

**CAMPBELL COUNTY FISCAL COURT  
MINUTES**

**MAY 20, 2015**

A special meeting of the Campbell County Fiscal Court was held on Wednesday, May 20, 2015 at 3:30p.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  
CHARLIE COLEMAN  
TOM LAMPE  
BRIAN PAINTER

|                   |                                 |
|-------------------|---------------------------------|
| Steve Franzen     | County Attorney                 |
| Matthew Elberfeld | County Administrator            |
| Kim Serra         | Assistant County Administrator  |
| Paula Spicer      | Fiscal Court Clerk              |
| Marie Schenkel    | Finance Director                |
| Lori Zombeck      | Human Resources Director        |
| Craig Sorrell     | Chief of Police                 |
| Cindy Minter      | Director of Planning and Zoning |

The meeting was called to order at 3:30 p.m. by Judge Pendery.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Commissioner Lampe thanked everybody for adjusting their schedules to change the meeting time for him.

Minutes from the Fiscal Court regular meeting of May 6, 2015 were presented. Commissioner Coleman made a motion to adopt the minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Judge Pendery invited comments from the public.

Jim Leursen, Campbell County Clerk, thanked the Fiscal Court for everything it does in connection with the elections. Judge Pendery then thanked Mr. Leursen for running an efficient office. He stated that Kentucky always has its elections done accurately and thoroughly. Mr.

Leursen advised that the voting machines were stored in the new building after the May 19 primary.

There being no old business, Paula Spicer presented new business beginning with a first reading of Ordinance O-05-15. O-05-15 rescinds Ordinance O-22-14 which prohibited electioneering within two hundred (200) feet of the main entrance primarily used by voters on Election Day. The State Board of Elections recently approved an administrative regulation banning electioneering within 100 feet of polling places. This regulation does not apply to private property and is effective immediately. Steve Franzen explained that after reading the decision of the Sixth Circuit Court of Appeals, it was questionable whether the County's ordinance would comply therefore he recommends that the Fiscal Court rescind its ordinance on electioneering. If the legislature takes up this issue again the County may want to consider a new ordinance. Mr. Franzen explained the basis of the Sixth Circuit's decision and the exemption for private property. No vote was taken on the first reading of this ordinance.

Ordinance O-04-15 and Resolutions R-62-15 and R-63-15 were requested by Police Chief Craig Sorrell in connection with the Police Department's reaccreditation with the Kentucky Association of Chiefs of Police. All of the amendments and policies were reviewed and approved by the County Attorney.

Ordinance O-04-15 was read by title and summary given. O-04-15 amends the Campbell County Code of Ordinances at Section 31.01 "Authority to Carry Concealed Deadly Weapons". This amendment will allow full-time members of the Campbell County Police Department to carry concealed deadly weapons on their person at all times within the United States, not limited to within the boundaries of the Commonwealth of Kentucky. This brings the policy in line with the Law Enforcement Officers Safety Act of 2004 (LEOSA) 18 USC 926. No vote was taken on the first reading of this ordinance.

Resolution R-62-15 was read by title and summary given. R-62-15 amends the Campbell County Police Force Merit Board Rules and Regulations, Chapter One, Sections 1.49 and 1:9.9. Section 1.49 allows Campbell County Police Officers to carry concealed deadly weapons at all times within the United States and Section 1:9.9 extends the probationary period of new officers from 12 months to 12 months after completion of the Field Training Officer (FTO) Training Program. The Police Force Merit Board approved these changes at its May 19, 2015 meeting. Commissioner Coleman made a motion to adopt R-62-15, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

Resolution R-63-15 was read by title and summary given. R-63-15 amends and adopts new sections to the Campbell County Police Department Policy and Procedure Manual. Commissioner Painter made a motion to adopt R-63-15, seconded by Judge Pendery. Chief Sorrell explained the three new sections that were added. All voted "AYE" and the motion passed.

Resolution R-64-15 was read by title and summary given. R-64-15 authorizes the Judge/Executive to apply for \$1,200 in funding from the Kentucky Cattleman's Foundation for the purchase and installation of new hose and reel systems at the Campbell County Animal

Shelter. No matching funds are required of this grant, however Lisa Bowman, Animal Shelter Director, suggests including a voluntary cost share of \$1,200 from the Animal Shelter donations account. Commissioner Lampe made a motion to adopt R-64-15, seconded by Commissioner Coleman. All voted "AYE" and the motion passed.

Resolution R-65-15 was read by title and summary given. R-65-15 grants a temporary construction easement on property located at 1898 Poplar Ridge Road to Sanitation District No. 1. SD1 will use the easement area for storage and equipment for a period of up to two years while working on the Ash Street Forced Main project. Commissioner Lampe made a motion to adopt R-65-15, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to appoint the following individuals to positions in the Parks and Recreation Department effective May 21, 2015 through the 2015 parks season:

|                 |                                                |              |
|-----------------|------------------------------------------------|--------------|
| Jeremiah Harrod | Seasonal Parks & Recreation Maintenance Worker | \$10.56/hour |
| R. J. Moellman  | Seasonal Parks & Recreation Maintenance Worker | \$10.56/hour |
| Brittany Clark  | Part-time Camping & Concessions Worker         | \$10.16/hour |
| Mitch Aldridge  | Part-time Camping & Concessions Worker         | \$10.16/hour |

Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted "AYE" and the motion passed.

A motion was requested to appoint Jim Dierig as a part-time Golf Cashier/Clerk at A J Jolly Golf Course with compensation set at Pay Grade 7, \$9.56/hour effective May 27, 2015 through the 2015 Golf season. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to advance Rob Allender from Road Maintenance Level II to Road Maintenance Level III with compensation set at \$26.05/hour effective May 21, 2015 in accordance with the current AFSCME Local #286 working agreement. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to advance Allan Kramer from Road Maintenance Level I to Road Maintenance Level II with compensation set at \$23.60/hour effective May 21, 2015 in accordance with the current AFSCME Local #286 working agreement. 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 Jared Reinecke, part-time IT Technician, effective May 22, 2015. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for a part-time IT Technician. 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 Ashley Stinson, Animal Technician effective May 25, 2015. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for a full-time Animal Technician. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Resolution R-66-15 was read by title and summary given. R-66-15 adds a Building Inspector I position to the authorized position list for the Planning and Zoning Department, adopts the proposed position description and authorizes corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-66-15, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to advertise, interview and hire for a full-time Building Inspector I. Motion was made by Judge Pendery, seconded by Commissioner Lampe. Cindy Minter explained that they have not been able to hire a Level II or III Building Inspector and therefore want to establish an entry level position. All voted “AYE” and the motion passed.

A motion was requested to appoint David Rodgers to the full-time position of Building/Housing Inspector I effective June 8, 2015, with compensation set at Pay Grade 12, \$22.50 hourly (\$40,950 annually with annual benefit cost of \$16,147.79). Motion was made by Judge Pendery, seconded by Commissioner Lampe. Cindy Minter explained that this position was created jointly by the Housing and Building Inspection Departments. She stated that the Planning and Zoning Department staff is having a hard time meeting the demand for inspections. All voted “AYE” and the motion passed.

Mr. Elberfeld then requested that the Fiscal Court meet in executive session pursuant to KRS 61.810(1)(e) collective bargaining negotiations between public employers and their employees or their representatives. The session will take place at the end of regular business and no action will be taken as a result. Motion was made by Commissioner Coleman, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Steve Franzen clarified an announcement made at a previous meeting that the oral arguments in the 911 case before the Kentucky Supreme Court are scheduled for June 5, 2015 at 11:00am in Frankfort.

Judge Pendery announced that the Alexandria Fair Court Day will be held on Saturday, May 23 at the Alexandria Fairgrounds from 8:00am to 7:00pm. Vendors will be selling antiques, treasures and collectibles and refreshments. There will also be a beauty pageant and car and bike show. Those interested in securing a vendor space should contact [fairvendors@fuse.net](mailto:fairvendors@fuse.net).

Judge Pendery announced that the Taste of Newport will be held on Sunday, June 7 from 11:00am to 7:00pm in the 600, 700 and 800 blocks of Monmouth Street. Food vendors will be set up along the street and live music will be played throughout the day.

Marie Schenkel requested a motion to authorize staff to solicit bids for the following road materials used by the Campbell County Road Department during Fiscal Year 2016: stone,

culvert pipe, hot mix asphalt, oil and tar. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

A motion was requested to accept bids for road salt for Fiscal Year 2016 as follows: Morton Salt, Inc. at \$71.89 per ton and Cargill Deicing Technology at \$71.90 per ton. The bids were received through the Kentucky Association of Counties online reverse auction process. Staff further requests that all bids received through the County’s sealed bid process be rejected. Motion was made by Commissioner Lampe, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to authorize staff to solicit bids for the disposal and transportation costs of 3,000 cubic yards of waste from an illegal dump site. Motion was made by Judge Pendery. Matt Elberfeld explained that the Fiscal Court received grant funds for the cleanup of this dump but the first bids received were higher than the grant amount. Staff has reworked the bid specifications and requests rebidding for the work. The motion was seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

Resolution R-67-15 was read by title and summary given. R-67-15 adopts and approves execution of a Municipal Aid Co-op Program Contract between the Fiscal Court of Campbell County acting for the Unincorporated Urban Place and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for the fiscal year beginning July 1, 2015 as provided in the Kentucky Revised Statutes and accepting all of the roads referred to therein as being urban roads which are a part of the Unincorporated Urban Place. The Fiscal Court shall receive \$70,405.33 to be used for the construction, reconstruction and maintenance of urban roads and streets. Last year the Fiscal Court received \$83,048. Judge Pendery made a motion to adopt R-67-15, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

A motion was requested to adopt the Fiscal Year 2016 Annual Standing Order to preapprove certain recurring expenses. State law allows the Fiscal Court to adopt an order preapproving payment of monthly payroll and utility expenses. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

Ordinance O-06-15 was read by title and summary given. O-06-15 adopts the annual budget and appropriations of Campbell County, Kentucky for the Fiscal Year 2015-2016 (FY16). Judge Pendery stated that the overall budget is about \$7 million dollars larger this year due to jail construction costs of \$4.5 million added to the original \$2.5 million budgeted. He stated that revenues are stronger this year – unfortunately expenditures are also strong. Judge Pendery stated that due to the heroin problems in northern Kentucky and Campbell County there is a \$782,000 increase in jail costs due to the increased jail population and staffing. He relayed other expenses related to heroin problems. Judge Pendery then highlighted other items in the budget including personnel, health insurance, TANK allocation, capital improvements, replacements in the police fleet, park improvements, animal shelter improvements and road repairs. He stated that the budget always looks out of balance at the beginning of the year, but staff was able to bring it into line and produce a surplus at the end. It will be extremely difficult to do that this year. There will be increases in the coming year for heroin-related expenses which will continue

to get worse and have financial effects on the County. Matt Elberfeld explained that \$4.5 million in general obligation bonds will be issued for the jail construction which will cost about \$7 million. No vote was taken on the first reading of the ordinance.

Ms. Schenkel then requested a motion to approve the claims and supplemental claims as presented for May 20, 2015. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

At 4:15 p.m. the Fiscal Court met in Executive Session pursuant to motion previously made.

Motion was made by Commissioner Coleman, seconded by Commissioner Painter to adjourn the executive session and reconvene in regular session. 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 5:25 p.m.

Matt Elberfeld opened the required public hearing to obtain public comment on possible uses of County Road Aid (CRA) and Local Government Economic Assistance (LGEA) funds. Mr. Elberfeld stated that in FY16 the Fiscal Court is scheduled to get \$643,997 in County Road Aid. In FY15 it received \$783,138 – a decrease of \$139,141 due to the drop in the gas tax. He asked if there were any comments on how the money should be used i.e. what roads should be paved, etc. No comments were made. Mr. Elberfeld stated that in FY16 the Fiscal Court is scheduled to get \$70,405 in Municipal Road Aid. In FY15 it received \$83,048 – a decrease of about \$13,000 due to the decline in gas tax. These funds can only be used on roads in the urban areas of unincorporated Campbell County as defined by the Kentucky Transportation Cabinet. No comments were made. Mr. Elberfeld stated that the Fiscal Court has budgeted to receive \$10,900 in Local Government Economic Assistance funds for FY16, but have actually received none of these funds in the last six fiscal years. He does not expect to receive any of these funds this year. He explained the purpose of the LGEA funds. No comments were made and Mr. Elberfeld closed the public hearing at 5:35 p.m.

Judge Pendery announced that this meeting would normally be held at 5:30 p.m. but was moved to 3:30 p.m. today. The statutory requirements were met as to notification of the change. Unfortunately not everyone learned of it and he apologized for that.

Attachments:

|                    |                                                            |
|--------------------|------------------------------------------------------------|
| Ordinance O-05-15  | Rescind Ordinance O-22-04                                  |
| Ordinance O-04-15  | Amend Code – “Authority to Carry Concealed Deadly Weapons” |
| Resolution R-62-15 | Amend Police Force Merit Board Rules and Regulations       |
| Resolution R-63-15 | Amend Campbell County Police Policy and Procedure Manual   |
| Resolution R-64-15 | Application for Cattleman’s Foundation Grant Funds         |
| Resolution R-65-15 | Grant Temporary Construction Easement to SD1               |
| Resolution R-66-15 | Authorize Addition of Building Inspector I Position        |
| Resolution R-67-15 | Execute Municipal Road Aid Contract                        |

Ordinance O-06-15    Fiscal Year 2016 Budget  
Claims and Supplemental Claims    May 20, 2015

Approved:

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STEVE PENDERY  
Judge/Executive

Attest:

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Paula K. Spicer, Fiscal Court Clerk