

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**MAY 2, 2012**

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, May 2, 2012, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE:  
STEVE PENDERY

COUNTY COMMISSIONERS:  
PETE GARRETT  
BRIAN PAINTER  
KENNETH RECHTIN

|               |                              |
|---------------|------------------------------|
| Steve Franzen | County Attorney              |
| Robert Horine | County Administrator         |
| Jim Seibert   | Fiscal Director              |
| Paula Spicer  | Fiscal Court Clerk           |
| Keith Hill    | Campbell County Police Chief |
| Steve Penrod  | IT Director                  |

The meeting was called to order at 7:00 p.m. by Judge Penderly. Cable Access was present to film the meeting.

Judge Penderly 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 April 18, 2012 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Garrett to approve the minutes. All voted "AYE" and the motion passed.

Judge Penderly invited comments from the public.

Steve Trauth, Cold Spring resident, questioned the need to hire an assistant for the County's new HR Director when the County has just over 200 employees. Judge Penderly explained that the assistant position is part-time and the employee is also performing duties other than HR. In addition, this part-time position replaces a full-time position which was eliminated. Mr. Trauth then stated that he could not find the County's budget online. He stated that the City of Cold Spring has its budget online showing month-to-month activity – why can't Campbell County do the same thing. Mr. Trauth then stated that he understands that the County has a surplus this year; has the source of the surplus been identified in the budget. Judge Penderly explained that the County had projected a \$750,000 deficit for the jail as a result of the passage of HB 463 last year, and budgeted accordingly. This overhaul of the criminal code was expected to result in

more misdemeanants incarcerated at the jail than felons. The State pays to house felons, while the County pays for misdemeanants. Judge Pendery stated that this was the main factor, but there were other smaller things that contributed to the surplus. Mr. Trauth then suggested that the Fiscal Court go on record that they will prepare the budget based on the compensating rate, and further stated that the surplus money should be returned to the taxpayers since there was a tax increase last year. Judge Pendery explained why they do not budget based on the compensating rate and how inflation affects the budget. Commissioner Painter stated that he is always looking for ways to save the taxpayers money. He stated that the County's HR Director is very good and that she recognized that a full-time position could be replaced with a part-time position saving the County on the cost of salary and future benefits. Commissioner Painter pointed out that the County saved about \$50,000 by switching to salt for treating roads in the winter. He stated that last year the County actually decreased the size of government. Mr. Trauth reiterated that the Fiscal Court should base its budget on the compensating rate. Judge Pendery stated that the Fiscal Court is living within its means and spending wisely; he offered to meet with Mr. Trauth and review the budget with him.

Kevin Gordon stated that in the past a draft of the Used Property Business regulations ordinance had been distributed and asked if a draft had been made available now that it is on the agenda for a first reading. Judge Pendery stated that the ordinance is still considered a draft and technically could be changed before the second reading.

Larry Robinson asked if the first reading of the budget will be at the next meeting and if copies would be made available in advance. Judge Pendery stated that a draft of the budget will be posted.

Robert Horine presented old business with a second reading of Ordinance O-05-12 by title and summary. O-05-12 amends Chapter 90: Animals of the Campbell County Code of Ordinances. The updates contained in the ordinance will bring the regulations into compliance with Kentucky Revised Statutes, as well as, to bring it in line with current practices at the shelter. A new section was added requiring animals to be microchipped before being released from the shelter. He pointed out that an error in the definition of "Running at Large" has been corrected and included in the final version of the ordinance. Commissioner Recthin made a motion to adopt O-05-12, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-46-12 was read by title and summary given. R-46-12 authorizes the County Judge/Executive to execute a contract with the City of Newport, Kentucky for street paving. Mr. Horine explained that the County will provide the equipment and manpower to pave High Street in Newport, and the City will reimburse the County for materials and fuel, provide traffic control and allow children from the County to use the City's recreational facilities. Commissioner Garrett made a motion to adopt R-46-12, seconded by Commissioner Recthin. All voted "AYE" and the motion passed.

Resolution R-47-12 was read by title and summary given. R-47-12 declares an emergency determining that County Bridge CR 1103 California Crossroad over a tributary of 12 Mile Creek needs to be replaced, and authorizes the County Judge/Executive to request emergency funds from the Kentucky Highway Department's Rural Secondary Road Program, County Road Aid

Co-op Fund Program. In January the County was notified by the State that the weight limit on the bridge must be reduced to three tons and that the bridge is in need of replacement. The County has obtained an estimate to replace the bridge and straighten the road for approximately \$180,000. Commissioner Rechtin made a motion to adopt R-47-12, seconded by Commissioner Garrett. Mr. Horine explained that in addition to replacing the bridge the County wanted to realign the road which meant relocating the bridge and led to design of a culvert. The culvert design had to meet requirements of the Kentucky Division of Water and other agencies. The County is now in a position to submit its estimates to the State. All voted "AYE" and the motion passed.

Resolution R-48-12 was read by title and summary given. R-48-12 authorizes renewal of the Campbell County Horse Trails General Liability Insurance Policy for the horse trails, pole barn and campground at A J Jolly Park. Coverage for the new pole barn and campground was added to the policy with no increase in cost. Commissioner Garrett made a motion to adopt R-48-12, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to proclaim May 2012 as Motorcycle Awareness Month in Campbell County. Motion was made by Commissioner Garrett, seconded by Commissioner Painter. Judge Pendery presented the proclamation to Keith Roberts who had requested it. Mr. Roberts stated that he would like to work with the Fiscal Court and the State of Kentucky to have signs installed on the highways and roads to increase awareness of motorcyclists. All voted "AYE" and the motion passed.

A motion was requested to proclaim the week of May 13 through 19, 2012 as Police Week in Campbell County and to further proclaim May 15, 2012 as Peace Officers' Memorial Day in Campbell County. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint Shaun Hale to the position of full time IT Specialist with compensation set at Grade 11E, \$19.28 per hour (\$35,094 annually) effective May 7, 2012. This position was vacant due to the resignation of David Lusher in March 2012. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Rechtin stated that he would vote "No" on this appointment because this work could be contracted; employee-related costs are expensive – especially pension costs. He highly recommends that the Fiscal Court eliminate as many employees as possible. Commissioners Garrett and Painter and Judge Pendery voted "AYE". Commissioner Rechtin voted "NAY" and the motion passed.

A motion was requested to reappoint Marsha Dufek to the Northern Kentucky Area Development District Council on Aging for a two year term effective July 1, 2012 through June 30, 2014. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

Robert Horine requested a motion to meet in executive session at the end of regular business pursuant to KRS 61.810(1)(b) deliberations on the future acquisition or sale of real property by a public agency, and KRS 61.810(1)(e) collective bargaining negotiations between public employers and their employees or their representatives. He advised that no action will be taken

after the executive session. Motion was made by Commissioner Garrett, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

Ordinance O-01-12 was read by title and summary given. O-01-12 establishes regulations for the operation of used property businesses in Campbell County, Kentucky. This is a first reading of the ordinance. Steve Franzen stated that this ordinance has been talked about extensively and he has been working with the Campbell County Police Chiefs on it for some time. He has been told by the police that Campbell County has become a popular place to bring stolen property, especially jewelry, and it is hoped that the new regulations will help to curtail this. Commissioner Rechtin questioned Mr. Franzen about this ordinance compared with other local ordinances and the ability of cities in Campbell County to buy-in to the required reporting system. He believes that it would be a reasonable expense for the Fiscal Court to provide access to the reporting system for the entire County. Mr. Franzen advised that Newport is the only City in Campbell County that has a similar ordinance and they were not interested in participating in the County's ordinance. Ideally, he would like to see Boone, Campbell and Kenton Counties and the cities in those Counties have the same regulations as to holding periods and reporting requirements. Mr. Franzen stated that the local police departments like Leads-on-Line as a tool to track stolen property throughout the country. However, he could not get support from the Fiscal Court to incur the expense of providing this program for the entire County. Commissioner Rechtin stated that he is disappointed that there can't be one ordinance for the entire County and a reporting system for the entire County. Judge Pendery stated that this ordinance will be voted on at the next meeting.

Judge Pendery announced the grand opening of the new Campbell County Horse Campground located at A J Jolly Park on Saturday, May 5, 2012 at 12:30 p.m. A short dedication ceremony will be held.

Jim Seibert requested a motion to accept the bids of Cargill, Inc. and Central Salt, LLC for road salt as quoted during the reverse auction held by KACo on April 2, 2012. Motion was made by Commissioner Painter, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to solicit bids for Road Department materials. Motion was made by Commissioner Rechtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to acknowledge for the record that the Judge/Executive has provided a draft General Fund FY13 budget to the County Commissioners in compliance with Kentucky Revised Statutes. Motion was made by Commissioner Painter, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims as presented for May 2, 2012. County Attorney Steve Franzen stated that he has reviewed the claims and that they all appear appropriate. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. Commissioner Rechtin recused himself from voting to approve any payments made to Senior Services of Northern Kentucky, his employer. All voted "AYE" and the motion passed.

The Fiscal Court then met in executive session pursuant to motion previously made.

Motion was made by Commissioner Rehtin, seconded by Commissioner Painter to adjourn the executive session. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rehtin made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 8:25 p.m.

**Attachments:**

|                                |                                                                     |
|--------------------------------|---------------------------------------------------------------------|
| Ordinance O-05-12              | Amend Code of Ordinances Chapter 90: Animals                        |
| Resolution R-46-12             | Contract with City of Newport for Paving                            |
| Resolution R-47-12             | Declaring an Emergency: Replacement of County Bridge CR 1103        |
| Resolution R-48-12             | Renewal of Liability Insurance on Horse Trails & Related Racilities |
| Proclamation                   | Motorcycle Awareness Month                                          |
| Proclamation                   | Police Memorial Week and Peace Officers' Memorial Day               |
| Ordinance O-01-12              | Used Property Business Regulations                                  |
| Claims and Supplemental Claims | May 2, 2012                                                         |

Approved:

---

STEVE PENDERY  
Judge/Executive

Attest:

---

Paula K. Spicer  
Fiscal Court Clerk