

CAMPBELL COUNTY FISCAL COURT MINUTES

November 16, 2011

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, November 16, 2011, 5:30 p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
PETE GARRETT
BRIAN PAINTER
KENNETH RECHTIN

Robert Horine	County Administrator
Steve Franzen	County Attorney
Paula Spicer	Fiscal Court Clerk
Colonel Keith Hill	Campbell County Police Chief
William Turner	Office of Emergency Management Director
Pat Dressman	Human Services Director

The meeting was called to order at 5:30 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 regular meeting of November 2, 2011 and the special meeting of October 25, 2011 were presented. Motion was made by Commissioner Rechlin, seconded by Commissioner Garrett to approve the minutes. All voted "AYE" and the motion passed.

Pat Dressman, Director of Human Services, explained the process by which the Campbell County Mental Health/Intellectual Disability Tax is allocated. Every two years the County issues a Request for Proposals for agencies to apply for funding. She named some of the programs that are funded with this tax. This year proposals will be done electronically and the forms will be available on the County's website. She expects to receive a lot of applications this year. Ms. Dressman stated that they have been able to serve more senior citizens this year with frozen meals, but there is still a waiting list.

Judge Pendery asked if anyone in the audience would like to address the Fiscal Court on any subject.

J R Roth, 4566 Winters Lane, asked if the County will be increasing its indebtedness under Ordinance O-17-11 by refunding bonds, and further asked if it would be advertised for bids. Judge Pendery stated that it would not increase the County's indebtedness.

There being no old business, Robert Horine presented new business with Ordinance O-17-11 by title and summary. O-17-11 authorizes the issuance of general obligation refunding bonds in the approximate aggregate principal amount of \$1,685,000 (which amount may be increased or decreased by up to \$170,000) to currently refund the outstanding principal amount of Campbell County, Kentucky Public Properties Corporation First Mortgage Refunding and Improvement Revenue Bonds, Series 1997 and County of Campbell, Kentucky General Obligation Public Project Refunding Bonds, Series 2001; approving the form of bonds, authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a bond payment fund; maintaining the heretofore created sinking fund; authorizing acceptance of the bid of the bond purchaser for the purchase of the bonds; and repealing inconsistent ordinances. Mr. Horine stated that these bonds are being refunded in order to take advantage of lower interest rates. Bob Cooper, Hilliard Lyons, explained that Kentucky statute requires that bonds be put out for public bid. The bonds will be advertised nationally and they generally receive 4-5 bids. He stated that they did contact some local banks regarding this issue; some responded, some did not. Campbell County's good rating makes the bonds desirable to buy. He advised on the rates and terms that banks had offered and concluded that the rates are unpredictable and could go up at any time. Judge Pendery stated that this is a first reading and no vote is required.

Resolution R-115-11 was read by title and summary given. R-115-11 authorizes and directs the Judge/Executive and Fiscal Court Clerk to take such actions as may be necessary to secure approval of the State Local Debt Officer for the issuance of County of Campbell, Kentucky General Obligation Refunding Bonds. Mr. Horine explained that the County must get approval from the State for the bond refunding issue. Commissioner Rechtin made a motion to adopt R-115-11, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-116-11 was read by title and summary given. R-116-11 authorizes the Judge/Executive to execute a Block Grant Funding application with the Kentucky Board of Emergency Medical Services to award Grant monies through Senate Bill 66 Funds for Campbell County ambulance services. This Grant provides approximately \$10,000 in funds which will be split equally among Campbell County agencies with life squads. Commissioner Garrett made a motion to adopt R-116-11, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Resolution R-117-11 was read by title and summary given. R-117-11 authorizes the Judge/Executive to make application for and, upon approval, to enter into an agreement with the Kentucky Office of Homeland Security (KOHS), to execute any documents which are deemed necessary by KOHS to facilitate and administer the project and to act as the authorized correspondent for this project. This Grant in the amount of \$58,000 provides funds to upgrade law enforcement radios, and will be administered by the Campbell County Consolidated

Dispatch Center. Commissioner Rechtin made a motion to adopt R-117-11, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-114-11 was read by title and summary given. R-114-11 authorizes the Judge/Executive to execute a service agreement with Dialogic Communications Corporation, D/B/A Cassidian Communications for an off-site hosted communicator for the Office of Emergency Management. Mr. Horine advised that this replaces a ten-year old system and explained that the communicator is used to notify the public and first responders in the event of an emergency. Commissioner Rechtin made a motion to adopt R-114-11, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

Resolution R-118-11 was read by title and summary given. R-118-11 endorses the 2012 Northern Kentucky Consensus priorities. Mr. Horine stated that three of the nine projects on the Consensus Committee's list will have a direct impact on Campbell County. The County's endorsement will be sent to the General Assembly. Commissioner Rechtin made a motion to adopt R-118-11, seconded by Judge Pendery. All voted "AYE" and the motion passed. Commissioner Rechtin suggested that a representative from the Consensus Committee attend a future Fiscal Court meeting to explain the list of projects. All voted "AYE" and the motion passed.

A motion was requested to proclaim the week of November 14 through 18, 2011 as "Winter Weather Awareness Week in Campbell County". Motion was made by Commissioner Garrett, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Officer Michael Coppage from the Campbell County Police Department effective November 8, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of School Resource Officer Jim Snider effective November 18, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to accept the resignation of Joseph Clevenger, Family Self-Sufficiency Coordinator/Housing Specialist, effective December 31, 2011. Motion was made by Judge Pendery, seconded by Commissioner Rechtin. All voted "AYE" and the motion passed.

A motion was requested to advertise, interview and hire for the position of Housing Specialist for the Housing Department. Motion was made by Judge Pendery, seconded by Commissioner Painter. Commissioner Rechtin requested that staff talk to other agencies in Campbell County that provide Section 8 services to see if we can collaborate with them on this position. All voted "AYE" and the motion passed.

Judge Pendery then called on Brandon Voelker, Attorney for the City of Cold Spring, to begin his presentation. He distributed documents to the Fiscal Court and introduced Cold Spring Mayor Mark Stoeber and Councilpersons Dave Guidugli, Lou Gerding, Kathy Noel and Stuart Oehrle. He stated that they are present at this meeting to talk about storm water and Cold

Spring's earlier lawsuit and Judge Ward's ruling regarding the interlocal agreement with Sanitation District No. 1 (SD1) and proposed changes to the agreement. Mr. Voelker explained the background of the interlocal agreement signed in 2002-2003, read portions of the agreement, stated the provisions for opting out, and discussed the 2007 Consent Decree and SD1 Board. He requested that the Fiscal Court join Cold Spring in the lawsuit and request a rate study. Steve McKinley, engineer, and John D'Amico spoke on behalf of Cold Spring and explained their experience with preparing storm water programs, rate studies and addressing these issues on a regional basis. They answered questions from the Fiscal Court. Stuart Oehrle spoke about assurances that SD1 made in the past and how they have not fulfilled them, and why Cold Spring wants out of the agreement. He stated that the Fiscal Court has the power to tell the SD1 Board members what to do and that the City never got a response to their offer to settle this matter. Jack Bender, co-counsel with Mark Hayden in the litigation filed by Cold Spring against SD1 addressed the Fiscal Court next. He explained SD1's obligations as to the handling of storm water, and the three types of systems that it is responsible for. Mr. Bender further discussed federal and state regulatory programs and SD1's obligations under the Consent Decree and the cost of compliance. He explained SD1's responsibilities as a co-permittee pursuant to the interlocal agreement. Mr. Bender then outlined SD1's position in the pending litigation that was initiated by Cold Spring. Representatives of Cold Spring and SD1 both addressed questions and comments from the members of the Fiscal Court and members of the audience.

Judge Pendery called a recess at 8:50 p.m. The Fiscal Court reconvened at 9:15 p.m.

Robert Horine requested a motion to award bids for the sale of surplus County property. Motion was made by Commissioner Rehtin, seconded by Commissioner Garrett. All voted "AYE" and the motion passed.

A motion was requested to purchase a 2012 Dodge Charger for the OEM Department from Freedom Dodge in Lexington in the amount of \$21,845.20 under the Kentucky State Contract. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. All voted "AYE" and the motion passed.

A motion was requested to purchase a heavy equipment trailer from Holt Equipment Company in Louisville for the Road Department in the amount of \$15,216.80, the Kentucky State Contract price. Motion was made by Commissioner Rehtin, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Mr. Horine then requested a motion to approve the claims as presented for November 16, 2011. County Attorney Steve Franzen stated that he has reviewed the claims and all appear appropriate. Motion was made by Commissioner Garrett, seconded by Commissioner Painter. 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 9:20 p.m.

Attachments:

Ordinance O-17-11 Refunding of 1997 and 2001 Bond Issues
Resolution R-115-11 Secure Approval for Issuance of Refunding Bonds
Resolution R-116-11 Application for 2012 Kentucky EMS Grant
Resolution R-117-11 Accept Grant Funds from Kentucky Office of Homeland Security
Resolution R-114-11 Service Agreement with Cassidian Communications
Resolution R-118-11 Endorse Northern Kentucky Consensus Committee Projects
Claims and Supplemental Claims of November 16, 2011

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk