

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

JANUARY 17, 2018

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, January 17, 2018 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

Cable Access was present to film the public hearing and meeting.

Preceding the opening of the Fiscal Court meeting, a public hearing was held at 5:30 p.m. to receive public comment on the application for an Entertainment Permit for Old Miller's Tavern. Present at the hearing were:

Steve Pendery, Judge Executive
Charlie Coleman, County Commissioner
Brian Painter, County Commissioner
Steve Franzen, County Attorney
Matt Elberfeld, County Administrator
Paula Spicer, Fiscal Court Clerk
Kim Serra, Assistant County Administrator
Marie Schenkel, Finance Director
Colonel Craig Sorrell, Police Chief
Frank Spataro, Human Resources Director
Will Weber, Development and Communications Manager

Judge Pendery advised that Commissioner Lampe was delayed at the airport, but was on his way to the meeting. Steve Franzen opened the public hearing on the application of Gary Gerding for an Entertainment Permit for Old Miller's Tavern. Mr. Gerding was present. Mr. Franzen stated that the Campbell County Police Department conducted an investigation and it is the recommendation of the Police Department and the County Attorney's office that the Permit be granted without conditions. He asked if anybody would like to comment on the application. There being no questions or comments, the public hearing was closed at 5:35p.m.

The regular meeting was called to order at 5:35 p.m. by Judge Pendery.

In attendance at the regular meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Colonel Craig Sorrell	Police Chief
Frank Spataro	Human Resources Director
Will Weber	Development and Communications Manager

Judge Pendery asked for a moment of silence and mentioned that former Sheriff Jeff Kidwell and former long-time Clerk for the City of Woodlawn, Pat Anderson recently passed away. The Pledge of Allegiance followed. Following roll call, a quorum was declared present.

Minutes from the Fiscal Court regular meeting of January 3, 2018 were presented. Commissioner Painter made a motion to adopt the minutes, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Judge Pendery announced that the appointments to the Ethics Commission would not be approved at this meeting.

Kim Serra provided the annual report on activities and events held at the County's parks during 2017. Larry Harrod, Parks and Recreation Manager was present to answer questions. Matt Verst and Donna Grey of the Jolly Community Development Council (CDC) were also present. Ms. Serra stated that in the last year the focus has been on customer service and increasing season pass holders resulting in an increase in season pass sales and camping in 2017. She described the amenities, programs and uses of the County's three parks: Morscher Sports Complex, Pendery Park and A J Jolly Park. She then named some of the events held at A J Jolly Park. Staff once again in 2017 conducted a park patron survey. Ms. Serra listed improvements made to Jolly Park some of which were funded with grant money. Plans for 2018 include a Yurt camping site, additional showers at the RV campground and more bait and camping supplies for sale. She presented a calendar of events for 2018 and thanked Larry Harrod and his staff and Mike Braun and his staff. Judge Pendery also thanked the CDC members – they are wonderful partners. The Parks are in great shape and use has increased. Commissioner Painter thanked Ms. Serra for her leadership and for taking the initiative to get maintenance and events separated at the park, allowing Mr. Harrod to bloom the park with the festivals and rentals. This arrangement allows staff to be utilized to their best potential with very little additional staff costs because of the CDC's generous volunteers.

Mayor Bill Rachford advised that recently the Baptist Home that was in Newport for many years, relocated to Alexandria and renamed The Seasons of Alexandria. The move has created transportation difficulties for some of the employees of The Seasons. There is no convenient public transportation for that location. He is requesting that the Fiscal Court assist with communicating with the Transit Authority of Northern Kentucky (TANK) to try to get transportation for employees to and from work. At some point there will be about 200 employees and about 200 clients. There will also be visitors to the facility that may need public

transportation. He would like to get TANK involved in this and requests the Fiscal Court's assistance. Judge Pendery stated that Andy Aiello, General Manager of TANK will be attending the Mayors meeting on January 23. He will contact him in advance and maybe Mr. Aiello will have some news to share at the meeting.

There being no old business, Paula Spicer presented new business by requesting a motion to grant Gary Gerding, Old Miller's Tavern LLC, a permit to operate a place of entertainment known as Old Miller's Tavern located at 796 West Miller Road, Alexandria, Kentucky. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Ordinance O-01-18 was presented for a first reading. O-01-18 approves the execution of a First Amendment to the Local Participation Agreement (LPA) relating to the US 27 Development Area within the City of Highland Heights, Kentucky. Attorney Jim Parsons explained that in 2015 the County participated with the City to create a Tax Increment Financing (TIF) district to promote new development in the US 27 Development Area in Highland Heights. At that time, the County pledged 60% of its revenue from occupational taxes and real property taxes to support projects in the Development Area. The primary project was a mixed-use development anticipated to occur at the front of NKU between BB&T Arena and US 27. The City had a first reading of its ordinance on January 16, 2018 to amend the Development Area boundary to include some additional property now owned by NKU. The mixed use will include retail, hotel and other uses on the south side of Nunn Drive and a medical office building on the north side of Nunn Drive. Since the County is a party to the LPA, it has been requested to agree to the boundary expansion of the Development Area. This allows the project to become eligible for incentives not only from the City and County, but also from the State. Commissioner Coleman asked if he was referring to the St. Elizabeth site. Mr. Parsons replied that he is and the site includes a portion of lots on Faren Drive. He offered that at some point the developer would be happy to make a presentation about the project at a Fiscal Court meeting. Judge Pendery stated that a presentation would be helpful. Mr. Franzen asked if there is a minimum amount of real property value that can be in a TIF district. Mr. Parsons explained that there is no minimum, but there is a maximum. No more than 25% of the City's total taxable value can be in a TIF district. He added that tangible taxes are excluded from any pledge of tax revenues by the County. The second reading and vote on the ordinance will take place at the Fiscal Court's second meeting in February. No vote was taken on the first reading of this ordinance.

Commissioner Tom Lampe arrived at 6:05pm and apologized for being late and missing the annual report on the parks.

Resolution R-05-18 was read by title and summary given. R-05-18 sets the 2018 Park opening and closing dates for the Campbell County Park system. Commissioner Painter made a motion to adopt R-05-18, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-06-18 was read by title and summary given. R-06-18 sets the 2018 fees for A J Jolly Park and Pendery Park. Judge Pendery made a motion to adopt R-06-18, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Lieutenant Dennis Lehmkuhl effective January 31, 2018. Judge Pendery made the motion, seconded by Commissioner Lampe. Chief Sorrell attempted to get both Lt. Lehmkuhl and Officer Tom Lakes to the meeting to receive their retirement watches, but they elected to accept their watches at the Police Department. He stated that Dennis Lehmkuhl is the senior Lieutenant in the Department having served 20 years. He has done an outstanding job as commander of the investigations unit and will be missed. Officer Lakes is the senior officer in the Department with almost 27 years of service. He considered retiring some years ago then started working in the City of Silver Grove when the County began providing police services for the City. There has been much positive feedback on his work there. The proposed pension reform influenced Officer Lakes' decision to retire. Judge Pendery stated that both officers have had long and useful careers and were tremendous assets to the County. Mr. Franzen added that both officers are highly respected at the courthouse by both judges and prosecutors. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Sergeant Gary Downs to the position of Lieutenant in the Campbell County Police Department effective February 2, 2018 with compensation set at Pay Grade LT1 or \$71,018.50 annually in accordance with the Fraternal Order of Police working agreement. Commissioner Painter seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Police Officer Donald Dornheggen to the position of Sergeant in the Campbell County Police Department effective February 2, 2018 with compensation set at Pay Grade SG1 or \$63,499.50 annually in accordance with the Fraternal Order of Police working agreement. Commissioner Lampe seconded the motion. All voted "AYE" and the motion passed.

Judge Pendery made a motion to accept the resignation of Steve Stapleton from the Campbell County and Municipal Planning and Zoning Commission effective January 17, 2018. Commissioner Lampe seconded the motion. Judge Pendery advised that Mr. Stapleton is becoming a resident of the State of Florida. All voted "AYE" and the motion passed.

Judge Pendery made a motion to appoint Charles "CJ" Peters to the Campbell County and Municipal Planning and Zoning Commission to fill the unexpired term of Steve Stapleton effective January 18, 2018 through June 30, 2020. Commissioner Painter seconded the motion. All voted "AYE" and the motion passed.

Matt Elberfeld presented Resolution R-07-18 by title and summary. R-07-18 authorizes and approves a lease of certain real property commonly located at Race Track Road to the Campbell County Consolidated Dispatch Board for use as a radio communications tower site. Mr. Elberfeld stated that part of the upgrade of the communications system in the County is the need for a new tower. Motorola engineers looked at many sites in the County and after much calculation, chose one at the Road Department. He stated that since Dispatch is a separate entity, they are responsible for the construction and maintenance of the tower. The County Attorney recommended that a land lease be utilized to accomplish this. The lease is for a term of 20 years at one dollar per year. The site is a 50X50 foot area at the County's Road Department. Judge

Pendery made a motion to adopt R-07-18, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Commissioner Coleman asked the status of the block grant for Brighton Center. Judge Pendery stated that he has not heard a thing about it or heard if any grants were distributed. Mr. Elberfeld stated that the Governor’s office has not announced grant awards anywhere in the state or a date when they would be awarded.

Commissioner Coleman asked for an update on hiring for the golf course. Mr. Elberfeld stated that about 10 applications for the Golf Pro position were received and four first-round interviews are scheduled for Thursday, January 18. Those candidates will be narrowed and brought to Judge Pendery for a second interview. He may have a recommendation at the next Fiscal Court meeting. He stated that this hiring is to fill Terry Jolly’s position of Golf Course Professional. Commissioner Coleman then asked who is doing the interviews. Mr. Elberfeld stated that he, Tim Mason, Ashley Murray, Terry Jolly (he will be present but will not ask any questions) and Jim Morgan (representing the Jolly Community Development Council (CDC) golf subcommittee) will conduct the interviews. He then explained the golf subcommittee of the CDC.

Commissioner Coleman stated that he got a call from Jim Daley. He had asked at the last two meetings about a newspaper article regarding a person who was released from the jail despite an ICE detainer. He appreciates Ms. Daley’s call. Apparently, the incident did happen, it was a mistake and the jail will take steps to see that it does not happen again.

Commissioner Lampe thanked Steve Stapleton for his service to the community. Mr. Stapleton’s family donated the money to construct the Stapleton Pavilion at A J Jolly Park in honor of his father.

Commissioner Painter stated that there is a new library in Alexandria. Mayor Rachford gave a great speech at the ribbon cutting regarding this unique public/private partnership library. That means quite a bit of cost savings for the taxpayers. The new branch is a great addition to the library system. He then gave the days and times of operation. He congratulated the Library Board and thanked them for persevering through controversy and putting a library in Alexandria, the fastest growing city in the State of Kentucky in 2016; the 41001 zip code has the highest median household income in Campbell County.

Judge Pendery announced that the Campbell County Fiscal Court and Mayors will hold their first quarterly meeting of 2018 on Tuesday, January 23, 2018 at 6pm in the Fiscal Court Chambers.

Judge Pendery announced that the Fiscal Court will hold a spring session of its Citizens’ Academy. This is an 8-week educational program designed to improve civic education and increase citizens’ engagement in County government. The session will run from February 26th through April 16th on Monday evenings from 6:30-9:00pm. For more information and an application can be found on the County’s website at www.campbellcountyky.org. Judge Pendery stated that the Citizen’s Academy features some wonderful presentations and is very educational. The class size is 25-30 people.

Marie Schenkel requested a motion to authorize staff to advertise for bids to resurface the following roads beginning in spring of Fiscal Year 2018: Fender Road (CR 1011), Echo Hills (CR 1517), Midway (CR 1518), Redstone Road (CR 1002) and Rifle Range Road (CR 1355). Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to accept the bid of OD Security North America in the amount of \$118,750 for a body scanner to be used at the Campbell County Detention Center. The Detention Center staff recommends the bid of OD Security as submitted to the reverse auction held by KACo in December. The purchase is included in the Commissary Fund of the Detention Center’s FY 2018 budget. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Lampe asked Mr. Elberfeld to give a brief explanation of the body scanner. Mr. Elberfeld explained that the body scanner is similar to those used at airports. It is a way to detect contraband that may be brought into the jail. Many jails are starting to use scanners, as the technology has gotten better and cheaper. It helps reduce the number of strip searches, speeds up the process and is more efficient for staff and preferable for inmates. Judge Pendery stated that the scanner will be paid for out of commissary funds as it is considered to be for the inmates’ benefit. All voted “AYE” and the motion passed.

Resolution R-08-18 was read by title and summary given. R-08-18 authorizes the Judge/Executive to execute all documents necessary to effect the purchase of a body scanner for the Campbell County Detention Center from OD Security North America. Judge Pendery made a motion, seconded by Commissioner Painter. Judge Pendery stated that this was on the agenda some time ago and was pulled to allow for the possibility that St. Peter and Paul School and Campbell County Schools would talk. Mr. Elberfeld interrupted stating that this resolution for the body scanner was a late addition to the agenda. He stated that the resolution was added upon the recommendation of the County Attorney’s office. Judge Pendery then made a motion to adopt R-08-18, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Resolution R-04-18 was read by title and summary given. R-04-18 authorizes the Judge/Executive to execute a contract in the amount of \$329,144.88 with the Campbell County Board of Education for fiscal year 2018 for the provision of bus transportation of parochial school students. Judge Pendery made a motion to adopt R-04-18, seconded by Commissioner Painter. Judge Pendery explained that this resolution was tabled at a previous meeting in hopes that St. Peter and Paul School and Campbell County Schools would talk about transportation needs. St. Peter and Paul School had previously discontinued transportation services due to the expense and is in need of transportation services for its students. He understands that Campbell County Schools is not going to change its bus routes to address the need of St. Peter and Paul School and that the schools are at peace with the decision. Commissioner Coleman updated the Fiscal Court stating that they are not happy and there is no peace on that issue. He received an email from Mr. Elberfeld stating that Campbell County Schools had talked to the Principal of St. Peter and Paul and that she understood. Mr. Elberfeld stated that that is what he was told. Commissioner Coleman stated that the Principal said that the last conversation she had was that Campbell County was going to look for a central location. The issue is that Campbell County Schools will not pick up any parochial students that live on the east side of the AA Highway and

there are St. Peter and Paul students that live on the east side of the AA. He had asked that the resolution be pulled from the agenda so that the two sides could negotiate. Campbell County Schools are asking for almost \$80,000 more this year without any additional service. He listed the number of students from parochial schools being transported as given to him by Principal Herrmann which don't match the numbers given to Mr. Elberfeld from Campbell County Schools. Ms. Schenkel stated that the numbers given to the Fiscal Court are from the Diocese of Covington. Commissioner Coleman would like to see the numbers on which Campbell County Schools base their costs. Principal Herrmann advised him that she talked to Campbell County Schools that afternoon and that they worked out a common place where parents can bring students but it is on the west side of the AA. It is disappointing that Campbell County Schools are getting \$80,000 more and the parents of parochial school students pay the same taxes as everybody else but don't get this service. Judge Pendery stated that further explanation is needed on this. Mr. Elberfeld stated that Campbell County Schools cited safety, route miles and route time as the three factors considered when designing bus routes. Judge Pendery thought that when St. Peter and Paul was providing its own transportation they could not cover all areas of their jurisdiction. Commissioner Coleman stated that the maintenance of the bus was costly and it was hard to get drivers to volunteer. He stated that he will vote for this because of the other parochial school students, but he wanted everybody to know both sides of the issue. Ms. Schenkel pointed out that last year the Fiscal Court received 100% reimbursement of the funding, although in the last few years it was closer to 95% reimbursement. Commissioner Coleman stated that after listening to the Governor talk, the Fiscal Court will not get 100% reimbursement again. Judge Pendery asked Commissioner Coleman if he had a suggested resolution. He'd like to find out if the St. Peter and Paul people understand and accept it. Commissioner Coleman stated that they'll accept it because they have no choice but it is disappointing. He wants as many students as possible to get the service. He realizes that it is not the Fiscal Court's fault. Judge Pendery stated that this all started in October; the Fiscal Court didn't do anything wrong, but somebody at some level must have given it some serious consideration. Commissioner Coleman stated that at least there is disclosure of all of the information. Judge Pendery stated that he would look into it further but thought they should go on with the vote. Commissioner Coleman asked what the School's justification is for a 31% rate increase. Ms. Schenkel stated that the school is reimbursed based on the numbers reported a year in arrears. An increase in parochial students transported and an increase in costs was the explanation given to her. Judge Pendery stated that he will call Principal Herrmann, he then called for a vote. All voted "AYE" and the motion passed.

Marie Schenkel requested a motion to approve budget transfers as presented for January 17, 2018. She explained that the transfers do not change the overall budget they only reallocate certain funds. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for January 17, 2018. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Commissioner Painter made a motion to approve the claims and supplemental claims, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Painter made a motion to adjourn, seconded by Commissioner Lampe. All voted “AYE” and the meeting adjourned at 6:50 p.m.

Attachments:

Ordinance O-01-18 Amend Local Participation Agreement for US 27 Project
Resolution R-05-18 Set Opening & Closing Dates for Campbell County Park System for 2018
Resolution R-06-18 Set fees for A J Jolly Park and Penderly Park for 2018
Resolution R-07-18 Approve Lease of Property on Race Track Road
Resolution R-08-18 Purchase of Body Scanner for Detention Center
Resolution R-04-18 Contract for School Bus Services
Budget Transfers Dated January 17, 2018
Claims and Supplemental Claims Dated January 17, 2018

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk