

CAMPBELL COUNTY FISCAL COURT MINUTES

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, March 19, 2003, at 5:30 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:15 p.m. to obtain comments from the general public regarding the Annual Agency Plan for the Campbell County Department of Housing. Darlena Barnes, Director of Housing, opened the public hearing and advised that the Plan would be presented to the Fiscal Court for approval at its meeting following the public hearing, noting that the Plan had been made available for public viewing for 45 days at the Fiscal Court. Ms. Barnes asked if anyone was present who had comments on the Plan. There being no comments, she then closed the hearing.

In attendance at the Fiscal Court meeting were:

**COUNTY JUDGE/EXECUTIVE
STEVE PENDERY**

**COUNTY COMMISSIONERS:
DAVID OTTO
WILLIAM VERST
KENNETH RECHTIN**

Robert Horine	County Administrator
Paul Twehues	Assistant County Attorney
Chief David Sandfoss	Campbell County Police Department
James Seibert	Fiscal Affairs Director
Darlena Barnes	Housing Director
Melissa Williams	Director of Administration
Peter Klear	Planning & Zoning Director
Pat Dressman	Human Services Director
Andy Kuykendall	IT Manager
Sandra Mulligan	Fiscal Court Clerk

The meeting was called to order at 5:30 p.m. by Judge Pendery. A moment of silence was called for by Judge Pendery, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Judge Pendery presented the minutes from the Fiscal Court meeting of March 5, 2003. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of March 5, 2003 be approved. All voted "AYE" and the motion passed unanimously.

Judge Pendery next asked if there were any public officials or citizens in attendance at the meeting who desired to address the Court. There were none.

Judge Pendery then requested items of Old Business be brought before the Court. Ms. Williams presented Ordinance O-02-03 for second reading and passage consideration, which was read by title and a summary given. She explained that this ordinance amends the County zoning map to rezone 162 acres from A-1 to R-1C and that the rezoning was at the request of Dennis MacDonald. She advised that Peter Klear, Planning & Zoning Director, was present to answer any questions. Commissioner Rehtin asked Mr. Klear if the flag lot issue would be taken care of during the design process, to which Mr. Klear replied that it would. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Ordinance O-02-03. Commissioner Verst abstained from voting on this Ordinance. The motion passed by a majority vote.

Ms. Williams next presented Ordinance O-03-03 for second reading and passage consideration, which was read by title and a summary given. She explained that this ordinance amends the County mandatory spay and neuter policy to mandate surgical alteration of Campbell County Animal Shelter adopted pets must occur after reaching six months of age rather than eight months. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Ordinance O-03-03. All voted "AYE" and the motion passed unanimously.

Judge Pendery then requested items of New Business be brought before the Court. Ms. Williams advised that the first order of New Business was a motion to proclaim April 4, 2003 as Arbor Day in Campbell County and urge county citizens to observe the day by planting trees and focusing attention on trees and forests in the County. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Ordinance O-04-03 for first reading, which was read by title and a summary given. She explained that this ordinance amends various sections of Chapter 52 of the County Code of Ordinances relating to Hazardous Materials. She stated that Ken Knipper, Director of Office of Emergency Management, was requesting the changes after reviewing the present codification. She advised that no action was necessary on the ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams then presented Ordinance O-05-03 for first reading, which was read by title and a summary given. She explained that this ordinance amends the text of the Official Zoning Ordinance for Unincorporated Campbell County Article VII Definitions. She advised that no action was necessary on the ordinance at this meeting and that it would be acted upon at the next Fiscal Court meeting on its second reading.

Ms. Williams next presented Resolution R-34-03, which she read by title and provided a summary to the Court for its consideration. She stated that this resolution adopts the 2003 Campbell County Housing Agency Plan, as well as the Five Year plan of the agency as required by the U.S. Department of Housing and Urban Development. She advised that Darlena Barnes, Housing Director, was present to give a report on the public hearing held prior to this meeting of the Fiscal Court. Ms. Barnes reported that no one from the public was present at the hearing to raise any questions, and she therefore was submitting the Plan to the Court for its approval.

There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-34-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-35-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the Judge/Executive to execute a Lease Agreement with Carlisle Construction for office space at 513-515 Monmouth Street, Third Floor, Newport, Kentucky, for offices of the Campbell County Housing Department. Commissioner Rehtin asked Ms. Barnes if the above lease was similar to previous leases, to which she explained that the lease was the same except for an increase in rent. Commissioner Rehtin also asked Assistant County Attorney Paul Twehues if he had reviewed the lease, to which he responded that he had and had requested minor changes dealing with insurance and the other dealing with termination. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-35-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested that the Court table Resolution R-36-03 until such time as more information is gathered to present it properly before the Court. Judge Penderly approved the request.

Ms. Williams next presented Resolution R-37-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the Judge/Executive to contract with Humpert Wolnitzek Architects PSC for services relating to the project and budgeting for the CDBG application for a Wellness/Fitness room addition to the Campbell County Senior Center. She noted that Pat Dressman, Human Resources Director, was present to answer any questions. Commissioner Otto noted that the square footage for the addition had gone up to 2,000 square feet. Commissioner Rehtin asked Ms. Dressman what the up-front costs to the architects would be, to which she replied that it was in the amount of \$13,000, which amount would be reimbursed to the Court if it is successful in obtaining the grant. Robert Horine, County Administrator, pointed out that the Court is still in negotiation with the architects on a final lump sum for the project. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Resolution R-37-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-38-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the Judge/Executive to execute contracts with Holly Hill Children's Services, Inc., Women's Crisis Center and the Campbell County Family Court System for the Safe Havens Grant for October 2002 through September 2004. She advised the Court that Pat Dressman was present to answer any questions. Commissioner Rehtin asked Ms. Dressman for a report. Ms. Dressman reported that this was a \$349,000 grant that the Court receives over a 2-year period with the Justice Department, and working with Holly Hill, Family Court, and the Women's Crisis Center. A safe haven shelter will be provided for children who have been abused or where domestic abuse occurs in the home between the parents, allowing for visitation between the children and parents. Commissioner Verst inquired as to how it is determined when the service is provided, what level of service is provided and how many units are paid for, to which Ms. Dressman advised him that

it was a part of the grant application drawn up by Holly Hill. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Verst seconded, to approve Resolution R-38-03. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-39-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the Judge/Executive to execute Warranty Deeds with Sue Zint regarding a parcel of property located along the northeast side of Flatwoods Road, which is part of A.J. Jolly Park. She noted that the property owner was requesting the transfer of property in order to construct a driveway and that this parcel is being swapped with another parcel owned by the property owner. She advised that Peter Klear, Planning & Zoning Director, was present to answer any questions. Assistant County Attorney Twehues asked who would be preparing the deeds, to which Mr. Klear advised that he was in possession of the deeds and that County Attorney Verst had reviewed and approved them. Mr. Klear also reported that Buddy Renaker of the Kentucky Department of Local Government had reviewed and approved the land transfer. There being no further discussion, Commissioner Otto made a motion and Commissioner Verst seconded, to approve Resolution R-39-03. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-42-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution adopts the revised the 2003 Senior Citizens Bus Policies. She advised that Pat Dressman, Human Resources Director, was present at the meeting to answer any questions. Judge Pendery stated the senior citizens suggested the changes that had been made to the policies and requested Ms. Dressman to give a brief overview of the changes made. Ms. Dressman explained that at a meeting with the senior citizens, it was discussed that the bus trips may have to be dropped because of increases in costs. The senior citizens present (approximately 60) requested that the bus fare increase to \$10 per person and increase the number of citizens permitted to use the bus from 30 to 40. The senior citizens also requested that they be part of the planning to encourage individuals as well as clubs and groups to make the bus trips. Assistant County Attorney Twehues questioned whether the policies were appropriately worded to protect the County from lawsuits. He requested that additional language be added to the policies for this purpose. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve Resolution R-42-03 subject to additional language being added to the policies by Assistant County Attorney Twehues. All voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-44-03, which she read by title and provided a summary to the Court for its consideration. She explained that this resolution authorizes the Judge/Executive to execute a Contract with Newport Independent Schools to allow the Campbell County Road Department to grade the Newport High School football field, with access being granted to the Court to their facility for meetings. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Verst seconded, to approve Resolution R-44-03. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to appoint the following seasonal employees for the 2003 Park Season, effective March 20, 2003 through the 2003 Park Season, at the pay rates listed:

Gerry Enzweiler	Golf Course Maintenance	\$8.97/hr
Charles Rauch	Golf Course Maintenance	\$8.97/hr
Terry Kennedy	Golf Course Maintenance	\$8.97/hr
Elden Siemer	Golf Course Maintenance	\$8.97/hr
Dennis Newberry	Golf Course Maintenance	\$8.97/hr
Tom Spicer	Camping/Concession	\$8.63/hr
Daniel Lynn	Camping/Concession	\$8.63/hr
Nicholas Heiss	Camping/Concession	\$8.63/hr
Sharon Stevens-Hearing	Camping/Concession	\$8.63/hr
James Herald	Camping/Concession	\$8.63/hr
Eugene McNamara	Recreation Maintenance	\$8.97/hr
James Sammons	Recreation Maintenance	\$8.97/hr

Judge Pendery made the motion, and Commissioner Rechtin seconded, to appoint the above-named seasonal employees. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Shannon Clem to the position of Patrolman Grade II in the Campbell County Police Department with compensation set at \$33,848.00 annually (salary grade 10A), effective March 23, 2003. She noted that Ptl. Clem’s appointment is a lateral transfer and therefore provides for 1 year of service credit, and that Police Chief David Sandfoss was recommending the appointment. Judge Pendery made the motion, and Commissioner Verst seconded, to appoint Shannon Clem to the position of Patrolman Grade II in the Campbell County Police Department. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to request the Campbell County Police Merit Board to begin the process to re-establish the lateral police officer eligibility list. She stated that the present list had diminished to the point that choices are limited and that Police Chief David Sandfoss was recommending the process begin. Judge Pendery made the motion, and Commissioner Rechtin seconded, to request the Campbell County Police Merit Board to re-establish the lateral police officer eligibility list. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint George Taylor to the position of Golf Course Equipment Operator/Irrigation Worker with compensation set at \$14.08 per hour at Grade 10A, effective March 20, 2003. Steve Myers is recommending the appointment, which is due to Allen Pape’s retirement. Judge Pendery made the motion, and Commissioner Verst seconded, to appoint George Taylor to the position of Golf Course Equipment Operator/Irrigation Worker. All voted “AYE” and the motion passed unanimously.

Ms. Williams next requested consideration of the Court for a motion to authorize distribution of 2003 Park Passes to the Campbell County Fiscal Court Employees and Detention Center Employees for A.J. Jolly Park. Judge Pendery made the motion, and Commissioner Otto seconded, to authorize distribution of 2003 Park Passes to the Campbell County Fiscal Court

Employees and Detention Center Employees for A.J. Jolly Park. All voted “AYE” and the motion passed unanimously.

Ms. Williams then requested consideration of the Court for a motion to appoint Alex Futscher to the Campbell County Police Merit Board for a four-year term, effective March 20, 2003 through March 19, 2007. Judge Pendery made the motion, and Commissioner Rechtin seconded, to appoint Alex Futscher to the Campbell County Police Merit Board for a four-year term. All voted “AYE” and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine, County Administrator, congratulated Pat Dressman and the staff of the Human Services Department, for their efforts on the senior citizen bus program, noting that they did an excellent job of convening the senior citizens and presenting the budget situation to them, with positive results ensuing. He also introduced and welcomed Andy Kuykendall, the new Information Technology Manager, noting that Andy has much experience in the private sector working in information technology. Andy thanked everyone for the warm welcome he had received and stated that he was looking forward to working with everyone in the future.

Judge Pendery then requested a report from the County Attorney. Assistant County Attorney Twehues reported that there is a potential problem with a parcel of land where the new Fiscal Court Building will be built, stating that a condemnation suit may need to be brought. He explained that there is presently a resolution authorizing the procedure, but it does not authorize the County Attorney to file the litigation. He requested a voice vote of the Court authorizing the County Attorney to file a condemnation action on any of the parcels of land that may be required. After a brief overview of the issues with the Court by Assistant County Attorney Twehues and a discussion on those issues, Judge Pendery made the motion, and Commissioner Otto seconded, to authorize the County Attorney’s office to file condemnation proceedings on any parcel of land necessary to continue with the process to build the new Fiscal Court building. All voted “AYE” and the motion passed unanimously.

Judge Pendery next requested reports from the Commissioners. Commissioner Verst and Commissioner Rechtin both stated they had nothing to report.

Commissioner Otto advised that he was on the Board of Hospice of Northern Kentucky, which rents space at Lakeside Place Nursing Home. He noted that Lakeside Place Nursing Home is due to be sold soon and asked Assistant County Attorney Twehues and Ms. Dressman if there were any stipulations in the contract that the Nursing Home had to keep a certain number of Medicare/Medicaid patients. Ms. Dressman responded that if the Nursing Home is licensed for a certain number of Medicare/Medicaid beds, they must keep those, unless those beds are sold off. Assistant County Attorney Twehues advised that he would review the contract and get back with Commissioner Otto.

Judge Pendery then announced that public meetings for the Campbell County Transportation Plan have been set for Monday, April 14, 2003 at Campbell County High School, and for Tuesday, April 15, 2003 at Newport High School, both being held from 4:30 p.m. to 6:30 p.m.

He also announced that Pendery Park and Morscher Park would be opening on March 17 and A.J. Jolly Park would be opening March 26.

Judge Pendery next requested a report from the Fiscal Director. Mr. Seibert requested consideration of the Court for a motion to reject the bids received for painting the Alexandria Courthouse and to authorize staff to re-bid the project. He stated that the bids received were incomplete and limited in number. Commissioner Rechtin made the motion, and Judge Pendery seconded, to reject the bids received for the project and authorize staff to proceed to re-bid the project. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next presented Resolution R-40-03, which he read by title and provided a summary to the Court for its consideration. He explained that this resolution authorizes the Judge/Executive to execute a contract with CompData for a support contract for the AS/400 Computer System for Fiscal Year 2004. The contract will be renewed at the same cost as the previous year. Mr. Kuykendall raised some questions on the contract and after a brief discussion, the Court voted to table this resolution until such time as the contract could be re-negotiated with CompData.

Mr. Seibert then presented Resolution R-41-03, which he read by title and provided a summary to the Court for its consideration. He explained that this resolution adopts the Fiscal Year 2004 budget for the Campbell County Housing Agency and noted that Darlena Barnes, Director of Housing, was present to answer any questions. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve Resolution R-41-03. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested approval of the Budget Transfers presented to the Court that would allow reconciliation of budget line items with the actual expenditures. There being no further discussion, Commissioner Rechtin made a motion to approve the Budget Transfers, and Commissioner Otto seconded the motion. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested approval of the Claims being presented at this meeting. Assistant County Attorney Twehues advised that County Attorney Verst 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.

There being no further business to come before the meeting, it was moved by Commissioner Rechtin, seconded by Commissioner Verst, that the meeting be adjourned. All voted "AYE" and the meeting was adjourned at 6:22 p.m.

Attachments:

Proclamation:	Arbor Day
Ordinance O-02-03:	Amendment of Zoning Code from A-1 to R-1C
Ordinance O-03-03:	Amendment to Code of Ordinances regarding spaying and neutering of Animal Shelter adopted pets

Ordinance O-04-03: Amendment of Chapter 52 of County Code of Ordinances relating to Hazardous Materials
Ordinance O-05-03: Amends Official Zoning Ordinance for Unincorporated Campbell County Article VII Definitions
Resolution R-34-03: 2003 Campbell County Housing Agency Plan/Five Year Plan
Resolution R-35-03: Lease for Offices of Campbell County Housing Department
Resolution R-37-03: Contract with Humpert Wolnitzek Architects for Wellness/Fitness Addition to Senior Center
Resolution R-38-03: Contracts with Subcontractors for Safe Haven Grant
Resolution R-39-03: Warranty Deed with Sue Zint for Parcel which is a part of A.J. Jolly Park
Resolution R-41-03: Fiscal Year 2004 Budget for Campbell County Housing Agency
Resolution R-42-03: 2003 Senior Citizens Bus Policies
Resolution R-44-03: Contract for Campbell County Road Department to Grade Newport High School Ball Field
Budget Transfers: March 19, 2003
Claims: March 19, 2003
March 19, 2003 (Supplemental)
March 19, 2003 (General Fund Election Claims)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk