

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

February 1, 2005

A special meeting (change of date) of the Campbell County Fiscal Court was held on Tuesday, February 1, 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
WILLIAM VERST

Commissioner Kenneth Rechten was absent.

Justin Verst	County Attorney
Robert Horine	County Administrator
Jim Seibert	Fiscal Affairs Director
Keith Hill	Chief, Campbell County Police Department
Greg Buckler	Campbell County Jailer
Peter Klear	Planning & Zoning Director
Sandra Mulligan	Fiscal Court Clerk

Judge Pendery presented the minutes from the Fiscal Court meeting of January 19, 2005. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of January 19, 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. There were none.

Judge Pendery then requested items of Old Business be brought before the Court. In the absence of Melissa Williams, Director of Administration, County Administrator, Robert Horine presented for the Court's consideration Resolution R-11-05, which he read by title and provided a summary. He stated that this Resolution approves the Kentucky Highway Department's Recommendation for Fiscal Year 2006 for the Rural Secondary Road Program, which was presented to the Court by Chief District Engineer Tom Schomaker at the Court's January 19,

2005 meeting. The funds would be used to pave two sections of Persimmon Grove Road (Ky. 1121). Ken Schultz, Road Supervisor, and Peter Klear, Planning & Zoning Director, endorse the recommendations. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Resolution R-11-05. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested items of New Business be brought before the Court. Mr. Horine advised that the first order of New Business was consideration of Resolution R-12-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution supports the legislative efforts of Sanitation District No. 1 during the 2005 regular session of the General Assembly. The Sanitation District is governed by KRS 220 and over the years, the District has taken on many additional responsibilities, including local sanitary sewer systems and local stormwater systems. These additional responsibilities were not expected when KRS 220 was drafted. The District hopes to bring the current regulation into line with these additional responsibilities. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded to approve Resolution R-01-05. All voted "AYE" and the motion passed unanimously. Commissioner Otto noted that at the recent Mayors' Meeting, it appeared that all of the cities represented were in support of the District's legislative efforts. Judge Pendery stated that this is a good exercise of the cities' foresight, and he is behind the District in their efforts.

Mr. Horine next presented Resolution R-13-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the County Judge/Executive to execute a Release and Termination of interest in property located at 105-A Three Mile Road in Wilder, Kentucky. The property was once used as the County Animal Shelter by agreement with a not-for-profit organization. This organization would like to clear the title to this property so they can own it free and clear of any interest by another party. In return for this Release, the County will receive the amount of \$50,000, which exceeds the current appraised value of the property. Commissioner Otto commented that he believed this was the same Animal Shelter that many years ago the County had a real battle with, and there was a lawsuit against the Judge/Executive at the time. County Attorney Verst replied that this group has gotten a new Board with a new Director of the organization, and there were problems between the County Animal Shelter and this animal shelter, but things have been worked out and seem to be working very well now with the new personnel they have now. Commissioner Verst asked what this group's actual responsibility as far as taking in animals goes. County Attorney Verst stated that this group is a private charitable trust set up through funds from bequests by wills. Their mission is to take care of animals, but they have no obligation to accept any particular animals. Fortunately, they currently work cooperatively with the County Animal Shelter. They are a completely separate, completely private group, and are operated by their own funds. The interest that the County had in the property was basically a paper interest. The County facilitated the funding when the shelter was originally constructed, and there was some documentation that the County could purchase the shelter after the mortgage was paid. He stated that this offer is very fair. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded to approve Resolution R-13-05. All voted "AYE" and the motion passed unanimously.

Mr. Horine then presented Resolution R-14-05, 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 Block Grant Funding Application with the Kentucky Board of Emergency Medical Services to award grant monies through Senate Bill 66 funds for Campbell County Ambulance Services. The County ambulance providers have requested the Fiscal Court disburse the grant funds evenly among the nine existing squad units. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded to approve Resolution R-14-05. All voted “AYE,” and the motion passed unanimously.

Mr. Horine then called upon Peter Klear, Director of Planning & Zoning, to give an update on the new County map. Mr. Klear displayed the new map, both front and back, and stated that the updated Campbell County street map has been updated and is now bigger than the previous map. This was done in order to showcase as much information as possible. The primary reason behind the street map update was the 911 street and address changes system. The map now shows the entire County in one snapshot. All of the new and old street names are on the map in three different locations; first, where the street is graphically on the map; second, within the typical index; and third, on a separate index with just those street names that have changed. The light green shading on the map is reflective of the topography of Campbell County, which is an interesting feature of the map. The map also showcases a campus map for NKU, which is a major driver for economic development in Campbell County. There is also a section that gives contact information for all of the Cities in Campbell County, city parks, schools, and a listing of all of the elected officials in Campbell County. The County is happy to provide the maps free of charge to citizens. They will be available at the Fiscal Court office on 4th Street in Newport, the County Courthouse on York Street in Newport, and the County Courthouse on E. Main Street in Alexandria. Commissioner Verst stated that the map was very well done, and having the additional information for the NKU campus and the parks was an excellent idea. Judge Pendery thanked Mr. Klear for his presentation.

Mr. Horine next requested a motion to upgrade the job description of Golf Course Equipment Operator/Irrigation Worker, and to re-title the description to Golf Maintenance Specialist, with no change in grade classification. This was requested by Steve Myers, Golf Course Superintendent, in order to update the description and responsibilities. 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.

Mr. Horine next presented Resolution R-10-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the change in title from Golf Course Equipment Operator/Irrigation Worker to Golf Maintenance Specialist in the Organizational Chart and Authorized Position List of the County Administrative Code. This position is currently vacant. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the Resolution R-10-05. All voted “AYE” and the motion passed unanimously.

Mr. Horine next requested a motion to authorize staff to advertise, interview and hire for the position of Golf Course Maintenance Specialist in the Recreation Department. 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.

Mr. Horine then requested a motion to appoint Joe Kramer to the Campbell County Economic Progress Authority (“CCEPA,” formerly the Campbell County Industrial Board) for a four-year term, effective February 1, 2005 through January 31, 2009. The CCEPA recently took action to increase the Board membership from six to eight members. Mr. Kramer is the first of the new members to be considered for appointment. 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. County Administrator, Robert Horine, presented Resolution R-15-05, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution authorizes the County Judge/Executive to execute a Third Amendment to the Contract with Keith Kessler, M.D., for health care services at the Campbell County Detention Center. The County continues to seek a final arrangement with Health Point for medical Services at the detention center. In the meantime, Dr. Kessler is willing to continue providing his services. The Amendment will be for a period of 90 days, cancelable on 14 days notice. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve the Resolution R-15-05. All voted “AYE” and the motion passed unanimously. Judge Pendery noted that this is one of the many difficulties that have developed almost to the crisis stage, when it comes to the operation of the jail. The typical medical doctor or medical practice does not have a medical professional liability carrier who will allow them to work in a jail, which makes it difficult, if not impossible, to find the people that we need to cover the duties that are imposed on the County by law. He noted that Mr. Buckler has been living with those difficulties for years now at the jail, but is doing the best that can possibly be done under the circumstances.

County Attorney Verst stated that Judge Leonard Kopowski with the Campbell County Circuit Court finished his 28th year as a Judge in Campbell County and has done a tremendous job for the County and is generally recognized as being one of the best Circuit Judges in the State. Judge Kopowski will be retiring on February 3, 2005. Mr. Verst congratulated Judge Kopowski and recommended a Proclamation be made as to Judge Kopowski’s service to the County. Judge Pendery, Commissioner Otto and Commissioner Verst all stated that Judge Kopowski has done a wonderful job and has been a great asset to Campbell County.

County Attorney Verst next stated he was glad to see Commissioner Verst and commended him for his courage and determination in continuing to do the job to which he was elected.

Commissioner Verst thanked County Attorney Verst for his comments. He also stated that generally speaking people in politics are very guarded about showing any weaknesses or things that might give a political advantage. He noted that it has been four years that he has been battling some serious health issues, but he is still here, which is a good thing. He and his family have been very fortunate for the last four years that literally thousands of people in the community have kept him and his family in their prayers, and on prayer lines in different denominations of churches. A community prayer healing service was held for him two weeks ago at St. Joseph’s in Cold Spring, and the turnout was overwhelming. He took the opportunity to thank everyone for their prayers and concerns and let them know how much he and his family appreciate them. He stated that he is a firm believer in the power of prayer and the power of God

in his life. It is heartwarming to know that this community is such a faith-based community that everyone recognizes the power of God, and the power of prayer in our lives. If people are going to do something for him and his family, prayer is the greatest thing they can do. He noted that a lot of people have watched his six kids grow up through four campaigns, and he had an opportunity to introduce them all at the prayer service, as well as his new grandson, Carter. He stated that his son-in-law, Cpl. Eric Schabel, is in his last month of peacekeeping duty in Kosovo, and they expect him home the end of this month, and would like everyone to keep him in their prayers for a safe return home. He asked everyone to continue to pray for him and his family, as miracles do happen. He stated he will continue to fulfill his duties as Commissioner as long as he can.

Commissioner Otto reported that a roundtable discussion was held recently regarding the concerns with the jail. These concerns are well-founded as far as the rising costs and everyone should know that this situation has not just happened, but has been a gradual situation to occur. The costs for running the jail are so out of control that he feels some type of legislative relief has to be sought. The County is under obligation by State law to do certain things and provide certain items for inmates, such as medical care and prescriptions, and must abide by those laws. The general public needs to be made aware of the costs for running jails throughout the Commonwealth of Kentucky. Recently, it was reported that \$100 million had been spent out of counties' general funds for the past year in Kentucky. This money could well be spent on road repairs, recreational facilities and other programs that could be spent on the good citizens of these counties.

Judge Pendery stated that the problems Campbell County is having regarding the jail are not the fault of the County or the Jailer. There is a fairly massive shift of costs that has gone on from the State to the local communities. The total subsidy of local jails by county Fiscal Court throughout the State is now up to \$100 million, \$2 million of which was spent by Campbell County. These costs are by far the biggest drain on this County's financial health that it suffers.

Judge Pendery then announced that a Mayors' Meeting was held on January 25, 2005, at the new Restricted Custody Facility. The Facility is just one of the steps the County has taken to help manage its way into a better position where the jail population is concerned. He noted that the County also asked the cities for support for its initiative to gain a legislative fix to the payroll tax problem that presently exists for the County. The cities stand shoulder-to-shoulder with the County in asking the legislature for a solution to that challenge.

Judge Pendery also stated that another issue with regard to the payroll tax problem is the funding for TANK in Campbell County. He noted that, unfortunately, it is difficult to condense this issue, but he wanted to give some of the important points on it. The voters of Kenton and Campbell Counties enacted a payroll tax in 1978 of up to 1% and the politicians at that time assured the community that they would only use the portion of that money up to 1% that they needed in order to fund TANK and for other purposes. At the outset, the TANK tax was .4% with a cap of \$25,000. The understanding was that whatever happened after that, the County would be grandfathered in and there have been numerous statutory changes that have taken place over the years. That understanding that everyone had for nearly 27 years regarding our occupational tax was thrown into a cocked hat by a Supreme Court decision that was handed down in November of 2004. If there is no solution legislatively from that Court case, which was

an interpretation of the General Assembly will, Campbell County will have very serious financial problems. The County will struggle mightily to avoid it, but the probability is very high that there will be no money to fund TANK in Campbell County. The probability is also very high that the same thing will happen in Kenton County, because for the first time, there is an interpretation that city payroll taxes need to be offset against County payroll taxes. This would be financially devastating. This is not a new tax, nor is the County asking for a change. The County just wants to see a solution by returning to the status quo that everyone understood existed for the last 27 years. If there is no legislative solution, the forecast will be that there will be no buses running in Campbell County, and likely none in Kenton County. The question for TANK would then be whether to drive the buses in a circle in Boone County, or fold, because Boone County would not be able to pay to ferry Kenton and Campbell countians around. We are dealing with the potential demise of public transit in Northern Kentucky, because its funding source will be decimated if there is no solution.

Judge Pendery then announced that the Campbell County Spring Clean-Up will be held March 18, 19 and 20, 2005. This is one of the best-received programs that the County runs. There will be more information on the Clean-Up as the dates get nearer. He also announced that Campbell County Recreation staff will start taking reservations on February 7, 2005 for the 2005 season for the Private Picnic Areas located at A.J. Jolly Park. If anyone would like to reserve an area, they can contact the staff at 859-635-1104.

Judge Pendery then asked for a report from the Fiscal Director. Mr. Seibert first requested approval of the quarterly budget Transfers being presented at this meeting. There being no further discussion, Commissioner Verst made a motion that the Transfers be approved. Commissioner Otto seconded the motion. 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 that they appeared to be appropriate. There being no further discussion, Commissioner Otto made a motion that the claims be approved and paid. Commissioner Verst seconded the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery called on Greg Buckler, Campbell County Jailer, to present his Annual Report. Mr. Buckler thanked the Judge and Commissioners for the opportunity to present his Annual Report and discuss some of the issues that the Jail is currently facing. Mr. Buckler stated that he has just started his seventh year as the elected Campbell County Jailer, and has seen many changes take place with the Jail during his tenure. The average daily population of the Jail in the year 2000 was 166 inmates per day. The Jail is designed to house 135 inmates. In 2002, the inmate population increased by 32% to 219 inmates; in 2004 the increase was 9.25% to 240 inmates. From 2000 forward, there has been a 44.25% increase. The dramatic increase has, in part, been caused by a growth in population. There are approximately 15 different agencies bringing prisoners into the Campbell County Jail who violate a state or federal law in Campbell County. Unlike the prison system where inmate population can be controlled, the jail system cannot control the population – we must take anyone in who has violated the law. Another cause has been because of the amendment to the DUI law from 0.10 to 0.08. Also, in 2002, the State of Kentucky had on the ballot to adopt the institution of a Family Court Judge. This was voted on unanimously in Kentucky and in Campbell County and this Judge helps to make sure that

child support laws are being followed, which adds to incarceration for some who are behind in child support payments. Over the course of years, the legislators have also increased the amount of time that drug offenders must be incarcerated.

In the year 2000, there were 5,987 bookings and 6,043 releasings (the higher number of releasings versus bookings is due to carryovers from the previous year). In 2002, there were 7,106 bookings and 6,600 releasings, which was a 19.75% increase. In 2004, there were over 6,100 bookings and 6,200 releasings, which was a 6% increase. The top departments bringing in inmates were Newport, Campbell County, Bellevue, Ft. Thomas and the Campbell County Sheriff's department. The majority of arrests made by the Sheriff's Department are from incidents in the Courtrooms.

Arrests by time of day have generally stayed the same over the past seven years; the top five being 2:00 a.m. to 3:00 a.m., 1:00 a.m. to 2:00 a.m., Midnight to 1:00 a.m. and 4:00 a.m. to 5:00 a.m. These times are usually when the bars are closing and people are being arrested for various offenses.

The top ten offenses that people are arrested for are alcohol intoxication, failure to appear, non-payment, DUI-1st, theft by unlawful taking, suspended operator's license, disorderly conduct, possession of marijuana, contempt, and possession of drug paraphernalia. A lot of these offenses can be attributed to alcohol. In 2004, there were 9,700 different charges that people were arrested for.

By law, visitation must be provided at least twice per week for every inmate. In 2000, there were over 5,700 family member or attorney visits and in 2004, there were over 8,700 visits. The Jail must also provide a program for inmates to earn their GED and in 2004 there were 416 inmates who took part in this program. In 2004, there were 748 doctor visits by the inmates. These items all constitute inmate movement – every time a dormitory or cell door is opened, there is a risk of an inmate trying to escape or cause other problems.

In the year 2000, there were over 165,000 meals served and in 2004, there were over 242,000 meals served. The Jail is trying to keep its food costs down by having inmates work in the kitchen and prepare the meals. The average cost per meal in 2004 was \$.61, making the cost per day per inmate around \$1.83. Utilization of the inmate labor and the purchase of generic foods has contributed to being able to keep the food costs down. The Campbell County Jail is restricted by some standards in Kentucky known as the Kentucky Jail Standards, which states that at least 2,400 calories must be provided per day, 3 meals per day, with not more than 14 hours elapsed between each meal, and at least one of those meals must be hot.

A canteen/commissary must also be provided according to the Kentucky Jail Standards, where the inmates can buy snacks and soft drinks that aren't offered in the regular 3 meals per day. The profits from the canteen/commissary can only be used for the inmates and cannot be used for salaries, utilities or debt service on the facility. The profits are used to help run the GED program and purchase laptop computers. A state grant was also obtained a couple of years ago through the Higher Education/Adult Learning Education Association to pay for a GED instructor and to help purchase the laptop computers. This program is two-fold in that the inmates are

getting their GED's, plus they are learning new technology by working on the computer. There are no tax dollars being used for the GED program.

Also purchased from the canteen/commissary profits are equipment necessary for community service and anything extra that inmates may require. Each year the inmates are required to paint their cells to make sure they are maintained, and if an inmate does a good job, pizza may be purchased out of these funds for the inmates. Over the last few years, two vehicles have been purchased for use in transporting inmates to job sites, and lawn maintenance equipment has also been purchased with these funds to use throughout the County and provide services to the County and city governments and non-profit organizations in Campbell County.

Total profits from the canteen/commissary sales in 2004 was over \$133,000, with the main items purchased being coffee, honeybuns, oatmeal cakes, and Mountain Dew.

The Community Service Program in 2004 yielded inmates out working in the community 244 days. We are the biggest contributor to the State of Kentucky Adopt-a-Highway program. Our inmates covered over 257 miles of highway, both county and state. Over 3,800 bags of trash were collected, which does not include the numerous tires, refrigerators, and other items that people leave on the roadways. We had a total of 64 inmates who participated in this program in 2004 and they spent over 4,100 man-hours on the road. There was free labor provided to 18 different cities, and county non-profit organizations, which included the Fiscal Court, the Senior Citizens Building, and the Bellevue Vets. He reminded everyone in the community that if they see any garbage or other debris on their roadways, they can call him and he will be glad to have inmates come out and pick the items up. We are not obligated to do this, but do it as a good gesture towards keeping our County clean.

There are some legislation issues that the Jail will be facing this year. There are four organizations working together to approach legislators to get some of the issues corrected, being the Kentucky Judge/Executive Association, the Kentucky Insurance Association, the Kentucky Jailers' Association, and Kentucky Association of Counties. Some of these issues are (1) to increase the jail's daily per diem, (2) increase in bed allotment for closed jails, (3) increase medical payments to counties, and (4) credit for time served. The County is presently being paid \$26.51 per day to house a state inmate. An inmate doesn't become a state inmate until their final sentencing date, which means they can be incarcerated up to 6 months and then be sentenced. The County does not start collecting the \$26.51 per day until the end of that 6-month period. The average cost to house an inmate on a daily basis is \$32.00. There has not been an increase in the per diem rate since 1984, and in 2003, the administration took \$1.00 away from the per diem rate to help balance the budget. There are two private prisons in Kentucky who get paid between \$30.49 and \$44.19 per day to house state inmates from Kentucky. The County jail offers the same programs to inmates as do these prisons. Currently there are 21,000 state inmates in Kentucky, 6,000 of which are in local jails. In Kentucky there are 120 counties, only 78 of which have full service jails like Campbell County. Under KRS 441.206, a bed allotment is provided from the State to cover jail expenses. It is based on a 1983-1984 funding formula and has never been altered since its inception. An increase would help offset the costs incurred by counties sending inmates to neighboring counties.

Out of the \$26.51 the County receives per day per inmate, \$1.91 is geared toward medical expenses for inmates. The State is required to pay for any medical expenses exceeding \$2,000 for any inmate. This is not being done by the State currently. Campbell County currently has over \$55,000 submitted to the State for reimbursement that it has paid out for medical expenses. Commissioner Otto inquired of Mr. Buckler to explain what that means, and if there is a State law that requires them to pick up any amount over the \$2,000 limit. Mr. Buckler stated that was correct and is under KRS 441 that requires the state to pay the amounts over and above this limit, but they are not paying these expenses. The jails across the State are submitting their invoices, but are not getting reimbursed. Commissioner Otto stated that the legislators have approved this statute, but the counties across the State are getting stuck with the entire expense. Mr. Buckler stated that there is currently \$8.1 million being spent in Kentucky, excluding Jefferson and Fayette Counties, on medical costs for inmates in County jails. Commissioner Otto pointed out that the Kenton County Jail is owed \$3.8 million from the State in medical costs for inmates.

The County will also be seeking reimbursement for credit for time served. Historically, a murder case in Campbell County took about 12 months to come to trial. At that 12-month period the inmate was staying in the Jail at the expense of the County, but when the inmate was sentenced, he was credited the 12 months as time served. The State does not reimburse the County for this time that the inmate served prior to sentencing. This is costing Campbell County \$37,000 per month in additional revenue.

Mr. Buckler stated that the County will be asking the State legislators to act responsibly according to the statutes that are in existence. The Bills that will be presented to the legislature will be filed through the County Judges Association individually, and it is hopeful that they will be approved.

Goals for the Campbell County jail include opening the new Restricted Custody Center. It is estimated that an additional \$250,000 in revenue after expenses are deducted. This will provide additional community service to public entities, free labor to the cities, counties and non-profit organizations to do various jobs that might go undone because of lack of funds. We are also in the process of hiring a Registered Nurse to help reduce the medical costs that we are experiencing. The County's hands are tied because of the State laws that require it to make sure inmates receive medical treatment and pharmaceuticals that they need. Once a Registered Nurse is on board, some of the costs can be reduced. The County is also in the process of redesigning its inmate classification for housing by changing the way the inmates are housed. The County is looking at increasing its inmate booking fees, as it has been 3 years since there was an increase.

Mr. Buckler then asked if members of the Court had any questions on his report. Commissioner Otto stated that there is no intention to beat up on our State legislators; however, the State should be abiding by the laws it has set. He believes that the State is in violation of a State law, and asked how that could happen. Commissioner Otto believes it is ironic that the State is in violation of a State law and does nothing about it, but if this County denied inmates medical care, it would be sued. His hope is that, with this session, the legislators will take a good look at what is going on with the jails, and address the concerns. Mr. Buckler noted that he and Jim Seibert, Fiscal Affairs Director, attended a subcommittee meeting in Frankfort last week. They met with a couple of local legislators, who assured them that something will be addressed in this session regarding the issues with jails.

Commissioner Verst stated that the Constitution says the State has to adopt a budget, and they have not done that in the last two sessions they have met, which means they are violating the Constitution. He noted there is no use in having a legislature if they are not going to do the job. They are derelict in their duties and are not making local officials jobs' any easier, and unfortunately, the citizens in general will hold their local governments accountable for what they like and do not like. There are a lot of situations where the County's hands are tied, and they are being impeded by those who are supposed to be assisting them, thus putting the County in a position of potential bankruptcy. The legislators are elected the same as local officials are, and it starts with a budget and trying to help other local elected officials serve the citizens. Right now the citizens are not being served.

Judge Pendery stated that the jail crisis has been by far this County's largest financial challenge of this Court's tenure in office. There are only limited management techniques that can be brought into play to reduce the size of the problem and this Court is satisfied that those possibilities are being covered. What is happening is that there is a shift of expense from the State to the local governments. The County is constitutionally required to hold the prisoners. The State is not paying the County enough to do that, and because they have financial problems, they do not have enough judges, prosecutors, parole and probation people, and testing laboratories to move prisoners through the system in a timely way. This causes the average inmate charged with a State crime is in our jail at our expense for months longer than they used to be, and it is an ugly picture. Six years ago, the County was subsidizing the jail by \$500,000 per year, and today that figure is \$2,000,000, with the potential in the next year or two that it will get worse, paradoxically, if the County does not spend some money and build a larger jail. One of the interesting aspects of jail economics is that the County needs the State to pay it fairly, and it does need inmates in the jail that will produce funds from the State to offset the expenses that it must put forward to house local inmates. One of this County's problems is that its jail is not big enough to accommodate paying inmates in addition to local inmates. There are not enough paying Federal or State inmates to offset the costs to house local inmates. This State, like a lot of other States, has gotten tough on crime. The United States has the highest incarceration rate by far of any country in the world. The incarceration rate in the State of Kentucky has increased by 600% since 1970 and a good portion of that increase has taken place since 1990. This is not something that is not a problem elsewhere in the United States, but it is being dealt with more effectively elsewhere in the United States than it is in a State that cannot even pass a budget. Thus, the County is left holding the bag and something has to be done.

Commissioner Otto stated that the Fiscal Court and the County's Jailer are doing things to try to lessen the blow of the costs. When the new Restricted Custody Facility opens, it will open up beds to house Federal inmates. The community service program will tremendously be enhanced to assist the cities with jobs that might otherwise go undone. A program will be started that will allow inmates to train dogs for handicapped persons.

Mr. Buckler stated he is very encouraged by these new programs. He noted that in getting the jail standards changed, a different style of housing will be conducted with the new facility, which is called "Direct Supervision." This is somewhat new in the State of Kentucky. A deputy will be placed inside the dormitory with the inmates versus having a deputy walk around on a catwalk

and look into the cells. This will be cheaper for the County and more manageable for the jail staff. Campbell County will be looked on as an innovator of this style of housing.

Mr. Buckler thanked the Judge and Commissioners for their time, noting that it has been a pleasure for him to work with them for the last seven years. He thanked them for their support. Judge Pendery thanked Mr. Buckler and stated that they are all in this together and appreciate his efforts to help minimize the financial aspect of the jail issues.

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 8:22 p.m.

Attachments:

Resolution R-10-05: Amendment to Organizational Chart and Authorized Position List
Resolution R-11-05: Approval of Kentucky Highway Department's Recommendations for FY
06 Rural Secondary Road Program
Resolution R-12-05: Support of Legislative Efforts of Sanitation District No. 1
Resolution R-13-05: Agreement for Three Mile Road Property
Resolution R-14-05: Kentucky EMS Block Grant Funding Application
Resolution R-15-05: Amendment to Contract for Health Care Services at Detention Center
Transfers: February 1, 2005
Claims: February 1, 2005
February 1, 2005 (Home Emergency Grant)

Approved:

/s/ Steve Pendery

STEVE PENDERY

Campbell County Judge/Executive

Attest:

/s/ Sandra L. Mulligan

Sandra L. Mulligan

Fiscal Court Clerk