

CAMPBELL COUNTY FISCAL COURT MINUTES

January 9, 2008

A special meeting (regular meeting rescheduled) of the Campbell County Fiscal Court was held on Wednesday, January 9, 2008, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVE OTTO
KENNETH RECHTIN
MARK HAYDEN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
Jim Seibert	Director of Fiscal Affairs
Justin Verst	County Attorney
Col. Keith Hill	Chief, Campbell County Police Department
Susan Prather	Fiscal Court Clerk
David Plummer	Administrative Analyst

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

Judge Pendery called for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes from the Fiscal Court meeting held December 19, 2007 were presented by Judge Pendery. Commissioner Otto made motion and Commissioner Hayden seconded to approve the minutes of December 19 as presented. All voted "AYE" and the motion passed unanimously.

Next, Judge Pendery recognized citizens or public officials wishing to address the Court. Mike Schafer of 13495 Kramer Drive addressed the Court regarding the acceptance of Kramer Drive into the County-Maintained Road System. He noted his appreciation for the time and effort extended by the County in developing the proposed policy for the adoption of roads into the County Maintained Road Inventory. Assuming that the policy passes, Mr. Schafer requested, for purpose of the minutes, that the Fiscal Court acknowledge Kramer Drive and Charlotte Drive as public roads as stated by Justin Verst in July 2007. Mr. Verst clarified that Kramer and Charlotte Drives are public roads but not accepted as County maintained roads. Commissioner Rechtin questioned the need for acknowledgement. Mr. Schafer explained that the roads are privately

maintained only by necessity and that the Fiscal Court never addressed acceptance of the roads after construction. Numerous requests were made over the past years with the most recent taking place in 1993 which was then denied. Mr. Verst recommended against Fiscal Court making such a distinction. Commissioner Hayden stated that the policy could be applied to all roads in similar circumstances. Mr. Schafer further explained that the request was made as it was difficult to locate any information as to past actions taken by Fiscal Court. Mr. Verst stated that should the resolution pass, Kramer and Charlotte Drives will be accepted as county maintained roads if applications are made and the new policy followed. Mr. Schafer requested Fiscal Court to accept his letter as the required petition. He noted that the document contains one hundred percent participation by the residents of both Charlotte and Kramer Drives. He also requested consideration be given to the provision of street signs along with snow removal and patch work during the coming winter season.

In an effort to address the concerns of the audience, Judge Pendery invited the report of Mr. Horine in regards to consideration of a policy regarding the adoption of non-maintained public roads. Mr. Horine presented Resolution R-151-07 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court establishing a policy for the acceptance of certain existing roads into the County-Maintained Road System. He stated that the Resolution is the result of on-going effort over much of the year to bring the matter to a conclusion. Noting that Kramer Drive is not an isolated situation within the County, Mr. Horine explained the challenge was to reach a solution in a cost-effective and consistent manner. The Policy requires that a petition include a copy of the policy and with the residents approval, Mr. Horine stated he will file the petition with a copy of the policy. In reference to the residents' request for the County to begin providing services, Mr. Horine stated that such action would be premature at this time as the County has not yet taken responsibility of Kramer Drive. Motion was made by Commissioner Rechtin and seconded by Commissioner Hayden. Commissioner Rechtin clarified for the petitioner that should any resident chose not to participate the remaining residents will bear the cost of the project. Commissioner Hayden stated his hope that residents of Schabel and Keating Drive chose to participate as the policy also applies to their situation. There being no further discussion, all voted "AYE" and the motion passed unanimously. Mr. Horine then acknowledged receipt of the petition from residents of Kramer Drive presenting it to Susan Prather, Fiscal Court Clerk, to be made part of the record. Commissioner Hayden noted his appreciation for the leadership role undertaken by residents of Kramer Drive.

Judge Pendery then called for the presentation of Old Business. Melissa Williams, Director of Administration, stated there was no Old Business to be considered.

Judge Pendery then called for the presentation of New Business. Ms. Williams presented Resolution R-01-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court acknowledging execution of a Contract with the City of Highland Heights to provide IT-related services for the Police Department's Mobile Data Terminals. She noted that the Contract has been reviewed by the County Attorney, Justin Verst, who verified its integrity. Acknowledgement of the Contract carries the recommendation of Mr. Brett Ruschman, IT Director. Motion was made by Commissioner Rechtin and seconded by Commissioner Hayden. Commissioner Otto noted that

such opportunities create good partnerships while providing needed services at cost efficient rates. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Ms. Williams then presented Resolution R-03-08 for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court authorizing the Judge/Executive to accept grant funds from the Kentucky Department of Agriculture’s Animal Control Advisory Board to buy animal control equipment to be used by the Campbell County Animal Shelter. She explained that approval to submit an application was previously approved by the Fiscal Court resulting in an award of \$1,000 to fund a program to reduce the cost of animal control equipment. Motion was made by Commissioner Rechlin and seconded by Commissioner Otto. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Next, Ms. Williams requested a motion to re-appoint Fran Reitman to the Campbell County Board of Adjustments for a four year term effective January 6, 2008 through January 5, 2012. Motion was made by Judge Pendery and seconded by Commissioner Otto. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Upon the conclusion of New Business, Judge Pendery requested reports from Staff. Mr. Robert Horine, County Administrator, resumed presentation of his report. He requested a motion to enter into Executive Session at the conclusion of other business pursuant to KRS 61.810(1)(B)(C):

- a. Deliberations on the future acquisition or sale of real property (1)(B); and
- b. Discussion of pending litigation (1)(C).

He stated that no action will be recommended following the session. Motion was made by Commissioner Otto and seconded by Commissioner Rechlin. There being no further discussion, all voted “AYE” and the motion passed unanimously.

Justin Verst, County Attorney, had no report to submit.

Neither Commissioner Otto nor Commissioner Rechlin had reports to submit. Commissioner Hayden encouraged citizens to contact their Legislators in reference to the delay in funding for the U.S. 27 (Phase 2) construction. Mr. Horine explained that the anticipated state funding for new transportation projects is needed to cover existing contracts. Brief discussion then took place regarding the disbursement of revenue collected through gasoline taxes.

Judge Pendery announced that the next Campbell County Mayors’ Meeting will take place on Tuesday, January 22, 7:30 a.m. at the City of Wilder.

The Fiscal Director’s Report was then provided by Mr. Jim Seibert, Director of Fiscal Affairs. Mr. Seibert requested a motion to authorize the Judge/Executive to accept the bid of EGC Partners, LLC for the purchase of the building and property located at 24 West Fourth Street, Newport, Kentucky. He explained that the bid received was from an adjoining property owner with a bid price to include a cash payment of \$200,000 plus ownership rights in a parcel of property located at 1011 Monmouth Street in Newport. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. Judge Pendery noted that acceptance of the bid

was preparatory for the new County Administration Building. Commissioner Rechlin commented that the purchase price, to include the property at 1011 Monmouth, was in line with the appraised value of the Fourth Street property. Commissioner Otto questioned whether responsibility for maintenance of 24 West Fourth Street resides with Fiscal Court. Mr. Seibert confirmed that Fiscal Court is charged with the responsibility for maintenance of the building until such time as we vacate the building. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Next, Mr. Seibert requested a motion to authorize the Campbell County Fiscal Court to serve as the lead county in a joint procurement process with Kenton County for golf course and landscape materials and supplies for the calendar year of 2008. He noted that Boone County chose not to participate this year. Motion was made by Commissioner Rechlin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert then requested a motion to acknowledge the acceptance of Bonds for appointed and elected officials of the Campbell County Fiscal Court as required by Kentucky Revised Statutes. It was moved by Commissioner Rechlin and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Ordinance O-01-08 was then presented by Mr. Seibert for first reading. The Ordinance was read by title and a summary given: an ordinance amending Chapter 110 of the Code of Ordinances relating to the payment of occupational taxes in Campbell County, Kentucky. Mr. Seibert explained that the proposed Ordinance will remove the exemption from payroll tax withholding for ordained ministers in accordance with revised state law. As the Ordinance was presented for first reading, no action was required.

Mr. Seibert then presented Resolution R-02-08 to the Court for consideration. The Resolution was read by title and a summary given: a resolution of the Campbell County Fiscal Court approving fees for A. J. Jolly Golf Course for the Year of 2008. He explained that current fees were studied by Terry Jolly and due to the competitive nature of costs, he recommended very little change. Motion was made by Commissioner Hayden and seconded by Judge Pendery. Commissioner Otto noted that in light of losses experienced by various golf courses and state parks, it is his belief that parks and golf courses can not be considered as revenue producing agents. Commissioner Rechlin raised the issue of subsidizing the playing of golf. He challenged Staff to develop a financial plan allowing the golf course to "break even". Brief discussion took place as to possible reasons for the loss of revenue. There being no further discussion, all voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested a motion to approve the Claims as presented. Mr. Verst stated he reviewed the Claims and all appear to be in order. Motion was made by Commissioner Otto and seconded by Commissioner Hayden. There being no further discussion, all voted "AYE" and the motion passed unanimously.

The Fiscal Court entered into Executive Session at 7:50 p.m. as previously moved. Upon exiting Executive Session, it was moved by Commissioner Otto and seconded by Commissioner Rehtin to resume the regular meeting. There being no further discussion, all voted "AYE" and the motion passed unanimously. The meeting resumed at 8:31 p.m.

There being no further business to come before the Fiscal Court, it was moved by Commissioner Rehtin, seconded by Commissioner Hayden, that the meeting be adjourned. All voted "AYE" and the meeting adjourned at 8:32 p.m.

Attachments:

Resolution R-151-07 Policy Regarding Adoption of Non-Maintained Public Roads
Petition from Residents of Kramer and Charlotte Drives
Resolution R-01-08 Contract with City of Highland Heights PD, KY for IT Services
Resolution R-02-08 2008 Rates for A. J. Jolly Golf Course
Resolution R-03-08 Acceptance of Grant Funds from KY Department of Agriculture
Ordinance O-01-08 County Payroll Tax Amendment/Ministers
Claims December 5, 2007

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

SUSAN A. PRATHER
Fiscal Court Clerk