

CAMPBELL COUNTY FISCAL COURT MINUTES

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, December 17, 2003, at 5:30 p.m. at the Fiscal Court Conference Room, 24 W. 4th Street, Newport, Kentucky.

In attendance at the meeting were:

**COUNTY JUDGE/EXECUTIVE
STEVE PENDERY**

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

Robert Horine	County Administrator
Jim Seibert	Fiscal Director
Paul Twehues	Assistant County Attorney
David Sandfoss	Chief, Campbell County Police Department
Ken Knipper	Director, Office of Emergency Management
Darlana Brown	Director, Housing
Pat Dressman	Director, Human Services
Melissa Williams	Director of Administration
Josh Wice	Administration Analyst
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 December 3, 2003 and the Joint Fiscal Courts meeting of September 18, 2003. It was moved by Commissioner Otto and seconded by Commissioner Rechtin that the minutes of the Fiscal Court meeting of December 3, 2003 and the minutes of the Joint Fiscal Courts meeting of September 18, 2003 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 next requested items of Old Business be brought before the Court. Ms. Williams presented Ordinance O-23-03 for second reading and passage consideration. She explained that this Ordinance provides for a countywide keg law that imposes criminal penalties for allowing minors to consume alcoholic beverages on an individual's property. She noted that all of the cities in the County had received draft copies of the Ordinance and it had been discussed at the

last Mayors' meeting. The Ordinance is being recommended by County Attorney, Justin Verst. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Otto seconded, to approve Ordinance O-23-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-143-03, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution approves the Kentucky Highway department's recommendation for the Rural Secondary Road Program for FY 05. She advised that Sam Beverage from District Six presented this program at the Fiscal Court's December 3, 2003 meeting. Since that time, Ken Schultz, Road Department Director, and Peter Klear, Planning & Zoning Director, have reviewed the recommendations and endorse the program. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-143-03. 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 Resolution R-141-03, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute an Amendment to the Access Contract between Rohm and Haas Company and the Campbell County Fiscal Court to allow the installation of up to two additional monitoring wells on the Campbell County Animal Shelter property. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-141-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented was Resolution R-142-03, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute Orders of Affiliation with the Fire Department Bellevue/Dayton Rescue Squad, the Campbell County Water Rescue Squad and the Central Campbell Fire Department Rescue Squad. She advised that these agreements are renewed annually and are required for the rescue squads to get any type of reimbursements and worker's compensation. She stated that Ken Knipper, Office of Emergency Management Director, recommends the adoption of this resolution. There being no further discussion, Commissioner Verst made a motion and Commissioner Rehtin seconded, to approve Resolution R-142-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented was Resolution R-144-03, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the Judge/Executive to execute a Cooperation Agreement with the City of Highland Heights, Kentucky regarding the CDBG grant for the construction of an expansion of the Campbell County Senior Center. Commissioner Rehtin inquired as to whether the Fiscal Court would run the project. Mr. Horine responded that the City was actually the applicant since they were in the position to apply for the CDBG funds, but it was understood that the Fiscal Court would take the responsibility for the administration and execution of the grant. There being no further discussion, Commissioner Rehtin made a motion and Commissioner Verst seconded, to approve Resolution R-144-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented was Resolution R-146-03, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution acknowledges the authorization of 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 grant is for approximately \$10,000, which would be allocated approximately \$1,000 to each squad. There being no further discussion, Commissioner Rechtin made a motion and Commissioner Verst seconded, to approve Resolution R-146-03. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to increase the annual compensation and salary grade of Sgt. William Wilson by 2.5%, from Grade 13A of \$42,892 to Grade 13B of \$43,964, effective December 5, 2003. She stated that Sgt. Wilson was promoted to Sgt. I on June 5, 2003 and was not eligible for a grade increase at that time. Sgt. Wilson has now completed his 6-month anniversary and had a positive performance appraisal, thereby making him eligible for the increase. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to appoint Dr. Tim Mullican to the Northern Kentucky Convention & Visitors Commission to fill the unexpired term of David Wechsler, who has resigned. The appointment will be effective December 18, 2003 through July 31, 2005. Dr. Mullican will be representing the Northern Kentucky Chamber of Commerce. Judge Pendery pointed out that Dr. Mullican is the Director of the Newport Aquarium. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Judge Pendery next requested reports from Staff. Mr. Horine advised he had nothing further to report at this meeting.

Judge Pendery then requested a report from the County Attorney. Mr. Twehues stated that he had nothing further to report.

Judge Pendery next requested reports from the Commissioners. Commissioners Otto, Verst and Rechtin stated that they had nothing further to report.

Judge Pendery then announced that the Campbell County Fiscal Court would be hosting a Christmas Tree Mulching Program again this year and noted that a list of dates and participating cities had been distributed to Fiscal Court members. He also reported that A.J. Jolly Golf Course would be open on weekends in January, 2004. He then stated that Pat Dressman, Human Services Director, had an invitation to extend to the Fiscal Court. Ms. Dressman invited everyone to attend the Senior Center Christmas luncheon on Friday, December 19, at 11:30 a.m.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert requested a motion to accept the recommendation of Terry Jolly, Golf Pro, for a 3-year Golf Cart lease for A.J. Jolly Golf Course. The winning bidder was E-Z Go Textron with a bid on a 3-year contract of \$155,958.90, which is less than what has been paid for the past 6 years, and includes windshields on the carts. There being no further discussion, Commissioner Rechtin made a motion, and

Commissioner Otto seconded, to approve the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next requested a motion to authorize Campbell County to serve as lead jurisdiction in implementing a cooperative procurement process with Boone and Kenton Counties for golf course turf, landscape materials and supplies. He noted that Campbell County was the lead jurisdiction last year and normally the 3 counties rotate the lead, but Steve Myers was anxious to get the process moving and will head up the process. There being no further discussion, Commissioner Rehtin made a motion, and Commissioner Verst seconded, to approve the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then requested a motion to authorize staff to implement the process to solicit bids for the construction of an addition to the Campbell County Senior Center. He noted that the architect is the responsible party for the bid documents and putting everything together. This motion authorizes the follow-through on the process to solicit bids. Commissioner Verst inquired as to whether a permanent architect had been hired for the project yet. Mr. Horine responded that the construction plans were already complete and the building permit has been applied for, which had to be accomplished prior to applying for the funds, and stated that the architectural firm of Humpert, Wolnitzek had been hired to do so. This firm is the same firm that constructed the original Senior Center. Mr. Horine estimated that the process to solicit bids would begin around the first week of January and a recommendation to award the bid may be made to the Fiscal Court by the beginning of March. The estimate on the construction of the project should begin around the first of April and complete by the end of November. There being no further discussion, Commissioner Otto made a motion, and Commissioner Verst seconded, to approve the motion. All voted “AYE” and the motion passed unanimously.

Mr. Seibert presented Ordinance O-22-03 for second reading and passage consideration. He explained that this Ordinance amends Chapter 110 of the Campbell County Administrative Code, by bringing about consistency in the interest and penalty calculations for underpaid or delinquent accounts for the county and its tax partner cities. There being no further discussion, Commissioner Rehtin made a motion and Judge Penderly seconded, to approve Ordinance O-22-03. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then presented Resolution R-139-03, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution approves the 2004 Annual Budget for the Campbell County Clerk, Jack Snodgrass. He explained that receipts had increased 7.3%; a carryforward of the excess funds would make the total available monies 14.9% higher than last year; and the Clerk’s payment to the County has increased 16.7%. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Resolution R-139-03. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then presented Resolution R-140-03, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution approves the 2004 Annual Budget for the Campbell County Sheriff, John Dunn. He explained that receipts plus the excess carryforward fees increased 17.3%; their payment to the County has increased by 8.9%; wages for open positions were up 7.4%; and operating expenses increased 62.8% above what was

budgeted. There being no further discussion, Commissioner Otto made a motion and Commissioner Rechtin seconded, to approve Resolution R-140-03. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented Resolution R-145-03, which he read by title and provided a summary to the Court for its consideration. He stated that this resolution authorizes the Fiscal Court to submit a recommendation to the Northern Kentucky Area Development District for 2003 Area Development Grant funds. He explained that approval had previously been granted by the Court to set up a process to take application for these funds; however, no applications were submitted except for the County's. If approved by the Area Development District, the County could receive funds in the amount of \$24,500. Staff is recommending the funds be used to defray expenses relating to the roof replacement at the Campbell County Detention Facility. There being no further discussion, Commissioner Rechtin made a motion and Judge Pendery seconded, to approve Resolution R-145-03. All voted "AYE" and the motion passed unanimously.

Mr. Seibert next requested approval of the Budget Transfers being submitted at this meeting. He explained that the transfers were being requested in order to move funds from different budget areas to cover items that had not been anticipated or expenses that may have been higher than anticipated. There being no further discussion, Commissioner Rechtin made a motion that the transfers be approved. Commissioner Verst 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 he had reviewed the budget appropriation transfers submitted at the meeting and that County Attorney Verst had reviewed the previously submitted 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 then requested a motion to take the meeting into executive session in order to discuss proposed or pending litigation against or on behalf of a public agency, citing KRS 61.810(1)(c). Commissioner Rechtin then made a motion to take the meeting into executive session under KRS. 61.810(1)(c). Commissioner Verst seconded the motion. All voted "AYE" and the motion passed unanimously.

After a brief executive session, Commissioner Otto made a motion to resume the regular meeting session, and Commissioner Judge Pendery seconded. All voted "AYE" and the meeting resumed.

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 6:55 p.m.

Attachments:

Ordinance O-22-03: Amendment of Chapter 110 of Campbell County Administrative Code
Ordinance O-23-03: Countywide Keg Law

Resolution R-139-03: 2004 Annual Budget for Campbell County Clerk
Resolution R-140-03: 2004 Annual Budget for Campbell County Sheriff
Resolution R-141-03: Amendment to Agreement with Rohm and Haas Regarding Campbell
County Animal Shelter
Resolution R-142-03: Affiliation Agreements with Rescue Squads
Resolution R-143-03: Rural Secondary Road Program for FY 05
Resolution R-144-03: Cooperation Agreement with City of Highland Heights Regarding
CDBG Grant
Resolution R-145-03: Approval of Recommendation for 2003 ADF Funds
Resolution R-146-03: Application of Senate Bill 66 Grant Funds for Ambulance Services
Budget Appropriation Transfers: December 17, 2003
Claims and Transfers: December 17, 2003
December 17, 2003 (Home Emergency Grant)

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Sandra L. Mulligan
Fiscal Court Clerk