by Commissioner Rechlin, seconded by Judge Pendery, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 8:14 p.m.

Attachments:

Ordinance O-10-05: Agreement Regarding Board of Adjustment
Resolution R-122-05: Parochial School Busing Contract
Resolution R-123-05: Legal Defense Agreement
Resolution R-124-05: Kentucky Infrastructure Authority Grant
Resolution R-125-05: Change Order for Detention Center Project
Resolution R-126-05: Contract with City of Dayton for Zoning Services
Resolution R-127-05: Amendment to Administrative Code
Resolution R-128-05: Support for St. Luke Hospitals Open Heart Surgery Program
Proclamation: Proclaims September 4-10, 2005 as "Suicide Prevention Week in
Campbell County"
Claims: September 7, 2005
September 7, 2005 (Supplemental)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk