

**CAMPBELL COUNTY, KENTUCKY FISCAL COURT
MINUTES**

DECEMBER 15, 2021

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, December 15, 2021, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY
COUNTY COMMISSIONERS
GEOFF BESECKER
TOM LAMPE
BRIAN PAINTER

County Attorney Steve Franzen,
County Administrator Matt Elberfeld,
Fiscal Court Clerk Paula Spicer,
Assistant County Administrator Kim Serra,
Finance Director/Treasurer Marie Schenkel,
Police Chief Craig Sorrell,
Economic & Community Development Director Justin Otto

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting. The meeting was also broadcast live on the Fiscal Court Facebook Page.

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 December 1, 2021 were presented. Motion was made by Commissioner Besecker, seconded by Commissioner Painter to approve the minutes. All voted "Aye" and the motion passed.

Judge Pendery called on Christy Burch, CEO Ion Center for Violence Prevention to begin her presentation. Known for 46 years as the Women's Crises Center, the Center determined that the name was not very inclusive as they provide services to men, women and children who are fleeing from power-based personal violence – domestic violence, stalking, sexual violence. Ms. Burch advised that the Center now has a school program to deal with bullying and also teaches communities how to handle being an active bystander when witnessing child abuse. The Center received a grant for its rebranding and she explained how they came up with the new name based on the services that they provide. Ms. Burch recited the Center's mission statement then provided statistics of numbers of people served. She then talked about Green Dot, an active bystander program started by the University of Kentucky. Maysville, KY was the first Green

Dot City in the nation followed by Covington. She hopes that Newport will be third. The Center is doing everything that it can to engage the community to be active bystanders. Ms. Burch talked about the Center's new kennel in Maysville so that people seeking shelter can bring their pets with them. Although the Center has seen the level of violence increase in the last two years, by getting folks engaged in active bystander prevention, they are seeing a big difference. Judge Pendery thanked Ms. Burch for her thorough presentation.

Finding that nobody had signed in to address the Fiscal Court, Judge Pendery proceeded with the agenda.

There being no old business, new business was presented beginning with Resolution R-87-21. R-87-21 authorizes the Judge/Executive to execute an Order of Affiliation with the Campbell County LandSAR team for calendar year 2022. Commissioner Painter made a motion to adopt R-87-21, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

Resolution R-88-21 was read by title. R-88-21 authorizes the Judge/Executive to execute an application to the Kentucky Board of Emergency Medical Services for Ambulance Block Grant funds for FY 2021-2022. Commissioner Painter made a motion to adopt R-88-21, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

Resolution R-89-21 was read by title. R-89-21 amends the Campbell County Police Policy and Procedure Manual at Chapters 8J.1 "Marine Response", 14E "Unmanned Aerial Systems Program" and 18J.1 "Searches – Voluntary, Exigent, Arrest and Warrants". Commissioner Lampe made a motion to adopt R-89-21, seconded by Commissioner Besecker. All voted "Aye" and the motion passed.

Resolution R-90-21 was read by title. R-90-21 approves submission to the Kentucky Transportation Cabinet, Rural Secondary Road Program for use of flex funds on the following County Roads: resurface and patch County Road 1027 (Poplar Ridge), and resurface County Road 1029 (Fausz Road), County Road 1016 (Mystic Rose) and County Road 1017 (Gunkel Road). Commissioner Besecker made a motion to adopt R-90-21, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Resolution R-92-21 was read by title. R-92-21 sets the fees for A J Jolly Park and Pendery Park for 2022. Commissioner Lampe made a motion to adopt R-92-21, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

A motion was requested to set the opening/closing and camping dates for the 2022 park season at Campbell County Parks. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted "Aye" and the motion passed.

Resolution R-93-21 was read by title. R-93-21 authorizes the Judge/Executive to execute a Memorandum of Understanding with Public Safety Cadets for the Police Explorer Program. Commissioner Besecker made a motion to adopt R-93-21, seconded by Commissioner Lampe. All voted "Aye" and the motion passed.

Resolution R-94-21 was read by title. R-94-21 authorizes the Judge/Executive to execute an Agreement with New Riff Distilling LLC for issuance of the Campbell County Jobs Development Program. Commissioner Besecker made a motion to adopt R-94-21, seconded by Judge Pendery. All voted “Aye” and the motion passed.

Resolution R-95-21 was read by title. R-95-21 authorizes the Judge/Executive to execute a Grant Agreement to accept a Victims of Crime Act (VOCA) Grant award for the Police Social Worker Program in the Campbell County Police Department. Commissioner Besecker made a motion to adopt R-95-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Ordinance O-19-21 was presented for a first reading. O-19-21 updates the official Campbell County Maintained Road list to add Altura Drive (CR1578) and Bella Vista Drive (CR 1577). No vote was taken on the first reading of this ordinance.

Resolution R-96-21 was read by title. R-96-21 accepts a Subdivision Cash Bond from CL Acquisition LLC, developer of Altura Estates Subdivision in the amount of \$43,701.60 to secure the complete construction of Altura Drive and Bella Vista Drive according to subdivision regulations and further requires the developer to provide winter maintenance on said roads until construction is complete and the bond is released by the County. Commissioner Lampe made a motion to adopt R-96-21, seconded by Commissioner Besecker. Mr. Elberfeld believes that the road will be finished when the weather improves in the spring well before the bond is due. Accepting the bond and accepting the roads will allow the subdivision plat to be recorded so the developer can start selling lots. There is no planned construction until the road is done. The County has done this before – it’s done just to get the plat recorded. In the interest of full disclosure, Mr. Franzen advised that there were documents that the County Attorney’s office needed to review as a result of this request. He and his assistant Michelle Eviston reviewed and modified the documents which is what was brought to the Fiscal Court. He disclosed this since he had an option to buy a lot in the subject development. If that makes anybody uncomfortable and they want another legal opinion he is fine with that. All voted “Aye” and the motion passed.

Resolution R-98-21 was read by title. R-98-21 authorizes the Judge/Executive to execute an agreement to amend the Community Development Block Grant Contract for the Campbell County Home Ownership Development Project. Commissioner Besecker made a motion to adopt R-98-21, seconded by Commissioner Painter. All voted “Aye” and the motion passed.

Resolution R-99-21 was read by title. R-99-21 authorizes the Judge/Executive to execute a contract amendment extending the time for performance in the contract for professional services with Atkins-Elrod & Associates. Commissioner Painter made a motion to adopt R-99-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to accept the resignation of Animal Technician Linda Darlene Williams effective December 8, 2021. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Judge Pendery then made a motion to promote current part-time Kennel Technician Troy Cover to the vacant full-time Animal Technician position effective December 16, 2021 with compensation set at \$16.25 per hour. Commissioner Lampe seconded the motion. All voted “Aye” and the motion passed.

A motion was requested to accept the resignation of Scott Bachmann from the Campbell County & Municipal Board of Adjustments. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Judge Pendery made a motion to appoint Richard Johnson to fill the unexpired term of Scott Bachmann on the Campbell County & Municipal Board of Adjustments effective December 16, 2021 through March 2, 2022. Commissioner Lampe seconded the motion. All voted “Aye” and the motion passed.

A motion was requested to recommend to the Kentucky Department for Public Health the reappointment of Judith Harrer RPh and Daniel Sheridan DMD to the Campbell County Local Board of Health each for a two-year term effective January 1, 2022 through December 31, 2023. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was requested to accept the resignation of Lawrence Brennan MD from the Campbell County Local Board of Health and the Northern Kentucky District Board of Health. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Judge Pendery stated that Dr. Brennan served on both boards very well and for a long time, and the County is grateful for his service. All voted “Aye” and the motion passed.

A motion was requested to recommend to the Kentucky Department for Public Health the appointment of Mark Schroer MD to the Campbell County Local Board of Health for a two-year term effective January 1, 2022 through December 31, 2023. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

A motion was then requested to recommend to the Campbell County Local Board of Health the appointment of Mark Schroer MD to the Northern Kentucky Independent District Health Board for a term effective December 16, 2021 through June 30, 2023. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

County Administrator Matt Elberfeld presented his report with Resolution R-91-21. R-91-21 declines transfer of ownership and maintenance of KY 6335 between KY 8X and KY 445 from the Kentucky Transportation Cabinet. Mr. Elberfeld explained that about a month ago, he received a letter from the Kentucky Transportation Cabinet asking if the County was interested in taking over that portion of road formerly known as KY 8. He recommends that the Fiscal Court decline the offer. Judge Pendery made a motion to adopt R-91-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

County Attorney Steve Franzen requested a motion to meet in executive session pursuant to KRS 61.810(1)(c) to update the Fiscal Court and request action on the opioid litigation. Mr. Franzen

first stated that he has been getting updates from Mr. Elberfeld about the disaster in Western Kentucky. He noted that the Hosea Family donated a truck to transport supplies. This caused him to recall how often the Hosea family has offered to help the community without hesitation – they have stepped up to the plate many times. Motion was made by Commissioner Besecker to meet in executive session, seconded by Commissioner Lampe. All voted “Aye” and the Fiscal Court moved into the conference room for executive session at 5:56p.m.

At 6:13p.m. Commissioner Besecker made a motion to exit executive session, seconded by Judge Pendery. All voted “Aye” and the motion passed.

Mr. Elberfeld read Resolution R-97-21 by title. R-97-21 authorizes the execution of Subdivision Settlement Participation Forms. Commissioner Besecker made a motion to adopt R-97-21, seconded by Commissioner Lampe. All voted “Aye” and the motion passed.

Commissioner Besecker recognized Ashley and Sarah Tate from FOP Lodge #10 for taking over administration of the Cops and Kids Program that took place this past week. Almost 75 kids were paired with officers and deputies working with the program. He gave a huge shout-out to all of the local police involved in that program. Commissioner Besecker then offered prayers to all those impacted by storms last week and those working to help them especially those from our region. Finally, Commissioner Besecker wished everyone happy holidays and a Merry Christmas!

Commissioner Lampe echoed Commissioner Besecker’s remarks. He also wished everyone a Merry Christmas.

Commissioner Painter wished every one a Merry Christmas and asked that the County’s employees working in Western Kentucky and all those impacted by the storms be kept in their thoughts and prayers.

Judge Pendery made the following announcements:

1. The Campbell County Christmas Tree Recycling Program will begin Sunday, December 26th and run through Sunday, January 9th. Residents may drop off natural Christmas trees at Pendery Park during daylight hours. Please remove all tinsel, ornaments, ribbons, lights, and bags, and place your tree in the designated area in the park. The Kentucky Department of Fish and Wildlife will collect the trees and use them as fish habitat in lakes throughout Kentucky.
2. Campbell County Solid Waste is partnering with Cohen Electronics to host a Holiday Light Recycling Program from December 1 – February 1. Residents can drop off unwanted strings of lights at the Campbell County Administration Building, located at 1098 Monmouth Street, Newport, or the Campbell County Clerk’s Office, located at 8330 W. Main Street, Alexandria during normal business hours.
3. The Campbell County Fiscal Court offices will be closed on December 24 and 27, 2021 in observance of the Christmas holiday and on December 31, 2021 and January 3, 2022 in observance of the New Year’s holiday.

Marie Schenkel presented the Finance Director/Treasurer’s report by requesting a motion to authorize staff to advertise for bids to resurface and patch the following County Roads: 1027

(Poplar Ridge), 1029 (Fausz Road), 1016 (Mystic Rose) and 1017 (Gunkel Road). Work will begin in spring of FY22. Staff will apply to the KY Transportation Cabinet, Rural Secondary Road Program to use Flex funds on these projects. Motion was made by Commissioner Besecker, seconded by Judge Pendery. All voted “Aye” and the motion passed.

A motion was requested to authorize staff to advertise for bids to extend electric service to A J Jolly Park campsites #1-15. Providing underground electric service to these sites will improve their rentability. Motion was made by Commissioner Besecker, seconded by Judge Pendery. All voted “Aye” and the motion passed.

A motion was requested to authorize the Judge/Executive to execute a Maintenance Agreement with Sharp Business Systems for maintenance of the new multi-purpose copiers in the Administration and Finance Departments. The agreement is for a 48-month term at the black and white copy rate of 0.00782¢/copy and the color copy rate of 0.05¢/copy. Motion was made by Commissioner Painter, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

A motion was requested to authorize the purchase of the following equipment from the State master agreement for use by the golf course grounds maintenance crew:

- a. 2022 SCAG Turf Tiger II from Midwest Equipment & Supply Co. at a cost of \$17,654. This will replace a 2014 Turf Tiger with 5,632 use hours that would then become a backup unit for the fleet.
- b. Two 2022 Toro 3150Q Triplex Traction units from Century Equipment at a cost of \$28,809 per unit. These units will replace a 1994 Toro 3100 with 6,969 use hours and a 2001 Toro 3100 with 4,731 use hours. The County already owns accessories and attachments that will fit the new traction units.

These purchases are included in the FY22 equipment replacement budget. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. Judge Pendery commented that the County will save a lot of money by buying the two Toros since the County already has the accessories/attachments that will fit them. Mr. Elberfeld stated that it is about a \$30,000 savings. All voted “Aye” and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and claims paid per standing order dated December 8, 13 and 15, 2021. The County Attorney advised that he has reviewed the claims and determined that they all appear appropriate. Commissioner Lampe made a motion to approve the claims, seconded by Commissioner Besecker. All voted “Aye” and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Besecker made a motion to adjourn, seconded by Commissioner Painter. All voted “Aye” and the meeting adjourned at 6:23p.m.

Attachments:

Resolution R-87-21	Order of Affiliation – Campbell County LandSAR
Resolution R-88-21	Application for FY22 Ambulance Block Grant Funds
Resolution R-89-21	Amend Police Policy and Procedure Manual
Resolution R-90-21	Request for Use of Flex Funds on County Roads

Resolution R-92-21	Set Fees for County Parks in 2022
Resolution R-93-21	Memorandum of Understanding for Police Explorer Program
Resolution R-94-21	Approve New Riff Distilling for Jobs Development Program
Resolution R-95-21	Accept Victims of Crime Act (VOCA) Grant Funds
Ordinance O-19-21	First Reading to Update the County Maintained Road List
Resolution R-96-21	Accept Subdivision Cash Bond for Roads in Altura Estates Subdivision
Resolution R-98-21	Amend Community Development Block Grant Contract
Resolution R-99-21	Amend Professional Services Contract with Atkins-Elrod & Associates
Resolution R-91-21	Decline Transfer of Ownership/Maintenance of portion of KY 6335
Resolution R-97-21	Approve Execution of Distributor Settlement Forms
Claims and Claims Paid Per Standing Order dated December 8, 13 and 15, 2021	

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk