

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

JANUARY 20, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, January 20, 2016 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Craig Sorrell	Campbell County Police Department
Cindy Minter	Director of Planning and Zoning
Frank Spataro	Human Resources Director

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting.

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 January 6, 2016 were presented. Commissioner Painter made a motion to adopt the minutes, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Hunter Poindexter, Alexandria resident and Student Government Association senator at Northern Kentucky University (NKU), addressed the Fiscal Court. He advised that NKU is currently \$10.7 million underfunded by the State of Kentucky. This is due to the State having no rational basis for funding of its institutions. Whether NKU graduated every student, or no students, it would receive the exact same funding that they're currently receiving. Mr. Poindexter stated that NKU is asking for outcomes based funding from the State. This means that every institution comparable to NKU would receive funding based on the numbers that they graduate and how

many they bring in. In the past 15 years NKU has increased student population by 34% and increased the number of Bachelor's degrees conferred by almost 85%.

Adam Haas, Chairman of the Campbell County Ethics Commission, stated that this has been a busy year for the Ethics Commission. He acknowledged Joseph Powers, a member of the Ethics Commission, in the audience. In the course of evaluating some of the potential cases that came before them, it became clear that portions of the Ethics Code were not very clear and they recommended some revisions. The Code was adopted in 1994 as a result of a state law and has not be amended or updated since then. He thanked the County Attorney and County Administrator for their assistance over the last year. Mr. Haas stated that the Ethics Commission voted at its last meeting to present its amended version of the Ethics Code to the Fiscal Court for its review, amendment and adoption. He stated that the County Attorney took this opportunity to clarify some of the legal language in the Code. Mr. Haas then explained the changes to sections on Definitions, Standards of Conduct and Complaint Procedure and Investigations as recommended by the Ethics Commission. The Ethics Commission requests that the Fiscal Court consider the recommended changes. The Ethics Commission will meet in the next month to review the financial disclosure statements and would appreciate it if some or all of the suggested changes are adopted by the Fiscal Court. Commissioner Coleman thanked all of the members of the Ethics Commission. He then asked how they arrived at the language regarding Nepotism. Mr. Haas and County Attorney Franzen discussed the rational for the wording that was developed. Judge Pendery asked if the Financial Interest Statement is dictated by the provisions of the Ethics Code and suggested that it could contain some more elaborate questions. Mr. Haas stated that the Statement that was recently sent out had been modified and clarified slightly. Commissioner Lampe thanked the Ethics Commission for their efforts. Questions from the audience regarding the Nepotism clause were then addressed. Judge Pendery stated that the Fiscal Court will take the report under advisement and have a first reading of the ordinance at the next meeting.

There being no old business, Paula Spicer presented new business with Resolution R-05-16 by title and summary. R-05-16 sets the opening and closing dates and camping dates for Campbell County parks for 2016. Commissioner Lampe made a motion to adopt R-05-16, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Resolution R-06-16 was read by title and summary given. R-06-16 sets the fee schedules for A J Jolly Park and Pendery Park for 2016. Kim Serra explained that the daily pass was increased by \$1, camping sites were increased by \$1 or \$2 depending on the site, the private picnic area was increased by \$5 and daily horse trail tags by \$1. She and Larry Harrod, Parks and Recreation Manager, looked at other campgrounds and parks in the area and determined that the County's fees are competitive. Commissioner Coleman made a motion to adopt R-06-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-07-16 was read by title and summary given. R-07-16 authorizes the Judge/Executive to execute a lease agreement with Toshiba Business Solutions for the lease of a multi-function copier for the Campbell County Police Department. The lease is for a term of 63 months with a monthly payment of \$170.39. Commissioner Painter made a motion to adopt R-07-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-08-16 was read by title and summary given. R-08-16 authorizes the Judge/Executive to execute an agreement with the Kentucky Transportation Cabinet to accept ownership and maintenance responsibilities for solar powered school flasher assemblies and supports for Campbell County High School on Old US 27. Kim Serra explained that KYTC advised the County that they planned to replace the existing electric flasher assemblies with new solar powered flashers and asked if the County wanted to take ownership and maintenance responsibilities for them since they're located on a County road. The County Road Department was already performing some maintenance on the flashers. She stated that the new flashers have already been installed and the County Road Department staff were educated about the flashers. She will verify whether any warranties on the new equipment will transfer to the County. Commissioner Coleman made a motion to adopt R-08-16, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-10-16 was read by title and summary given. R-10-16 authorizes the Judge/Executive to execute a License For the Use of Premises with the Disabled American Veterans (DAV) to hold the County's annual Shred Day event on April 23, 2016 in the DAV parking lot. Commissioner Lampe made a motion to adopt R-10-16, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

A motion was requested to proclaim January 31, 2016 as "Wood Hudson Cancer Research Laboratory Day" in Campbell County in recognition of its 35th anniversary. Motion was made by Judge Pendery, seconded by Commissioner Painter. Judge Pendery stated that Wood Hudson's work has been cited in over 1000 medical and research journals. The facility is located on Isabella Street in Newport. All voted "AYE" and the motion passed.

Resolution R-09-16 was read by title and summary given. R-09-16 approves changes to the personnel section of the Campbell County Administrative Code. Frank Spataro explained the reason for the Vehicle Assignment Form is that staff wanted to establish a record of vehicle assignments and ensure that the employee understands the terms and conditions of using the County vehicle. The signed form will be put in the employee's personnel file. Another reason for clarifying vehicle use was to deal with the reimbursements and taxable benefit of having a vehicle. Marie Schenkel advised that pursuant to the IRS any personal use of company vehicles is supposed to be included in wages as a noncash fringe benefit. The language was clarified to tie it into the IRS Code. Mr. Spataro stated that the amendment makes the Human Resource Director responsible for investigating allegations of misuse of vehicles and report findings to the County Administrator. Commissioner Painter pointed out that vehicle assignments are made at the Judge Executive's discretion rather than simply by the position. Mr. Spataro stated that the assignments are based on business need, not a set list of positions. Ms. Schenkel stated that employees with a vehicle are taxed on a noncash value of \$1.50 each way commute to and from work. Judge Pendery made a motion to adopt R-09-16, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of April Carter from the position of Housing Specialist, effective January 20, 2016. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire a full-time Housing Specialist to fill a vacancy. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to reappoint Adam Haas, Ken Moellman and Joseph Powers to the Campbell County Ethics Commission each for a one-year term effective February 1, 2016 and expiring on January 31, 2017. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Commissioner Coleman stated that he was told that Governor Matt Bevin was at the OKI Regional Council of Governments meeting last week. Judge Pendery stated that Governor Bevin met with OKI, he was not at the general meeting. Commissioner Coleman was told that the Governor told OKI that there would be no tolls for the Brent Spence Bridge project. Judge Pendery stated that it was discussed at the meeting, but he doesn't remember that detail.

Commissioner Coleman stated that some time ago he gave Northern Kentucky University President Mearns his business card and asked to set up a meeting with him; he has still not heard back from President Mearns.

Commissioner Coleman asked about the logos on County vehicles. Kim Serra advised that all but three Park vehicles have logos. They are waiting on the emblems to come in so that they can be applied to the vehicles.

Commissioner Coleman asked if this was the time to talk about a \$6,400 bill from SD1, or should he wait until the claims are presented. Mr. Franzen suggested waiting until the claims are presented.

Commissioner Painter advised that the KY 536 study was adopted by OKI at its last meeting. This means that they can receive federal funds, if any are available, to move the project forward. Judge Pendery stated that the project was well received by the community. At this time all of the action is in Kenton County, but it will affect Campbell County. It will be a nice transportation route for people in the southern part of Campbell County to get to Kenton and Boone Counties. The project will go into the six year plan and efforts will be made to get funding. It appears that the concerns of the citizens in the area have been resolved.

Judge Pendery announced that the Mayors/Fiscal Court meeting will take place on Thursday, January 26, 2016 at 6:00pm in the Fiscal Court Chambers of the County Administration Building, 1098 Monmouth Street, Newport, Kentucky.

Marie Schenkel requested a motion to approve the claims as presented for January 20, 2016. County Attorney Steve Franzen suggested that they talk about the Sanitation District No. 1 bills. Other than that, he has reviewed the claims and determined that they all appear appropriate. Ms. Schenkel explained that the Sanitation District 1 (SD1) bill for the Parks Department in the amount of \$6,383.74 was for seven parcels. One of the parcels is the main storm water area in A J Jolly Park. \$4,542 of that bill is assessed to the Park because most of the property is in the Park. The County is billed quarterly and the amount has been the same for years. The Finance Department staff questioned the bill years ago and, after it was explained by SD1, determined

that the calculation of the nonimpervious area was accurate. The other parcel with a significant bill is the area where the Road Department, Park and Golf Course converge. It was erroneously coded 100% to the Park. The transaction was voided and placed on the supplemental claims with the appropriate coding. Those bills have been the same amount for several years. Ms. Shenkel listed the areas covered by these bills. Commissioner Coleman asked what service SD1 provides when it rains on the ballfields. Cindy Minter stated that she has met with SD1 at Pendery Park to determine possible mitigation measures to try to reduce bills. As a result a couple of measures were identified. She has not done this on any other parks and would be happy to do so. Judge Pendery stated that everybody has a meeting scheduled with SD1 and he suggested that they withhold comments on this subject until they have a chance to learn more from SD1. Commissioner Coleman stated that SD1 has drawn some imaginary line and decided what their service district is. He has a problem voting to pay SD1 for a service that he doesn't think that the County gets. Judge Pendery suggested that they delay this conversation until everybody has met with SD1. Commissioner Coleman stated that he has previously met on two occasions with SD1 about storm water and about the Camp Springs issue. He stated that he pays the fee because he gets a service. He would like to vote to pay the other bills but not SD1. Motion to approve the claims was made by Judge Pendery, seconded by Commissioner Lampe. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 6:40 p.m.

Attachments:

Resolution R-05-16	Set Opening and Closing Dates for County Parks
Resolution R-06-16	Set Fee Schedules for County Parks
Resolution R-07-16	Lease of Copier for Police Department
Resolution R-08-16	Agreement to Accept Ownership of School Flasher Lights
Resolution R-10-16	Agreement for Use of Parking Lot for Shred Day Event
Resolution R-09-16	Amend Personnel Section of County Administrative Code
Proclamation	Wood Hudson Cancer Research Laboratory Day
Claims	January 20, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk