

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 10, 2013

A special meeting of the Campbell County Fiscal Court was held on Wednesday, July 10, 2013, 7:00 p.m. at the Campbell County Courthouse, 8352 East Main Street, Alexandria, Kentucky.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 7:00 p.m. regarding the application of Rebecca Herald for an Entertainment Permit for Boondock's Bar & Grill located at 796 W. Miller Road, Alexandria, Kentucky in unincorporated Campbell County, Kentucky. Present at the hearing were:

Steve Pendery, Judge Executive
Pete Garrett, County Commissioner
Brian Painter, County Commissioner
Kenneth Rechten, County Commissioner
Steve Franzen, County Attorney
Robert Horine, County Administrator
Melissa Williams, Director of Administration
Paula Spicer, Fiscal Court Clerk
Matt Elberfeld, Director of Fiscal Affairs
Colonel Keith Hill, Chief of Police
Kim Serra, Human Resources Director
David Plummer, Solid Waste Coordinator

Judge Pendery opened the public hearing on the application of Rebecca Herald for an Entertainment Permit for Boondock's Bar & Grill located at 796 West Miller Road, Alexandria, Kentucky in unincorporated Campbell County. The applicant Rebecca Herald was present. Steve Franzen advised that the County Attorney's office conducted an investigation and found no reason to deny the application. However, since the time that the investigation was conducted, there have been four incidents where the police have been called to the licensed premises. Mr. Franzen read the dates and charges relative to these calls and asked Ms. Herald if she wanted to comment. Ms. Herald stated that there have been a couple of incidents involving fights in the parking lot after patrons were told to leave the bar. Mr. Franzen stated that he is a little reluctant to recommend granting the permit at this time. Judge Pendery stated that he is inclined to hold the application for 60 days to see how it goes. He stated that he realizes that there is a change in ownership. Ms. Herald advised that she worked at the bar before she decided to buy it. Melissa Williams stated that staff will readvertise the public hearing and notify Ms. Herald of the new date. Judge Pendery thanked Ms. Herald for attending and looks forward to working with her. The public hearing was closed at 7:10 p.m.

In attendance at the special meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

Steve Franzen	County Attorney
Robert Horine	County Administrator
Melissa Williams	Director of Administration
Matthew Elberfeld	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Chief of Police
Kim Serra	Human Resources Director
David Plummer	Solid Waste Coordinator

The meeting was called to order at 7:10 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 June 19, 2013 and the special Sanitation District No. 1 meeting of April 30, 2013 were presented. Motion was made by Commissioner Garrett, seconded by Judge Pendery to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Ken Moellman complimented the Fiscal Court on the good job done on the replacement of the California Crossroads Bridge.

Ervin Bacon asked what is being done to maintain A J Jolly Park. He stated that the County hired a new parks director but he hasn't seen any improvement in the park. There are dead plants around the entrance that have been there for a year and it makes a bad first impression. Mr. Bacon submitted several photographs that he took at the park.

Kevin Gordon had comments about the 911 service fee. Judge Pendery stated that they will discuss it when the resolution comes up on the agenda.

Judge Pendery presented Lieutenant Barrett Champagne with a watch in recognition of his retirement from the Campbell County Police Department after 25 years of service. Judge Pendery noted Lt. Champagne's promotions, assignments, training and awards since he was hired in 1988. Lt. Champagne introduced his wife, daughter and son who were present.

David Plummer, Solid Waste Coordinator, reported on activities of the Solid Waste Division. He first explained the functions of the Campbell County Solid Waste Division: coordinates use of litter abatement funds, acts as education office for disposal of all kinds of waste, represents the

County among several regional groups, and coordinates County clean ups. He stated that County residents have requested more clean-up events. Mr. Plummer highlighted events that have taken place since the first of the year: Christmas tree recycling, spring clean-up, shred day, electronics recycling event, river sweep and the ongoing Trash for Kash program.

There being no old business, Melissa Williams presented new business with Resolution R-84-13 by title and summary. R-84-13 authorizes execution of an agreement to lease office space in the Campbell County Courthouse in Alexandria. The Campbell County Conservation District shall lease space at the Courthouse in Alexandria at a rate of \$475.00 per month. They will move in as soon as the current tenant vacates the space. Commissioner Garrett made a motion to adopt R-84-13, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

Resolution R-82-13 was read by title and summary given. R-82-13 acknowledges the execution of a Purchase of Service Agreement with the Northern Kentucky Area Development District (NKADD) for operations at the Campbell County Senior Center for FY 2013. Staff does not have the final amount of funding, however expects to get less funding from the NKADD this year due to the federal sequester. Commissioner Rehtin made a motion to adopt R-82-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-85-13 was read by title and summary given. R-85-13 authorizes the Judge/Executive to submit an application to the Kentucky Transportation Cabinet for 80/20 County Bridge Replacement Program funds for repair of the Fisher Road Bridge over Twelve Mile Creek and for repair of the Plum Creek Road Bridge at the Campbell/Pendleton Counties line. The estimated cost to repair the Fisher Road Bridge is \$88,553.45 and the estimated cost to repair the Plum Creek Road Bridge is \$96,611.50. The State's bridge replacement program offers up to a maximum of \$100,000 with a 20% match required from the County for each calendar year. Commissioner Rehtin made a motion to adopt R-85-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-86-13 was read by title and summary given. R-86-13 approves an addendum to the Contract with Senior Services of Northern Kentucky to reduce the transportation cost of a one way trip from \$26.25 to \$21.25 for FY14 and allows a request to transfer funding up to March 15, 2014 from Senior Center Transportation to Medical Transportation if the funding becomes exhausted. Commissioner Garrett made a motion to adopt R-86-13, seconded by Judge Pendery. Commissioner Rehtin recused himself from voting on this resolution since he is employed by Senior Services of Northern Kentucky. Commissioners Garrett and Painter and Judge Pendery voted "AYE" and the motion passed.

A motion was requested to accept the resignation for retirement of Lieutenant Barrett Champagne from the Campbell County Police Department effective July 31, 2013. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Mark Brandt from the position of Building Inspector III effective July 5, 2013. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire a full time Building Inspector III to fill the vacancy created by Mark Brandt's resignation effective July 5, 2013. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the termination of Peter Klear, Planning and Zoning Director, effective June 28, 2013. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire a full time Planning and Zoning Director. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to appoint Allyn Reinecke to the full time Human Services Specialist position effective July 11, 2013 with compensation set at Grade 12, \$18.26 per hour (\$33,233 annually). Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ms. Williams requested that the motion to appoint a representative to the Community Action Commission be tabled.

A motion was requested to reappoint Doug Wagner to the Northern Kentucky Water District Board of Commissioners for a four-year term effective August 27, 2013 through August 26, 2017. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to reappoint Alan Bernstein to the Northern Kentucky Convention & Visitors Commission for a three-year term effective August 1, 2013 through July 31, 2016. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to reappoint John Ellison to the Northern Kentucky Convention & Visitors Commission for a three-year term effective August 1, 2013 through July 31, 2016. Motion was made by Judge Pendery, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Robert Horine presented O-04-13 for a first reading by title and summary given. O-04-13 establishes a service fee for enhanced 911 emergency dispatch services to owners of real property in Campbell County, Kentucky. Mr. Horine explained that this fee will replace the fee currently on land line telephones to fund the dispatch center. The number of land lines is decreasing and they are no longer a reliable source of funding. The recommended fee is \$45 per unit per year which will be included on property tax bills each year. Assessing fees on rental property has been challenging. The proposed version of the ordinance contains a \$22.50 per unit credit for the first year for owners of rental property to allow them additional time to make arrangements to recover the cost of the fee from their tenants. Mr. Horine stated that the ordinance also allows an exemption for any unit that is vacant on November 1 of the year. This

is a first reading and no action is required at this time. The Fiscal Court members discussed the fee, particularly the first year discount for landlords and the interlocal agreement with the Cities of Newport and Ft. Thomas. Newport and Ft. Thomas have been kept advised during the process of adopting a new funding scheme; both Cities are fully supportive of a per unit fee.

Commissioner Rechtin pointed out that during the 11 years of the agreement, the Fiscal Court has contributed \$2.5-\$3 million in addition to the land line fees to the operational budget of the dispatch center. He suggested that the interlocal agreement needs to be reworked in light of the new funding system. Judge Pendery and Mr. Horine addressed questions from the public.

Resolution R-87-13 was read by title and summary given. R-87-13 authorizes the County Judge/Executive to enter into an agreement with Atkins-Elrod & Associates to provide consultant services for a Community Development Block Grant. The Fiscal Court solicited proposals for a consultant to assist in applying for CDBG funds for the Scholar House project in Newport. All costs should be covered by the grant proceeds; if not they will be paid by the Newport Millennium Housing Corporation. Commissioner Garrett made a motion to adopt R-87-13, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Ordinance O-07-13 was read by title and summary given. O-07-13 provides for a credit of the Campbell County Fiscal Court occupational license fee for new employees as part of an economic development project by General Cable Corporation under the Kentucky Business Investment Program (KRS 154.32-010 – KRS 154.32-100). General Cable proposes to convert warehouse space into office space at its facility in Highland Heights. General Cable's agreement with the State provides for a 3% Kentucky personal income tax credit for new Kentucky resident jobs and requires a 1% credit of local occupational license fees for a period of 10 years. They anticipate that 35 of the 50 new jobs created will be filled by Kentucky residents. This is a first reading and no vote is required.

Resolution R-89-13 was read by title and summary given. R-89-13 authorizes the Judge/Executive to execute an agreement with General Cable Corporation for issuance of the Campbell County Jobs Development Program. The incentive provided under this agreement will cover the 15 jobs created and filled with people who do not live in Kentucky. Commissioner Painter made a motion to adopt R-89-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Horine then requested a motion to meet in executive session at the end of the meeting pursuant to KRS 61.810(1)(c) discussions of proposed or pending litigation against or on behalf of the public agency and (e) collective bargaining negotiations between public employers and their employees or their representatives. Motion was made by Commissioner Rechtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed. It was announced that no action would be taken after the executive session.

Commissioner Painter stated that he talked to Tim Hartig, Road Department Foreman, today regarding cleaning out ditches where there is new construction taking place. There is no good erosion controls in place. When the new Planning and Zoning Director and new Building Inspector are hired, they could take a look at establishing new building site erosion controls.

Commissioner Painter also advised that he road along with Luke Mantle, Road Supervisor, to look at the roads recommended for repair.

Judge Pendery reminded everyone that the next Campbell County Fiscal Court meeting originally scheduled for July 17 has been moved to July 24, 2013 at 5:30 pm at the County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Judge Pendery announced that the Campbell County Backroads Farm Tour will be on Saturday, July 27, 2013 from 9:00 a.m. to 5:00 p.m. Approximately 15 farms are participating this year.

Judge Pendery announced that the next Campbell County Mayors' meeting will be held on July 23, 2013 at 6:00 pm at the County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Judge Pendery announced that the Jolly Park Community Development Council is sponsoring an all-day 50th Anniversary Celebration of the A J Jolly Park on August 17, 2013. Many activities have been planned for the day.

Jack Snodgrass, County Clerk, announced that he applied for and received a \$22,000 grant from the Kentucky Department of Libraries and Archives to have all voter registration cards scanned. This will enable his office to access information contained on the cards through the computer rather than manually searching for it.

Matt Elberfeld requested a motion to authorize staff to solicit bids for road materials (stone, culvert pipe, hot mix, oil and tar) for use by the Campbell County Road Department during Fiscal Year 2014. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to solicit bids for milling and road resurfacing. The roads to be resurfaced/milled are Bakerfield Road, Boone Smith Road, Crestview Lane, Losey Road, Maddox Road, Gilbert Ridge, Joann Lane, Royal Oak and Covert Run Pike. Motion was made by Commissioner Rehtin, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-83-13 was read by title and summary given. R-83-13 authorizes the County Judge/Executive to execute a contract with the Ohio-Kentucky-Indiana Regional Council of Governments to provide services to the Campbell County Fiscal Court for Fiscal Year 2014. Mr. Elberfeld advised that the amount of the contract is \$29,999, the same as last year, and it has been budgeted. Commissioner Rehtin made a motion to adopt R-83-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-80-13 was read by title and summary given. R-80-13 authorizes the preapproval of Senior Picnic related bills not to exceed \$5,000. Commissioner Rehtin made a motion to adopt R-80-13, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims as presented for July 10, 2013. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

The Fiscal Court met in Executive Session pursuant to motion previously made.

Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett to adjourn the executive session and reconvene in regular 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 Commissioner Garrett. All voted "AYE" and the meeting adjourned at 9:00 p.m.

Attachments:

Resolution R-84-13	Lease Agreement with Conservation District
Resolution R-82-13	Agreement with Northern Kentucky Area Development District
Resolution R-85-13	Application for 80-20 County Bridge Replacement Program Funds
Resolution R-86-13	Addendum to Contract with Senior Services of Northern Kentucky
Ordinance O-04-13	Establish Fee for 911 Emergency Dispatch Services
Resolution R-87-13	Agreement with Atkins-Elrod & Associates
Ordinance O-07-13	Credit of Occupational License Fee for General Cable Corporation
Resolution R-89-13	Agreement with General Cable Corp. for Jobs Development Program
Resolution R-83-13	Contract with OKI Regional Council of Governments
Resolution R-80-13	Preapprove Senior Picnic Related Expenses
Claims	July 10, 2013

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk