

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

OCTOBER 3, 2018

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, October 3, 2018, 7:00 p.m. at the Campbell County Courthouse located at 8352 East Main Street, Alexandria, Kentucky.

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen
Matt Elberfeld
Paula Spicer
Chief Craig Sorrell
Ashley Murray

County Attorney
County Administrator
Fiscal Court Clerk
Campbell County Police Department
Human Resources Specialist

The meeting was called to order at 7:00 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 September 19, 2018 were presented. Motion was made by Commissioner Painter, seconded by Commissioner Lampe to approve the minutes. All voted "AYE" and the motion passed.

Judge Pendery invited Anna Zinkhon to address the Fiscal Court. Ms. Zinkhon stated that during her campaign she received many questions and learned a lot of information, and now would like to help and be an advocate for people. One of the issues was about parochial schools and busing. She understands that the current contract is up; she got a copy of it from Commissioner Coleman. She understood from the school superintendent in the spring that when the routes are set, if they had information about the parochial schools, they could be included in the routing, but the contract does not address that. Ms. Zinkhon asked how they can get more kids picked up since the Fiscal Court is paying for parochial busing. She is willing to help figure this out. She noted a parent in the audience who just moved into the school district of St. Philip; she is within a couple of miles but the bus doesn't make the turn to come by her place so she has to pick her child up every day. There seems to be a lack of communication or a link that needs improving.

Commissioner Coleman stated that they addressed this last spring because Campbell County Schools asked for an additional \$70,000. He was teaching at St. Peter and Paul at the time and found out from Ms. Herman that the buses would not go east of the AA Highway to pick up kids. He had conversations with Superintendent Clines at the Diocese and he thinks that Mr. Elberfeld had conversations regarding this as well. He stated that the resolution was tabled at the time and he thinks that the Diocese and Campbell County Schools had dialogue but nothing changed. This year they are asking for more money – for more money, there should be more service. Commissioner Coleman stated that the woman in the audience pays the same tax rate as the parents who send their kids to public schools and should get the same service.

Judge Pendery stated that the Fiscal Court does not write the contract and the legal interpretation of it is handled by the school. He believes that the school's interpretation is that they are not allowed to spend any money on anything other than public education and if there are private school students along a planned route, they can pick them up as long as the expense is defrayed by some other means. The Fiscal Court then is a conduit for money that compensates them for the additional students picked up. Ms. Zinkhon asked how there is more expense if they are only picking up students on the current routes. Since the County is paying additional money, one would think that the routes would be accommodating. She has read the articles recently about the court case and the fact that it is about the safety of the children. The Court ruled that the constitution says that they cannot pay for it out of public funds and that is why the Fiscal Court pays extra for parochial kids. Judge Pendery stated that he has talked to more than one superintendent and more than one parochial school principal over the years about this and they accept the interpretation that they are working under currently. The Fiscal Court applies for money from the State that is set aside for this purpose and the rationale for their doing so is for the safety of the students. As far as he knows, Campbell County school district is not alone in adhering to that interpretation. Ms. Zinkhon asked if he could give her any route that she could pursue to affect some change. Judge Pendery stated that the Fiscal Court has talked to those who prepare the contract, understands what their legal reasoning is, and all agree or understand why the school has arrived at the interpretation that it is following. Ms. Zinkhon stated that she is not satisfied and will try to pursue something else. She will see what she can dig up with congressmen or representatives. Commissioner Coleman pointed out that this year, like some other years, the Fiscal Court did not get back from the State 100% of what it gave to the Campbell County Schools. He thinks it is about \$7,000 short. Mr. Elberfeld stated that the difference is \$6,582.90. Commissioner Coleman stated that that amount came out of local tax money.

Judge Pendery then called on Beverly Franzen to address the Fiscal Court. Ms. Franzen stated that many of her questions were answered. She recently moved and described where she lives and how the school buses come down Four Mile Road and turn the opposite direction (from her house) toward St. Philip School. No buses go in front of her house toward St. Philip. She needs to know who to contact so that her son can ride the bus to St. Philip School. Should she contact the Diocese? She has already talked to the Campbell County Superintendent of Operations who wasn't very helpful. She would like to see a change. Judge Pendery stated that her inquiries were directed to the right place, the Campbell County School system. The person who organizes and handles the routes is acting on the School District's interpretation of what the law is. He believes that they follow an interpretation that is followed elsewhere in the State. The routes are

laid out and those along the routes get picked up and those that are off the route do not. The State has a very strict interpretation on what constitutes an expenditure on something other than public education. Mr. Franzen stated that the contract originates from the Kentucky Transportation Cabinet. He is not sure who at the Transportation Cabinet is responsible for it. Unless and until the contract changes to give more flexibility to the local schools, he does not see any change. Ms. Franzen stated that she would keep trying to get something changed. Taking her son to school every morning and picking him up in the afternoon is troublesome sometimes. She is not technically in Silver Grove School District but asked if they use County busing in Silver Grove. Silver Grove Mayor Bedel stated that Silver Grove schools do not have bus service. Ms. Franzen stated that she would call the Transportation Cabinet and the Diocese. Commissioner Coleman stated that she could also go to the Campbell County Board of Education meeting. There are five people on the board and her district elected one of them.

There being no old business, Ms. Spicer presented new business beginning with a motion to advance Police Officer Robert Houpp from PO6 (\$26.2721/hour or \$54,645.90 annually) to PO7 (\$28.1113/hour or \$58,471.50 annually) effective October 1, 2018 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to advance Police Officer Jacob Daley from PO4 (\$22.9471/hour or \$47,729.89 annually) to PO5 (\$24.5532/hour or \$51,070.67 annually) effective October 12, 2018 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to advance Police Officer Robert Latham from PO4 (\$22.9471/hour or \$47,729.89 annually) to PO5 (\$24.5532/hour or \$51,070.67 annually) effective October 12, 2018 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to reappoint Ralph Cooper, James Doepker, Robert Keller, Timothy Seaman and David Wormald to the Campbell County Building Appeals Board for a four-year term effective November 1, 2018 through October 31, 2022. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Ashish Vaidya to the Tri-ED Board of Directors for a three-year term effective October 4, 2018 through October 3, 2021. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Judge Pendery announced that a Quarter Auction to benefit the Campbell County Animal Shelter will be held on Tuesday, October 9 at the Wilder City Building, 520 Licking Pike. Doors open at 6 PM and the Auction starts at 7 PM. Food and drink will be available for purchase. Full details may be found at www.campbellcountyky.org or the Animal Shelter Facebook page or call 859-635-2819.

Judge Pendery announced that the Campbell County Fall Clean Up will take place on Friday, October 19 and Saturday, October 20 from 8 AM to 5 PM at the Campbell County

Transportation Center, Pendery Park, and the Campbell County Police Department. More details about drop off locations and items accepted at each location, are at www.campbellcountyky.org or call 859-547-1866.

Judge Pendery announced that the Campbell County Animal Shelter's Third Annual Field Day Fundraiser will be held on Saturday, October 20 at Pendery Park from 12 PM to 5 PM. This is a family friendly event with food, drink, games, bounce house, \$10 rabies vaccines, and more. More details are at www.campbellcountyky.org or the Animal Shelter Facebook page or call 859-635-2819.

Judge Pendery announced that AJ Jolly Park's Spooktacular Halloween Event will take place on Saturday, October 27 from 12 PM to 3 PM. Children 12 and under can Trick or Treat along a friendly trail and participate in costume contests. There will be hayrides, bounce houses, games, crafts, and food and drink. Suggested donation is \$5 per vehicle. More information is available at www.ajjollypark.com or call 859-547-3681.

Judge Pendery announced that the Campbell County Fiscal Court and Mayors will meet on Tuesday, October 16 at 6 PM in the Fiscal Court Chambers, County Administration Building, 1098 Monmouth Street, Newport.

Mr. Elberfeld presented the Finance Director's Report by requesting a motion to authorize staff to advertise for bids to install a pier drilled shaft wall in the vicinity of 660 Steffen Road. A road slip was discovered during spring rain events and staff has applied to FEMA for funding for this project, but has not heard if the funding will be granted. He stated that a geotechnical report indicated that a drilled shaft pier wall would be the best repair. This motion is simply to seek bids for the project. Commissioner Lampe made a motion, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-91-18 was read by title and summary given. R-91-18 authorizes the Judge/Executive to execute a contract with the Campbell County Board of Education in the amount of \$338,277.56 for the provision of bus transportation of parochial school students during fiscal year 2019. Judge Pendery made a motion to adopt R-91-18, seconded by Commissioner Lampe. Commissioner Coleman asked how much more money the Board is requesting. Mr. Elberfeld stated that it is a 2.8% increase, about \$9,000. Commissioner Coleman stated that there was a \$70,000 increase last year – a \$79,000 increase in two years and there is even less service because Ms. Franzen's child is not being picked up. In an effort to explain his vote, he stated that he feels like he is being held hostage – if he does not vote for it, he is not voting for any of the parochial kids to get transportation and he certainly does not want to do that. However, he thinks that all should be picked up especially in light of the fact that the School Board is getting more money. He reminded Ms. Franzen that she could go to the School Board meeting. Judge Pendery stated that they would all be happy to see the kids picked up if the interpretation was that it was legal to do so, unfortunately he does not see that as the interpretation. Commissioner Coleman stated that in Ms. Franzen's case the bus comes right by her house then turns the opposite direction. All voted "AYE" and the motion passed.

Mr. Elberfeld then requested a motion to approve the claims as presented for October 3, 2018. County Attorney Steve Franzen stated that he has reviewed the claims and they appear to be appropriate, however, he asked that one claim be removed. There is a Sanitation District bill for 3500 Alexandria Pike that he does not remember seeing before. Mr. Elberfeld stated that he believes that bill is for the Senior Center. He will pull the payment from the claims and look into it. Judge Pendery made a motion to approve the claims without the one item that needs further review, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 7:26 p.m.

Attachments:

Resolution R-91-18 Contract with Campbell County Board of Education
Claims Dated October 3, 2018

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk