

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

August 25, 2004

A special meeting of the Campbell County Fiscal Court was held on Wednesday, August 25, 2004, 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
Justin Verst	County Attorney
Keith Hill	Interim Chief, Campbell County Police Department
Darlana Brown	Director of Housing
Ken Knipper	Office of Emergency Management Director
Melissa Williams	Director of Administration
Sandra Mulligan	Fiscal Court Clerk

Judge Penderly called the meeting to order at 5:37 p.m. A moment of silence was called for, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Judge Penderly presented the minutes from the Fiscal Court meeting of August 11, 2004. It was moved by Commissioner Otto and seconded by Commissioner Verst that the minutes of the Fiscal Court meeting of August 11, 2004 be approved. All voted "AYE" and the motion passed unanimously.

Judge Penderly then asked if there were any citizens or public officials present who wished to address the Court. There were none.

Judge Penderly next requested items of Old Business be brought before the Court. Ms. Williams presented Ordinance O-18-04 for second reading and passage consideration. She explained that this Ordinance relates to the "Home Rule Statute" and its application to the division of land within the County. The Ordinance allows for the Fiscal Court to review all survey plats, deeds, or other means used to represent land divisions in the County prior to their submittal to the Property Valuation Office and/or the County Clerk for recording. The Ordinance also sets up policies regarding land divisions on agricultural property and designates a review board for appeals. She stated that Peter Klear, Planning & Zoning Director, was recommending the adoption of the Ordinance. Commissioner Rechтин inquired as to whether a review board had

already been designated and if the process would be that anyone who wished to subdivide a tract of land would have to come through the Campbell County Planning & Zoning Department. Judge Pendery stated that additional details would be forthcoming, but that if someone wanted to pass over the Planning & Zoning Department and use the agricultural exemption, this Ordinance would prevent them from doing so. Commissioner Rechtin then asked how soon the guidelines and designated review board would be presented. Ms. Williams stated that Mr. Klear was not able to be present at this meeting, but it is her understanding that those items should be ready for presentation by the next Fiscal Court meeting. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve Ordinance O-18-04. 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-91-04, 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 contract with Cardinal Engineering to provide a boundary survey for the site of the Campbell County Detention Center and adjacent properties. She noted that Robert Horine, County Administrator, was present to answer any questions. There being no further discussion, Judge Pendery made a motion and Commissioner Verst seconded, to approve Resolution R-91-04. Judge Pendery, Commissioner Otto and Commissioner Verst voted "AYE;" Commissioner Rechtin voted "NAY," and the motion passed by majority vote.

Ms. Williams next presented Resolution R-92-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution authorizes the allocation of Fiscal Year 2005 Mental Health/Mental Retardation tax funds in the amount of \$8,894 to The Point to provide an advocacy program. She noted that The Point recently absorbed Citizens Advocacy into their program and that Pat Dressman, Human Services Director, was recommending the adoption of the Resolution. There being no further discussion, Commissioner Rechtin made a motion and Judge Pendery seconded, to approve Resolution R-92-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-93-04, 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 two contracts with the Alexandria Fair Board, one of which is to provide labor and equipment to bushhog the fairgrounds prior to the event which is a renewal contract, and the other to purchase fair booths at a cost of \$750 to showcase County entities for the 2004 Alexandria Fair. There being no further discussion, Commissioner Verst made a motion and Commissioner Otto seconded, to approve Resolution R-93-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-96-04, 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 Memorandum of Understanding with the Kentucky Transportation Cabinet regarding a Deed of Conveyance on a 3.3-acre parcel of property that is a part of A. J. Jolly Park, along with other considerations that have been mutually agreed upon. This land acquisition by the State of Kentucky is occurring due to the widening of U.S. 27. This parcel is in stage two of the U.S. 27 widening project, which presently is not completely funded. She noted that Peter Klear, Bud Pogue and she had been working with the State for approximately eighteen months regarding this agreement, and feel they have reached one that benefits the

County. The agreement provides for \$78,100 for the parcel of land, and also has some concessions regarding utility planning and right-of-ways, which will guarantee the County's access at all times. There being no further discussion, Commissioner Otto made a motion and Commissioner Rehtin seconded, to approve Resolution R-96-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-98-04, 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 enter into an agreement with Thelen Associates, Inc. to complete a Geotechnical exploration of the site of the new Administration Building at 11th & Monmouth Streets. The architects secured quotes from two qualified firms and Thelen Associates was the lowest. The cost of \$5,995.30 for the exploration can be included in the total cost of the project and can be recovered through bonds issued to finance the project. She noted that Robert Horine, County Administrator, was present to answer any questions. Commissioner Verst inquired as to whether this exploration had anything to do with an environmental survey. Mr. Horine stated that this exploration was strictly for soil conditions, and that the environmental aspect had been addressed through separate surveys. There being no further discussion, Judge Penderly made a motion and Commissioner Rehtin seconded, to approve Resolution R-98-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then presented Resolution R-99-04, 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 Designation of Agent Resolution with the Kentucky Division of Emergency Management that appoints him as the designated agent to serve on behalf of Campbell County. This Resolution is in conjunction with a grant application previously filed to obtain funding for an outdoor warning siren in Wilder. There being no further discussion, Judge Penderly made a motion and Commissioner Rehtin seconded, to approve Resolution R-99-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to create the position of Part-Time Laborer/Maintenance Worker in the Transportation Department at Grade 6, with compensation of \$8.84 to \$12.19 per hour. There being no further discussion, Judge Penderly made a motion and Commissioner Rehtin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next presented Resolution R-97-04, which she read by title and provided a summary to the Court for its consideration. She stated that this Resolution amends the Organizational Chart and Authorized Position List of the Campbell County Administrative Code to reflect the creation of a Part-Time Laborer/Maintenance Worker in the Campbell County Transportation Department. She noted that the previous motion, this Resolution, and the next motion on the Agenda are all as a result of the retirement of David Valz from the Road Department. There being no further discussion, Judge Penderly made a motion and Commissioner Rehtin seconded, to approve Resolution R-97-04. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Harold Eglian to the position of Part-Time Laborer/Maintenance Worker in the Transportation Department, with compensation set at \$10 per hour (Grade 6), effective August 16, 2004. There being no further discussion, Judge Penderly

made a motion and Commissioner Rechlin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams then requested a motion to authorize staff to advertise, interview and hire for the position of Road Maintenance Specialist One for the Campbell County Road Department. There being no further discussion, Judge Pendery made a motion and Commissioner Rechlin seconded, to approve the motion. All voted "AYE" and the motion passed unanimously.

Ms. Williams next requested a motion to appoint Doug Carmack to the Alexandria Fire District for a four-year term, effective August 25, 2004 through June 30, 2008. 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. Verst stated that he had nothing further to report from the County Attorney's office.

Judge Pendery next requested reports from the Commissioners. Commissioners Rechlin, Verst and Otto stated they had nothing further to report at this meeting.

Judge Pendery reminded everyone that, due to scheduling conflicts, the Fiscal Court meeting for the month of September would be held on September 8, at 7:00 p.m., at the Campbell County Courthouse in Alexandria, and on September 22, at 5:30 p.m., at the Campbell County Fiscal Court Conference Room in Newport. He also reminded everyone that the Senior Citizens Picnic tickets are now on sale and can be purchased prior to the picnic at a price of \$6.00, or on the day of the picnic at a price of \$8.00. The picnic will be held on September 15, 2004 at Pendery Park.

Judge Pendery then requested a report from the Fiscal Director. Mr. Seibert requested a motion to authorize staff to solicit bids for the purchase of salt for the Road Department. 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 next presented Ordinance O-17-04 for second reading and passage consideration. He explained that this Ordinance sets the 2004 tax rates for Campbell County. He noted that the property tax rate would remain the same as last year at 10.5 cents per \$100 of assessed value. There being no further discussion, Judge Pendery made a motion and Commissioner Otto seconded, to approve Ordinance O-17-04. All voted "AYE" and the motion passed unanimously.

Mr. Seibert then presented Ordinance O-19-04 for first reading. He explained that this Ordinance amends the Fiscal Year 2004-2005 budget by moving funds from the prior year's surplus fund to the general fund and reflect additional county road aid and municipal aid funds. A portion of the funds being transferred will cover additional costs for the new Restricted Custody Center. He noted that no action was necessary on the Ordinance at this time and it will be acted on at the next Fiscal Court meeting.

Mr. Seibert then presented Resolution R-94-04, which he read by title and provided a summary to the Court for its consideration. He stated that this Resolution amends the fixed asset capitalization policy to add “infrastructure improvements” as a category to the fixed asset table. He noted that the auditors had requested this addition. There being no further discussion, Commissioner Rehtin made a motion and Judge Pendery seconded, to approve Resolution R-94-04. All voted “AYE” and the motion passed unanimously.

Mr. Seibert next presented Resolution R-95-04, which he read by title and provided a summary to the Court for its consideration. He explained that this Resolution approves the 2004 tax rate for the Campbell County Public Health Taxing District. The rate is set at 2.4 cents per \$100 assessed value of all real property. There being no further discussion, Judge Pendery made a motion and Commissioner Rehtin seconded, to approve Resolution R-95-04. All voted “AYE” and the motion passed unanimously.

Mr. Seibert then acknowledged for the record that the 2004 Treasurer’s Report was published in the Campbell County Recorder in the August 12, 2004 edition, as required by Kentucky Revised Statutes.

Mr. Seibert next requested approval of the Claims being presented at this meeting. County Attorney Verst stated that he had reviewed the Claims submitted to the meeting and they appeared to be appropriate. There being no further discussion, Commissioner Otto made a motion that the Claims be approved and paid. Commissioner Rehtin 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 Otto, seconded by Commissioner Rehtin, that the meeting be adjourned. All voted “AYE” and the meeting was adjourned at 5:58 p.m.

Attachments:

Ordinance O-17-04: Approval of 2004 Tax Rates
Ordinance O-18-04: Home Rule Statute and its Application to the Division of Land
Ordinance O-19-04: Amendment of FY 05 Budget
Resolution R-91-04: Contract for Boundary Survey
Resolution R-92-04: Allocation of FY 05 MH/MR Tax Funds
Resolution R-93-04: Alexandria Fair Board Contracts
Resolution R-94-05: Amendment of Fixed Asset Capitalization Policy
Resolution R-95-04: Approval of 2004 Tax Rate for Campbell County Public Health
Taxing District
Resolution R-96-04: Memorandum of Understanding with Kentucky Transportation
Department
Resolution R-97-04: Amendment of Organizational Chart and Authorized Position List
Resolution R-98-04: Agreement to Complete Geotechnical Exploration
Resolution R-99-04: Designation of Agent Form for Kentucky Division of Emergency
Management
Claims: August 25, 2004

Approved:

/s/ Steve Pendery
STEVE PENDERY, Judge/Executive

Attest:

/s/ Sandra L. Mulligan
Sandra L. Mulligan
Fiscal Court Clerk